

**Maryland State Department of  
Education  
Consolidated State Application  
Accountability Workbook**

(updated April 10, 2003)  
(revised April 17, 2003)

for State Grants under Title IX, Part C, Section 9302 of the Elementary and  
Secondary Education Act (Public Law 107-110)



**U. S. Department of Education  
Office of Elementary and Secondary Education  
Washington, D.C. 20202**

## **Instructions for Completing Consolidated State Application Accountability Workbook**

By January 31, 2003, States must complete and submit to the Department this Consolidated State Application Accountability Workbook. We understand that some of the critical elements for the key principles may still be under consideration and may not yet be final State policy by the January 31 due date. States that do not have final approval for some of these elements or that have not finalized a decision on these elements by January 31 should, when completing the Workbook, indicate the status of each element which is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the Consolidated State Application Accountability Workbook.

### **Transmittal Instructions**

To expedite the receipt of this Consolidated State Application Accountability Workbook, please send your submission via the Internet as a .doc file, pdf file, rtf or .txt file or provide the URL for the site where your submission is posted on the Internet. Send electronic submissions to [conapp@ed.gov](mailto:conapp@ed.gov).

A State that submits only a paper submission should mail the submission by express courier to:

Celia Sims  
U.S. Department of Education  
400 Maryland Ave., SW  
Room 3W300  
Washington, D.C. 20202-6400  
(202) 401-0113

## **PART I: Summary of Required Elements for State Accountability Systems**

### **Instructions**

The following chart is an overview of States' implementation of the critical elements required for approval of their State accountability systems. States must provide detailed implementation information for each of these elements in Part II of this Consolidated State Application Accountability Workbook.

For each of the elements listed in the following chart, States should indicate the current implementation status in their State using the following legend:

- F:** State has a final policy, approved by all the required entities in the State (e.g., State Board of Education, State Legislature), for implementing this element in its accountability system.
- P:** State has a proposed policy for implementing this element in its accountability system, but must still receive approval by required entities in the State (e.g., State Board of Education, State Legislature).
- W:** State is still working on formulating a policy to implement this element in its accountability system.

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Summary of Implementation Status for Required Elements of State Accountability Systems

Status	State Accountability System Element	
<b>Principle 1: All Schools</b>		
P	1.1	Accountability system includes <i>all schools and districts in the state</i> .
P	1.2	Accountability system holds <i>all schools to the same criteria</i> .
P	1.3	Accountability system incorporates the <i>academic achievement standards</i> .
P	1.4	Accountability system provides <i>information in a timely manner</i> .
F	1.5	Accountability system includes <i>report cards</i> .
F	1.6	Accountability system includes <i>rewards and sanctions</i> .
<b>Principle 2: All Students</b>		
F	2.1	The accountability system includes <i>all students</i>
P	2.2	The accountability system has a consistent definition of <i>full academic year</i> .
P	2.3	The accountability system properly includes <i>mobile students</i> .
<b>Principle 3: Method of AYP Determinations</b>		
P	3.1	Accountability system expects <i>all student subgroups, public schools, and LEAs to reach proficiency by 2013-14</i> .
P	3.2	Accountability system has a method for determining whether <i>student subgroups, public schools, and LEAs made adequate yearly progress</i> .
P	3.2a	Accountability system establishes a <i>starting point</i> .
P	3.2b	Accountability system establishes <i>statewide annual measurable objectives</i> .
P	3.2c	Accountability system establishes <i>intermediate goals</i> .
<b>Principle 4: Annual Decisions</b>		
P	4.1	The accountability system <i>determines annually the progress</i> of schools and districts.

**STATUS Legend:**

F – Final state policy; P – Proposed policy, awaiting State approval; W – Working to formulate policy

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**Principle 5: Subgroup Accountability**

F	5.1	The accountability system <i>includes all the required student subgroups</i> .
P	5.2	The accountability system holds <i>schools and LEAs accountable for the progress of student subgroups</i> .
F	5.3	The accountability system includes <i>students with disabilities</i> .
F	5.4	The accountability system includes <i>limited English proficient students</i> .
P	5.5	The State has determined the minimum number of students sufficient to yield statistically reliable information for each purpose for which disaggregated data are used.
F	5.6	The State has strategies to protect the privacy of individual students in reporting achievement results and in determining whether schools and LEAs are making adequate yearly progress on the basis of disaggregated subgroups.

**Principle 6: Based on Academic Assessments**

P	6.1	Accountability system is based <i>primarily on academic assessments</i> .
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**Principle 7: Additional Indicators**

P	7.1	Accountability system includes <i>graduation rate for high schools</i> .
F	7.2	Accountability system includes an <i>additional academic indicator for elementary and middle schools</i> .
F	7.3	Additional indicators are valid and reliable.

**Principle 8: Separate Decisions for Reading/Language Arts and Mathematics**

P	8.1	Accountability system holds students, schools and districts separately accountable for <i>reading/language arts and mathematics</i> .
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**Principle 9: System Validity and Reliability**

P	9.1	Accountability system produces <i>reliable decisions</i> .
P	9.2	Accountability system produces <i>valid decisions</i> .
P	9.3	State has a plan for addressing <i>changes in assessment and student population</i> .

**Principle 10: Participation Rate**

P	10.1	Accountability system has a means for calculating the <i>rate of participation</i> in the statewide assessment.
P	10.2	Accountability system has a means for <i>applying the 95% assessment criteria to student subgroups and small schools</i> .

**STATUS Legend:**

**F** – Final policy; **P** – Proposed Policy, awaiting State approval; **W** – Working to formulate policy

## **PART II: State Response and Activities for Meeting State Accountability System Requirements**

### **Instructions**

In Part II of this Workbook, States are to provide detailed information for each of the critical elements required for State accountability systems. States should answer the questions asked about each of the critical elements in the State's accountability system. States that do not have final approval for any of these elements or that have not finalized a decision on these elements by January 31, 2003, should, when completing this section of the Workbook, indicate the status of each element that is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the Consolidated State Application Accountability Workbook.

**PRINCIPLE 1. A single statewide Accountability System applied to all public schools and LEAs.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.1 How does the State Accountability System include every public school and LEA in the State?</p>	<p>Every public school and LEA is required to make adequate yearly progress and is included in the State Accountability System.</p> <p>State has a definition of “public school” and “LEA” for AYP accountability purposes.</p> <ul style="list-style-type: none"> <li>• The State Accountability System produces AYP decisions for all public schools, including public schools with variant grade configurations (e.g., K-12), public schools that serve special populations (e.g., alternative public schools, juvenile institutions, state public schools for the blind) and public charter schools. It also holds accountable public schools with no grades assessed (e.g., K-2).</li> </ul>	<p>A public school or LEA is not required to make adequate yearly progress and is not included in the State Accountability System.</p> <p>State policy systematically excludes certain public schools and/or LEAs.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 1.1**

Under the 1994 reauthorization of the Elementary and Secondary Education Act, Maryland has maintained an accountability system that includes all public schools and LEAs. Maryland's accountability system is currently under revision to become compliant with provisions in the No Child Left Behind Act of 2001. The revisions include new assessments, the Maryland School Assessment (MSA), that will produce individual scores in reading and mathematics in grades 3, 5, 8 and in grade 10 reading, as well as the grade 10 geometry end-of-course assessment, beginning with the first administration in the first week of March 2003.

The definition of "public school," as defined in Draft Accountability Regulations, 13A.01.04.02, complies with NCLB requirements. Under this draft regulation, the definition includes all alternative public schools, juvenile institutions, and the Maryland School for the Deaf and the Maryland School for the Blind. Alternative programs will be held accountable for students enrolled in the alternative program from September 30 through the dates of testing. Those students who enroll in the alternative program after September 30 will be accounted for at the LEA level and the state level.

The promulgation process for the Draft Accountability Regulations will begin at the meeting of the State Board of Education on February 25-26; the final adoption is anticipated at the May 20-21 meeting of the State Board with the effective date no later than July 1, 2003.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations
- Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment C, MD School Performance Program, Accountability Data, School Year 2002-2003, 2001-2002

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.2 How are all public schools and LEAs held to the same criteria when making an AYP determination?</p>	<p>All public schools and LEAs are systematically judged on the basis of the same criteria when making an AYP determination.</p> <p>If applicable, the AYP definition is integrated into the State Accountability System.</p>	<p>Some public schools and LEAs are systematically judged on the basis of alternate criteria when making an AYP determination.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 1.2</b></p> <p>All schools and local school systems have been rated in the past according to the same criteria under the 1994 reauthorization of the Elementary and Secondary Education Act. Maryland will continue in the future to hold all public schools and LEAs to the same criteria when making AYP determinations. Draft Accountability Regulations (Attachment B) detail proposed regulatory revisions that will provide for the tracking of Adequate Yearly Progress (AYP) for all schools and school systems. The revised accountability system will include new tests, the Maryland School Assessments (MSA) to be administered in March 2003 for the first time, geometry high school assessment, attendance, and graduation rates.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment A, Draft Implementation Procedures for AYP Determinations</li> <li>• Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards</li> </ul>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.3 Does the State have, at a minimum, a definition of <i>basic</i>, <i>proficient</i> and <i>advanced</i> student achievement levels in reading/language arts and mathematics?</p>	<p>State has defined three levels of student achievement: <i>basic</i>, <i>proficient</i> and <i>advanced</i>.<sup>1</sup></p> <p>Student achievement levels of <i>proficient</i> and <i>advanced</i> determine how well students are mastering the materials in the State's academic content standards; and the <i>basic</i> level of achievement provides complete information about the progress of lower-achieving students toward mastering the <i>proficient</i> and <i>advanced</i> levels.</p>	<p>Standards do not meet the legislated requirements.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 1.3</b></p> <p>Maryland will use its newly developed assessments in reading and mathematics, the Maryland School Assessments (MSA) in grades 3, 5, and 8, and in grade 10 reading beginning in March 2003 to measure the performance of schools and school systems. In grade 10, the State will measure mathematics performance using the end-of-course high school assessment in geometry. The State will set proficiency levels for mathematics and reading in the summer of 2003. The proficiency levels planned include basic, proficient and advanced performance levels to conform with NCLB requirements.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment A, Draft Implementation Procedures for AYP Determinations</li> <li>• Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards</li> </ul>		

<sup>1</sup> System of State achievement standards will be reviewed by the Standards and Assessments Peer Review. The Accountability Peer Review will determine that achievement levels are used in determining AYP.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?</p>	<p>State provides decisions about adequate yearly progress in time for LEAs to implement the required provisions before the beginning of the next academic year.</p> <p>State allows enough time to notify parents about public school choice or supplemental educational service options, time for parents to make an informed decision, and time to implement public school choice and supplemental educational services.</p>	<p>Timeline does not provide sufficient time for LEAs to fulfill their responsibilities before the beginning of the next academic year.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 1.4**

Maryland School Assessments (MSA) will be administered annually in March. In the first year of test administration, release of assessment results will be delayed as a result of some additional psychometric work. Proficiency levels will be set in mid-July with adoption by the State Board of Education on July 22, 2003. The Geometry end-of-course (Geometry) assessment at the tenth grade level is administered annually in May, beginning in 2002, and fulfills the high school mathematics requirement. The State will also set proficiency levels for high school assessments in the summer of 2003 and, thereafter, report scores to schools and school systems by early August 2003. AYP computations for MSA and the geometry assessment will be made in late July to early August so that we can identify schools failing to make progress and notify school systems. School systems would be expected to examine their results and begin the appeals process while simultaneously assembling their plans and notifying parents of their rights to access school choice and special services options as appropriate. This timetable will permit us to meet the federal requirement in the first year of administration.

In subsequent years (beginning in 2004), the psychometric and proficiency level setting work associated with the first administration will not be necessary, permitting the results to be returned to schools and school systems around June 1. Beginning with the 2003-2004 school year, geometry results will be scored immediately after the May administrations, with the release of scores to schools occurring beginning in June and before the start of the next school year annually. Graduation rate and attendance data will be collected and reported within the same schedule to facilitate the timely release of data and the identification of schools eligible for program improvement requirements.

In subsequent years, the notification of schools and school systems will follow the schedule that we will establish in 2004. Schools will be notified of eligibility, beginning June 1 each year, of lack of progress toward meeting AYP targets as results become available. Each notified school will be asked to begin work immediately on their improvement plans while simultaneously filing appeals of their designation as necessary. Parent notification will take no later than early August.

**Evidence:**

- Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment D, Letter from State Superintendent of Schools, Dr. Grasmick, regarding Parent Notification

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.5 Does the State Accountability System produce an annual State Report Card?</p>	<p>The State Report Card includes all the required data elements [see Appendix A for the list of required data elements].</p> <p>The State Report Card is available to the public at the beginning of the academic year.</p> <p>The State Report Card is accessible in languages of major populations in the State, to the extent possible.</p> <p>Assessment results and other academic indicators (including graduation rates) are reported by student subgroups</p>	<p>The State Report Card does not include all the required data elements.</p> <p>The State Report Card is not available to the public.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 1.5**

Maryland has published state, system, and school report cards since 1991. The State Report Card is made available to the public and to school staffs via multiple formats as soon as the data are available. The principal mechanism for disseminating results is the Maryland School Performance website ([www.msp.msde.state.md.us](http://www.msp.msde.state.md.us)). All results for all NCLB accountability measures for the state, school systems, and schools are posted on the state website and are updated as new data become available. The website disaggregates all data in accordance with NCLB requirements. Results from testing each spring are released first on the website and in subsequent weeks via print report cards that are issued by the state and the school systems. The printed state report card includes key NCLB-required data as well as background information on the performance of the state and for each local school system. Local school systems are required to issue results to parents for both student performance and for the school and system as the school year following testing opens. The Department is currently working to make camera-ready report cards available to each school system in the following languages: Spanish, Korean, Chinese, Vietnamese, French, Urdu, Russian, and Arabic. The Department is also currently making provisions to provide report card information on the Maryland School Performance website in the eight foreign languages.

The release and publication of the 2002 report card was delayed beyond the opening of the 2002-2003 school year due to contractual obligations made with test vendors that preceded the passage of No Child Left Behind. The publication of the report card in subsequent years will meet all NCLB timeline requirements. The website currently includes the requested information on disaggregated data about percent of students not participating in the statewide assessment system. This information is not currently included in the state, school system, or school report cards. However, beginning with the 2003 report card, we will begin including the disaggregated non-participant data as requested. The 2003 report card will also include the required information on the professional qualifications of teachers.

**Evidence:**

- Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment C, Maryland School Performance Program, Accountability Data, School Year 2002-2003, 2001-2002
- Attachment E, Maryland School Performance Report 2002
- [www.msp.msde.state.md.us](http://www.msp.msde.state.md.us) : Maryland School Performance Website

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.6 How does the State Accountability System include rewards and sanctions for public schools and LEAs?<sup>2</sup></p>	<p>F State uses one or more types of rewards and sanctions, where the criteria are:</p> <ul style="list-style-type: none"> <li>• Set by the State;</li> <li>• Based on adequate yearly progress decisions; and,</li> <li>• Applied uniformly across public schools and LEAs.</li> </ul>	<p>State does not implement rewards or sanctions for public schools and LEAs based on adequate yearly progress.</p>
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p><b>Question 1.6</b> Maryland has included rewards and sanctions as a part of its accountability program, dating back to 1994 for sanctions in the form of a stepped approach to reconstitution, and to 1996 for rewards in the form of financial awards to improving schools based on AYP. Both the sanctions and rewards are in the process of revision to comport with NCLB requirements. Attached draft regulations outline the intentions of the state to reconfigure its standards and sanctions so that a unitary accountability system will apply to all schools. The rewards program is currently in state law (5-208). The most current revision is included in a September 25, 2002 memorandum from Dr. Grasmick to the State Board of Education, and approved by the State Board. A workgroup involving parents, local school system officials, and MSDE staff will be meeting between January 1, 2003 and June 1, 2003 to further revise the plan to fully comply with No Child Left Behind requirements as outlined in section 1116 of NCLB to improve schools and LEAs.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards</li> <li>• Attachment F, Education Article § 5-208</li> <li>• Attachment G, Memorandum to State Board of Education, September 25, 2002</li> </ul>		

<sup>2</sup> The state must provide rewards and sanctions for all public schools and LEAs for making adequate yearly progress, except that the State is not required to hold schools and LEAs not receiving Title I funds to the requirements of section 1116 of NCLB [§200.12(b)(40)].

**PRINCIPLE 2. All students are included in the State Accountability System.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>2.1 How does the State Accountability System include all students in the State?</p>	<p>All students in the State are included in the State Accountability System.</p> <p>The definitions of “public school” and “LEA” account for all students enrolled in the public school district, regardless of program or type of public school.</p>	<p>Public school students exist in the State for whom the State Accountability System makes no provision.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 2.1</b></p> <p>Public school regulations apply to all public school students, all public schools, all local public school systems in Maryland, and alternative education programs and schools operated by local school systems (juvenile institutions, nonpublic special education schools, the Maryland School for the Blind, and the Maryland School for the Deaf), which public school students are attending. Public school student means a student enrolled in a local public school system and attending a public school, an alternative education program or alternative school operated by a local school system, a juvenile institution, a nonpublic special education school, the Maryland School for the Blind, or the Maryland School for the Deaf. Data from public school students attending for less than a full academic year (alternative education programs operated by local school systems, juvenile institutions, nonpublic special education schools, the Maryland School for the Deaf, or the Maryland School for the Blind) shall be included in the performance reports of the sending LEA. Data from public school students attending for a full academic year alternative schools operated by local school systems, juvenile institutions, nonpublic special education schools, the Maryland School for the Deaf, or the Maryland School for the Blind shall be included in the performance reports of the attending school.</p> <p>The largest portion of Maryland students, including LEP and NEP students, will be required to take the Maryland School Assessments at grades 3, 5, and 8 in reading and mathematics and in grade 10 reading as well as the grade 10 geometry end-of-course assessment. Other Maryland students take the Independent Mastery Assessment Program (IMAP), an alternative assessment to the MSA for students with severe cognitive disabilities who are not able to participate in MSA even with accommodations.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment A, Draft Implementation Procedures for AYP Determinations</li> <li>• Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards</li> </ul>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>2.2 How does the State define “full academic year” for identifying students in AYP decisions?</p>	<p>The State has a definition of “full academic year” for determining which students are to be included in decisions about AYP.</p> <p>The definition of full academic year is consistent and applied statewide.</p>	<p>LEAs have varying definitions of “full academic year.”</p> <p>The State’s definition excludes students who must transfer from one district to another as they advance to the next grade.</p> <p>The definition of full academic year is not applied consistently.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 2.2</b></p> <p>For the purposes of identifying students in AYP decisions, a student enrolled in the school by September 30 and attending that school through the dates of testing is considered enrolled for a full academic year and will be tested and included in school level data as it relates to AYP decisions. A student enrolled in the same district from September 30 through the dates of testing will be considered enrolled in the district for the full academic year and included when determining if the district has made AYP. A student who attends more than one school within a district during the academic year while enrolled in the district for the full academic year is not included in determining school-specific AYP but is included when determining district-level AYP. The statewide AYP calculation includes all students enrolled in the state from September 30 through the dates of testing, including students who have been enrolled in multiple districts within the state.</p> <p>For the end-of-course geometry assessment, the full academic year criteria must be adapted to be consistent with the four ways schools may offer the geometry course: fall semester, spring semester, summer term, and full year. The principle is that students must be continuously enrolled for the duration of the course. Thus,</p> <ul style="list-style-type: none"> <li>• Students taking the course during the fall semester must be continuously enrolled from the September 30 enrollment count through January testing.</li> <li>• Students taking the course during the spring semester must be continuously enrolled no later than the 5<sup>th</sup> day of that semester through May testing.</li> <li>• Students taking the course during the summer term must be continuously enrolled from the second school day of the course through August testing.</li> <li>• Students taking the course during a 180-day term must be continuously enrolled from the September 30 enrollment count through May testing.</li> </ul> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment A, Draft Implementation Procedures for AYP Determinations</li> <li>• Attachment C, Maryland School Performance Program, Accountability Data, School Year 2002-2003, 2001-2002</li> </ul>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>2.3 How does the State Accountability System determine which students have attended the same public school and/or LEA for a full academic year?</p>	<p>State holds public schools accountable for students who were enrolled at the same public school for a full academic year.</p> <p>State holds LEAs accountable for students who transfer during the full academic year from one public school within the district to another public school within the district.</p>	<p>State definition requires students to attend the same public school for more than a full academic year to be included in public school accountability.</p> <p>State definition requires students to attend school in the same district for more than a full academic year to be included in district accountability.</p> <p>State holds public schools accountable for students who have not attended the same public school for a full academic year.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 2.3**

Schools are held accountable for students continuously enrolled from the beginning of the academic year, September 30, to the time of testing.

LEAs are held accountable for students enrolled in that LEA from September 30 through the testing dates. This includes students who transfer from one public school within the district to another public school within the district.

Maryland's Accountability System tracks student enrollment and withdrawal at the school and district level to ensure appropriate school-specific and district-specific accountability for purposes of measuring adequate yearly progress of students enrolled for the full academic year.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations
- Attachment C, Maryland School Performance Program, Accountability Data, School Year 2002-2003, 2001-2002

**PRINCIPLE 3. State definition of AYP is based on expectations for growth in student achievement that is continuous and substantial, such that all students are proficient in reading/language arts and mathematics no later than 2013-2014.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.1 How does the State's definition of adequate yearly progress require all students to be proficient in reading/language arts and mathematics by the 2013-2014 academic year?</p>	<p>The State has a timeline for ensuring that all students will meet or exceed the State's proficient level of academic achievement in reading/language arts<sup>3</sup> and mathematics, not later than 2013-2014.</p>	<p>State definition does not require all students to achieve proficiency by 2013-2014.</p> <p>State extends the timeline past the 2013-2014 academic year.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 3.1</b>                      Maryland's definition of AYP meets the requirements of NCLB by ensuring that all students achieve proficiency in reading and mathematics by the 2013-2014 school year. Starting points, intermediate goals, and annual measurable objectives will be set separately for reading and mathematics at each tested grade level (grades 3, 5, 8, and 10) according to NCLB specifications. The mathematics assessment in the grade band 10 through 12 is based on Maryland's end-of-course geometry test. Since students may take geometry as early as middle school and as late as grade 12, the starting point, intermediate goals, and annual measurable objectives will be set on the status of students in grade 12, thus ensuring that all students will achieve proficiency by 2013-2014.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment A, Draft Implementation Procedures for AYP Determinations</li> <li>• Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards</li> </ul>		

<sup>3</sup> If the state has separate assessments to cover its language arts standards (e.g., reading and writing), the State must create a method to include scores from all the relevant assessments.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2 How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?</p>	<p>For a public school and LEA to make adequate yearly progress, each student subgroup must meet or exceed the State annual measurable objectives, each student subgroup must have at least a 95% participation rate in the statewide assessments, and the school must meet the State's requirement for other academic indicators.</p> <p>However, if in any particular year the student subgroup does not meet those annual measurable objectives, the public school or LEA may be considered to have made AYP, if the percentage of students in that group who did not meet or exceed the proficient level of academic achievement on the State assessments for that year decreased by 10% of that percentage from the preceding public school year; that group made progress on one or more of the State's academic indicators; and that group had at least 95% participation rate on the statewide assessment.</p>	<p>State uses different method for calculating how public schools and LEAs make AYP.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 3.2**

The decision-making procedure involves multiple steps:

1. Determine if at least 95% of students in the subgroup, school, LEA, and the state participated in the statewide assessments. Procedures for determining participation are addressed in the response to Question 10.1. If participation criteria are met, proceed as follows:
2. Determine if the percent proficient values for all students in a school, LEA, or the state meet or exceed the annual measurable objectives separately for reading, mathematics, and the other indicator.
3. Determine which subgroups have 5 or more members and are therefore applicable for the following determinations:
  - Determine if the percent proficient values in the applicable subgroups meet or exceed the annual measurable objectives separately for reading, mathematics, and the other indicator.
  - For each subgroup in which the percent proficient value is significantly less than the annual measurable objective for reading and/or mathematics, apply the safe harbor provision: determine if the subgroup met the annual measurable objective on the other indicator(s). If the subgroup does, determine if the percentage of students below proficient decreased by 10% from the previous year.

Schools, LEAs, and the state will meet their annual measurable objective if, in the aggregate, the percent of students performing at the proficient level is not significantly below the annual measurable objective in reading or mathematics and if the percent proficient of each subgroup in reading and mathematics is not significantly below the annual measurable objective or meets the safe harbor criteria and if the 95% participation rate is met in the aggregate and for each subgroup.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2a What is the State's starting point for calculating Adequate Yearly Progress?</p>	<p>Using data from the 2001-2002 school year, the State established separate starting points in reading/language arts and mathematics for measuring the percentage of students meeting or exceeding the State's proficient level of academic achievement.</p> <p>Each starting point is based, at a minimum, on the higher of the following percentages of students at the proficient level: (1) the percentage in the State of proficient students in the lowest-achieving student subgroup; or, (2) the percentage of proficient students in a public school at the 20<sup>th</sup> percentile of the State's total enrollment among all schools ranked by the percentage of students at the proficient level.</p> <p>A State may use these procedures to establish separate starting points by grade span; however, the starting point must be the same for all like schools (e.g., one same starting point for all elementary schools, one same starting point for all middle schools...).</p>	<p>The State Accountability System uses a different method for calculating the starting point (or baseline data).</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 3.2a**

Grades 3, 5, 8 and 10 reading and mathematics: The MSA will be administered for the first time in school year 2002-2003. Achievement levels will be set in July of 2003. Prior to 2002-2003 Maryland did not administer a reading assessment in the grade band 10 through 12. The end-of-course geometry assessment will be used as the mathematics measure for the grade band 10 through 12. The geometry assessment, a graduation requirement for all students, was administered to all students enrolled in an appropriate geometry course in school year 2001-2002.

Attendance will be the other academic measure for elementary and middle schools. For purposes of AYP, subgroups, schools, LEAs and the state will be expected to achieve a proficiency level of at least 94% at the end of school year 2013-2014. A separate starting point based on 2002 results will be set at each grade level for grades 1-12. Graduation rate will be the other academic measure for high schools. We will use the National Center for Education Statistics synthetic graduation rate formula.

Maryland will set a performance standard for graduation rate by May 2003. The methodology for setting the performance standards will be the same as was used to set the attendance standard. For purposes of AYP subgroups, schools, LEAs and the state will be expected to achieve at least this proficiency level by the end of school year 2013-2014.

Maryland will set separate starting points for each unique grade structure by averaging the starting points across grades for each AYP element – reading, mathematics, attendance, and/or graduation rate as appropriate.

The starting points for academic assessments and attendance rate will be determined by:

- Computing the percent proficient for each subgroup separately for each measure.
- Ranking the schools from lowest to highest separately for each measure at each grade level. Identify the performance (percent proficient or attendance rate) for the school at the 20th percentile in terms of enrollment separately for reading, mathematics, and attendance at each grade level.
- Selecting the higher of the two as the starting point (SP).

These computations will yield separate starting points for each grade level and measure. The grade level starting points will be used to compute starting points in each of the following: reading, mathematics, and attendance rate and/or graduation rate as appropriate for each school. Starting points for schools with grade structures including two or more assessed grades will be computed by taking the weighted average of the grade specific starting points for reading and mathematics separately and the unweighted average of the grade specific attendance across all grades and/or graduation rate as appropriate.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations
- Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04, Public School Standards

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>3.2b What are the State's annual measurable Objectives for determining adequate yearly progress?</p>	<p>State has annual measurable objectives that are consistent with a state's intermediate goals and that identify for each year a minimum percentage of students who must meet or exceed the proficient level of academic achievement on the State's academic assessments.</p> <p>The State's annual measurable objectives ensure that all students meet or exceed the State's proficient level of academic achievement within the timeline.</p> <p>The State's annual measurable objectives are the same throughout the State for each public school, each LEA, and each subgroup of students.</p>	<p>The State Accountability System uses another method for calculating annual measurable objectives.</p> <p>The State Accountability System does not include annual measurable objectives.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 3.2b**

Compute the annual targets so that 100% of students achieve proficiency in reading and mathematics by 2013-2014. By applying the general formula separately for reading at grades 3, 5, 8 and mathematics at grades 3, 5, 8, 10 below we will establish the expectations for growth.

$$AT_i \equiv SP + \left\{ (Y_i - 2002) \left[ \frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

Where:  $AT_i$  is the annual target for a given year between 2003 and 2014.  
 $SP$  is the starting point for any grade and content combination.  
 $Y_i$  is the year between 2003 and 2014 for which the annual target is to be computed.

The same general formula will be used for reading at grade 10. However, the baseline year will be 2003 instead of 2002.

Application of the above methodology ensures that at the end of school year 2013-2014 all students must achieve proficiency.

Annual yearly targets are set relative to the intermediate goals using the following methodology:

Annual measurable objectives for determining AYP will be set as equal increments based on the difference between adjacent intermediate goals for all intermediate goals except for the 2004-2005 intermediate goal. During the implementation period for our assessment system, annual measurable objective will increase at a non-linear rate between 2002 and 2005 to allow schools and LEAs time to adjust their instructional strategies to the new standards and assessments. This annual measurable objectives will be determined as follows:

For 2002-2003 subgroups, schools, LEAs, and the state will be expected to at least maintain 2001-2002 performance levels. The annual measurable objective will be equal to the starting point.

For 2003-2004 the annual measurable objective will be one third of the difference between the starting point and the 2004-2005 intermediate goal.

$$AMO_{2004} = SP + \left[ \frac{(IG_{2005} - SP)}{3} \right]$$

For 2004-2005 the annual measurable objective will be the 2004-2005 intermediate goal.

$$AMO_{2005} = IG_{2005}$$

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations
- Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04, Public School Standards

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2c What are the State's intermediate goals for determining adequate yearly progress?</p>	<p>State has established intermediate goals that increase in equal increments over the period covered by the State timeline.</p> <ul style="list-style-type: none"> <li>• The first incremental increase takes effect not later than the 2004-2005 academic year.</li> <li>• Each following incremental increase occurs within three years.</li> </ul>	<p>The State uses another method for calculating intermediate goals.</p> <p>The State does not include intermediate goals in its definition of adequate yearly progress.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 3.2c**

Intermediate goals will be set for school years 2004-2005, 2007-2008, 2010-2011, and 2013-2014 based on formula 1 resulting in equal growth expectations over the 12-year period.

- Intermediate Goal 2004-2005:

$$IG_{2005} \equiv SP + \left\{ 3 \left[ \frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

- Intermediate Goal 2007-2008:

$$IG_{2008} \equiv SP + \left\{ 6 \left[ \frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

- Intermediate Goal 2010-2011:

$$IG_{2011} \equiv SP + \left\{ 9 \left[ \frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

- **Final Goal 2013-2014**

$$FG_{2014} \equiv SP + \left\{ 12 \left[ \frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

$$FG_{2014} \equiv 100$$

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations

**PRINCIPLE 4. State makes annual decisions about the achievement of all public schools and LEAs.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>4.1 How does the State Accountability System make an annual determination of whether each public school and LEA in the State made AYP?</p>	<p>AYP decisions for each public school and LEA are made annually.<sup>4</sup></p>	<p>AYP decisions for public schools and LEAs are not made annually.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 4.1</b>                      AYP decisions will be made annually for schools, LEAs, and the State. These decisions will be integrated into Maryland’s annual performance reporting system. Annual reporting will take place for each school, each school district, and for the state as whole.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment A, Draft Implementation Procedures for AYP Determinations</li> <li>• Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards</li> </ul>		

<sup>4</sup> Decisions may be based upon several years of data and data may be averaged across grades within a public school [§1111(b)(2)(J)].

**PRINCIPLE 5. All public schools and LEAs are held accountable for the achievement of individual subgroups.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>5.1 How does the definition of adequate yearly progress include all the required student subgroups?</p>	<p>Identifies subgroups for defining adequate yearly progress: economically disadvantaged, major racial and ethnic groups, students with disabilities, and students with limited English proficiency.</p> <p>Provides definition and data source of subgroups for adequate yearly progress.</p>	<p>State does not disaggregate data by each required student subgroup.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 5.1**

All schools have the potential of 19 data elements for AYP as summarized below. Schools and systems are required to test all students within subgroups.

Data Elements:

- % Reading Proficient: All students, American Indian, Asian, African American, White, Hispanic, FARMS, Special Education, LEP
- % Mathematics Proficient: All students, American Indian, Asian, African American, White, Hispanic, FARMS, Special Education, LEP
- Other measure: Attendance or Graduation Rate depending on the grade level

Consistent with NCLB, a school, LEA, or state is said to make adequate yearly progress under the following conditions:

1. The percentage of students in the aggregate meets or exceeds the annual measurable objective for the other academic indicator (attendance or graduation rate).
2. The percentage of students in the aggregate achieving at the proficient level separately for reading and mathematics meets or exceeds the annual measurable objectives.
3. The participation rate for the academic assessments in reading and mathematics, set separately both in the aggregate and for each subgroup, is 95% or greater.
4. The percentage of students in each subgroup achieving at the proficient level separately for reading and mathematics meets or exceeds the annual measurable objective. Or, for any subgroup failing to meet the annual measurable objective, the percentage of students achieving below the proficient level decreases by 10% provided that the subgroup meets or exceeds the annual measurable objective for the applicable other academic indicator of attendance or graduation rate (safe harbor).

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>5.2 How are public schools and LEAs held accountable for the progress of student subgroups in the determination of adequate yearly progress?</p>	<p>Public schools and LEAs are held accountable for student subgroup achievement: economically disadvantaged, major ethnic and racial groups, students with disabilities, and limited English proficient students.</p>	<p>State does not include student subgroups in its State Accountability System.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 5.2</b>                      The performance of students in all subgroups on the academic assessments, attendance and graduation rate will be tracked separately. The percent proficient, attendance rate, and graduation rate will be aggregated by subgroup at the school, LEA, and state levels for determining AYP.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment A, Draft Implementation Procedures for AYP Determinations</li> <li>• Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards</li> </ul>		

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.3 How are students with disabilities included in the State's definition of adequate yearly progress?	All students with disabilities participate in statewide assessments: general assessments with or without accommodations or an alternate assessment based on grade level standards for the grade in which students are enrolled. State demonstrates that students with disabilities are fully included in the State Accountability System.	The State Accountability System or State policy excludes students with disabilities from participating in the statewide assessments.  State cannot demonstrate that alternate assessments measure grade-level standards for the grade in which students are enrolled.

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 5.3**

All students with disabilities are tested. Students pursuing a course of study based on Maryland content standards participate in the administration of Maryland School Assessments and the geometry end-of-course exam. Students pursuing an alternate course of study based on their IEP participate in Maryland's alternate assessment, IMAP. Participation rates and performance levels of students with disabilities on MSA and IMAP are included in AYP determinations. Maryland's alternate achievement standards are aligned with the academic content standards.

Maryland fully intends to revise or add policies in accordance with any new U.S. Department of Education guidance on the development of alternative assessments. Furthermore, while Maryland's current assessment for students with severely challenging disabilities (IMAP) was reported in the 2002 Maryland School Performance Report as an aggregated score, the IMAP has been revised and was administered for the first time in the spring of 2003 in a new form that will produce separate mathematics and reading scores as required by NCLB Section 200.6. For the 2001-2002 school year, students taking IMAP area classified as "basic" since IMAP did not yield separate scores for reading and mathematics. In 2002-2003, IMAP will yield separate scores for reading and mathematics and they will be counted according to the following criteria:

- Up to 1% of students at the LEA and state level will be classified as achieving at the basic, proficient, or advanced level according to the alternate assessment performance standards to be set in July 2003. These scores will be combined with the results from the MSA for determining AYP at the LEA and state levels.
- Students in excess of the allowable 1%, by definition, will be classified as performing at the basic level and their scores will be combined with the results from the MSA for determining AYP at the LEA and state levels.
- It is assumed that if a waiver is not granted and the number of students taking the alternate assessment exceeds 1%, that the allowable 1% must be randomly drawn from the population of alternate assessment takers. The proficiency of students in the sample will be determined based on the alternate performance standards. The proficiency of students not in the sample will be set at "basic."
- It is assumed that schools are not held to the 1% rule, as the regulations are silent on this issue. Thus, for schools, all students taking the alternate assessment may be judged against the alternate performance standards and the resulting proficiency classification may be combined with the MSA results for determining AYP.

Regardless of whether a student's score counts toward AYP, all students taking the alternate assessment will count as test takers for the 95% participation requirement.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations
- Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment E, Maryland School Performance Report 2002

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>5.4 How are students with limited English proficiency included in the State's definition of adequate yearly progress?</p>	<p>All LEP student participate in statewide assessments: general assessments with or without accommodations or a native language version of the general assessment based on grade level standards.</p> <p>State demonstrates that LEP students are fully included in the State Accountability System.</p>	<p>LEP students are not fully included in the State Accountability System.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 5.4**

Within the first thirty days of enrollment in a Maryland public school and annually thereafter, students who qualify for English as a second language programs are tested for their knowledge of English using the IDEA® Proficiency Test, published by Ballard and Tighe. Student results on the proficiency test are evaluated, and the student is designated, as a result, as Non-English Proficient (NEP), Limited English Proficient (LEP), and Fluent English Proficient (FEP). Students identified as Non-English Proficient have no or very minimal English Language proficiency.

All NEP and LEP students regardless of enrollment date will be required to take the assessment. The process for determining which students are to be included in AYP calculations for the school, school system, and the state is included in the response to question 2.2.

LEP students will be required to take the assessment, and the assessment will be scored.

NEP students will be assigned a test booklet and given the opportunity to complete the assessment. Test proctors must provide non-English speaking students with an opportunity to take the assessments. Proctors will be asked to apply all of the appropriate accommodations to which the student is entitled. In addition, the proctor is further directed to monitor NEP students as follows:

1. Test proctors will be asked to apply all of the appropriate accommodations to which the student is entitled.
2. Test proctors will be required to observe the student as he or she takes the assessment to determine the extent to which the student is able to perform with comfort and in a productive manner.
3. If, after attempting several test questions, the proctor finds that the student is unable to complete the test, the proctor will be directed to terminate the student's testing session.
4. At the close of testing, the test booklet will then be returned to the vendor for scoring along with all other completed student assessment booklets.
5. The student will receive the score achieved during the testing session. The score will be included in AYP calculations for the school in which the student is enrolled as well as the school system and the state.

This procedure will ensure that the student is not subjected to undue stress during the testing situation while permitting an opportunity to at least preliminarily gauge the extent to which the student's language limitations affect his or her ability to perform in the assessment.

All students who are not enrolled in the state system for a full academic year, including NEP and LEP students, will not be included for AYP determinations at the school, district, or state level.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations
- Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment E, Maryland School Performance Report 2002
- Attachment H, 2003 MSA Clarifications Document

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>5.5 What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?</p>	<p>State defines the number of students required in a subgroup for reporting and accountability purposes, and applies this definition consistently across the State.<sup>5</sup></p> <p>Definition of subgroup will result in data that are statistically reliable.</p>	<p>State does not define the required number of students in a subgroup for reporting and accountability purposes.</p> <p>Definition is not applied consistently across the State.</p> <p>Definition does not result in data that are statistically reliable.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 5.5</b>  Maryland will use a minimum subgroup size of 5 and use statistical significance tests to ensure that AYP determinations are fair and accurate for subgroups of varying sizes.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>Attachment A, Draft Implementation Procedures for AYP Determinations</li> </ul>		

<sup>5</sup> The minimum number is not required to be the same for reporting and accountability.

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>5.6 How does the State Accountability System protect the privacy of students when reporting results and when determining AYP?</p>	<p>Definition does not reveal personally identifiable information.<sup>6</sup></p>	<p>Definition reveals personally identifiable information.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 5.6</b>  Maryland has used a minimum group size of 5 for subgroup and school reporting since 1992 to protect the privacy of students. Maryland does not report the results of any subgroup smaller than 5 in number. In those cases where the number of students in a cell on the report card is less than 5, an asterisk is placed and the report is footnoted accordingly.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment E, Maryland School Performance Report 2002</li> </ul>		

<sup>6</sup> The Family Education Rights and Privacy Act (FERPA) prohibits an LEA that receives Federal funds from releasing, without the prior written consent of a student's parents, any personally identifiable information contained in a student's education record.

**PRINCIPLE 6. State definition of AYP is based primarily on the State’s academic assessments.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>6.1 How is the State’s definition of adequate yearly progress based primarily on academic assessments?</p>	<p>Formula for AYP shows that decisions are based primarily on assessments.<sup>7</sup></p> <p>Plan clearly identifies which assessments are included in accountability.</p>	<p>Formula for AYP shows that decisions are based primarily on non-academic indicators or indicators other than the State assessments.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 6.1</b></p> <p>Maryland’s accountability system is primarily based on reading and mathematics assessments in grades 3, 5, 8, and 10. In elementary and middle schools the only other component for AYP determinations is attendance. In high schools, the only other component is graduation rate. At the minimum, schools where all subgroups have fewer than 5 members, two-thirds of the AYP calculations are based on academic assessments (reading and mathematics). At the maximum, schools where all subgroups have more than 5 members, 18 of the 19 components for AYP calculations are based on academic assessments. Only K-12 schools will have 20 components by including both graduation rate and attendance.</p> <p>AYP data components include the following:</p> <ul style="list-style-type: none"> <li>• % Reading Proficient: All students, American Indian, Asian, African American, White, Hispanic, FARMS, Special Education, LEP             <ul style="list-style-type: none"> <li>• % Mathematics Proficient: All students, American Indian, Asian, African American, White, Hispanic, FARMS, Special Education, LEP</li> <li>• Other measure: Attendance and/or Graduation Rate depending on the grade level</li> </ul> </li> </ul> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment A, Draft Implementation Procedures for AYP Determinations</li> <li>• Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards</li> </ul>		

<sup>7</sup> State Assessment System will be reviewed by the Standards and Assessments Peer Review Team.

**PRINCIPLE 7. State definition of AYP includes graduation rates for public High schools and an additional indicator selected by the State for public Middle and public Elementary schools (such as attendance rates).**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>7.1 What is the State definition for the public high school graduation rate?</p>	<p>State definition of graduation rate:</p> <ul style="list-style-type: none"> <li>• Calculates the percentage of students, measured from the beginning of the school year, who graduate from public high school with a regular diploma (not including a GED or any other diploma not fully aligned with the state’s academic standards) in the standard number of years; or,</li> <li>• Uses another more accurate definition that has been approved by the Secretary; and</li> <li>• Must avoid counting a dropout as a transfer.</li> </ul> <p>Graduation rate is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause<sup>8</sup> to make AYP.</p>	<p>State definition of public high school graduation rate does not meet these criteria.</p>

<sup>8</sup> See USC 6311(b)(2)(I)(i), and 34 C.F.R. 200.20(b)

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 7.1**

Graduation rate will be the other academic measure for high schools. We will use the National Center for Education Statistics synthetic graduation rate formula.

$$GR_i \equiv \frac{G_i}{G_i + D_i + D_{(i-1)} + D_{(i-2)} + D_{(i-3)}}$$

Where:  $GR_i$  is the graduation rate for a given year ( $i$ ) between 2002 and 2014

$G_i$  is the number of students achieving a regular high school diploma (excluding special education certificates, G.E.D.s, and other non-standard diplomas) for year  $i$ .

$D_i$  is the number of dropouts in grade 12 for year  $i$ .

$D_{(i-1)}$  is the number of dropouts in grade 11 for the first previous year ( $i-1$ ).

$D_{(i-2)}$  is the number of dropouts in grade 10 for the second previous year ( $i-2$ ).

$D_{(i-3)}$  is the number of dropouts in grade 9 for the third previous year ( $i-3$ ).

Maryland will set a performance standard for graduation rate by May 2003. The performance standard will represent the expected graduation rate for satisfactory performance for subgroups, schools, LEAs, and the state. The methodology for setting the performance standards will be the same as was used to set the attendance standard. For purposes of AYP subgroups, schools, LEAs and the state will be expected to achieve at least this proficiency level by the end of school year 2013-2014. Disaggregated graduation rates will be incorporated into safe harbor determinations for high schools.

Maryland will complete the proficiency level setting process in advance of the deadlines associated with the Consolidated Plan submissions in May. The Maryland State Department of Education will include the proficiency level determinations by the May deadline as required.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>7.2 What is the State's additional academic indicator for public elementary schools for the definition of AYP? For public middle schools for the definition of AYP?</p>	<p>State defines the additional academic indicators, e.g., additional State or locally administered assessments not included in the State assessment system, grade-to-grade retention rates or attendance rates.<sup>9</sup></p> <p>An additional academic indicator is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause to make AYP.</p>	<p>State has not defined an additional academic indicator for elementary and middle schools.</p>

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<sup>9</sup> NCLB only lists these indicators as examples.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

**Question 7.2**

Average daily attendance rate is our other academic indicator for both elementary and middle schools. This indicator has been a component of Maryland’s accountability system since 1989. Subgroups within schools, schools, LEAs, and the state are expected to achieve a 94% to meet our satisfactory standard. For purposes of AYP this standard represents our goal for 2013-2014. Intermediate goals and annual objectives are calculated based on a linear progression from the starting point to the achievement of 94% for all students.

The Attendance rate reflects the percentage of students present in school for at least half the average school day during the school year.

a) Attendance Rate Elementary – The percent average daily attendance of elementary students (grades 1 through 5), including ungraded special education students under age 11. Summer school is excluded.

b) Middle - The percent average daily attendance of middle school students (grades 6 through 8), including ungraded special education students age 11 through 13. Summer school is excluded.

The average daily attendance for a given year is based on the aggregate number of enrolled students who are present in school each day of the September to June school year. The percent average daily attendance is calculated by dividing the aggregate number of students in attendance by the aggregate number of students in membership for the September to June school year.

For reporting purposes, attendance and absence are counted in ½ day units. A student is counted as present for ½ day if in attendance any part of the school day. A student is counted as absent for ½ day if absent any part of the school day. Students in attendance for more than half a day are counted as present for a full day. Students absent for more than half day are counted as absent for a full day. Students are counted present only if actually at school or if at another place at a school activity sponsored by the school and supervised by a member of the school staff.

The following definitions are the minimum standards for attendance as defined by the State Board of Education. Local Boards of Education may set more stringent standards.

A student is counted present only if actually at school or present at another place at a school activity that is sponsored by the school and is personally supervised by a member or members of the school staff. This may include authorized independent study, work-study programs, field trips, athletic events, contests, music festivals, student conventions, instruction for homebound students, and similar activities when officially authorized under policies of the local school board. It does not include making up school work at home, or activities supervised or sponsored by private groups or individuals. Excused (lawful) and unexcused (unlawful) absences are both counted as absences.

Attendance rate is computed by dividing the aggregate number of days attending by the aggregate days of membership.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations
- Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>7.3 Are the State's academic indicators valid and reliable?</p>	<p>State has defined academic indicators that are valid and reliable.</p> <p>State has defined academic indicators that are consistent with nationally recognized standards, if any.</p>	<p>State has an academic indicator that is not valid and reliable.</p> <p>State has an academic indicator that is not consistent with nationally recognized standards.</p> <p>State has an academic indicator that is not consistent within grade levels.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 7.3</b>                      Yes. Attendance, dropout, and high school completion have been elements of Maryland's accountability system since 1989. The data are collected from LEAs at the student level, edited for accuracy, and tested against historical trends. LEAs are required to correct inaccuracies and investigate outliers. Ultimately, questionable data results can trigger a formal investigation based on our test security and data reporting regulation.</p> <p>For graduation rate calculation, Maryland will use the National Center for Education Statistics (NCES) synthetic graduation rate formula. Maryland will set a performance standard for graduation rate by May 2003. The performance standard will represent the expected graduation rate for satisfactory performance for subgroups, schools, LEAs, and the state.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment A, Draft Implementation Procedures for AYP Determinations</li> <li>• Attachment C, Maryland School Performance Program, Accountability Data, School Year 2002-2003, 2001-2002</li> </ul>		

**PRINCIPLE 8. AYP is based on reading/language arts and mathematics achievement objectives.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>8.1 Does the state measure achievement in reading/language arts and mathematics separately for determining AYP?</p>	<p>State AYP determination for student subgroups, public schools and LEAs separately measures reading/language arts and mathematics.<sup>10</sup></p> <p>AYP is a separate calculation for reading/language arts and mathematics for each group, public school, and LEA.</p>	<p>State AYP determination for student subgroups, public schools and LEAs averages or combines achievement across reading/language arts and mathematics.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Question 8.1</b>                      Yes. 1993-2002 MSPAP was used for accountability, producing school, system, and state results in reading, mathematics, etc. (see website). Beginning in 2003, MSA will be given in reading and mathematics, grades 3, 5, 8, 10.</p> <p>Maryland is developing reading assessments separately for grades 3, 5, 8, and 10 and mathematics assessments in grades 3, 5, 8. Our grade 10 mathematics measure is the current end of course geometry assessment. These assessments are based on Maryland’s reading and mathematics content standards. There are nine measures of progress in reading (each subgroup and the aggregate), and nine measures of progress in mathematics (each subgroup and the aggregate). Reading and mathematics are measured separately across grade levels in each subgroup and in the aggregate for AYP determinations.</p> <p><b>Evidence:</b></p> <ul style="list-style-type: none"> <li>• Attachment A, Draft Implementation Procedures for AYP Determinations</li> <li>• Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards</li> <li>• <a href="http://www.msp.msde.state.md.us">www.msp.msde.state.md.us</a></li> </ul>		

<sup>10</sup> If the state has more than one assessment to cover its language arts standards, the State must create a method for including scores from all the relevant assessments.

**PRINCIPLE 9. State Accountability System is statistically valid and reliable.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>9.1 How do AYP determinations meet the State's standard for acceptable reliability?</p>	<p>State has defined a method for determining an acceptable level of reliability (decision consistency) for AYP decisions.</p> <p>State provides evidence that decision consistency is (1) within the range deemed acceptable to the State, and (2) meets professional standards and practice.</p> <p>State publicly reports the estimate of decision consistency, and incorporates it appropriately into accountability decisions.</p> <p>State updates analysis and reporting of decision consistency at appropriate intervals.</p>	<p>State does not have an acceptable method for determining reliability (decision consistency) of accountability decisions, e.g., it reports only reliability coefficients for its assessments.</p> <p>State has parameters for acceptable reliability; however, the actual reliability (decision consistency) falls outside those parameters.</p> <p>State's evidence regarding accountability reliability (decision consistency) is not updated.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 9.1**

Statistical procedures will be used in all tests of AYP determinations to ensure that decisions take into account inherent measurement error present in all accountability systems. The statistical approach adjusts for accuracy of decisions by holding constant the probability of making a classification error over the range of the number of students in a group. It does so by adjusting the width of the confidence interval as a function of  $n$  and the expected variability of scores ( $\sigma$ ) within the subgroup, school, LEA, and state. Fairness is ensured by holding the probability of a type I error constant for all subgroups, schools, LEAs, and the state. The procedure, a one sample  $Z$  test, uses a standard approach for testing the significance of differences between a sample and a known population parameter. The AYP target of percent proficient is the known population parameter of a binomial distribution,  $P$ . The observed percent proficient value represents  $p$  of a sample drawn from the population. The binomial distribution is normal and therefore the difference between the observed percent proficient and the AYP target ( $p-P$ ) can be transformed to  $Z$ .

$$Z \equiv \frac{p - P}{\sqrt{\frac{P * (1 - P)}{n}}}$$

Where:  $P$ = percent proficient AYP target  
 $p$ = observed percent proficient in a subgroup  
 $n$ = number of students in a subgroup, school, LEA, or the state.

The null hypothesis for each test is  $H_0: p \geq P$ . The alternative hypothesis is  $H_A: p < P$ . It is a directional hypothesis and is tested with a one tailed test since we are only interested in knowing if the observed percent proficient ( $p$ ) is significantly less than the AYP target ( $P$ ). The critical value of  $Z$  can be readily established by setting the acceptable alpha – the probability of making a type I error at the commonly accepted value for a Type I error is 0.05. One refinement is required to hold alpha at a constant 0.05 for each test of  $H_0$  given that the number of subgroups and hence the number of statistical tests may vary among schools depending on the number of subgroups with five or more members present. For schools with all subgroups – 5 race/ethnicity, LEP, special education, and FARMS – nine statistical tests are required for each content area (8 subgroups plus all students) to determine if the school and the 8 subgroups met the AYP target. Testing mathematics and reading separately doubles the number of required tests to 18. It is common practice that when more than one statistical test is performed to classify a school as meeting or not meeting the AYP criteria to use a correction factor to control the fact that with each test the probability making a Type I error in any one test increases. The correction for is made by dividing the selected alpha (0.05) by the number of tests that need to be performed for a single school (Bonferroni adjustment). Thus, for a school with all subgroups alpha for each test is 0.0026 (0.05/19).

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
9.2 What is the State's process for making valid AYP determinations?	State has established a process for public schools and LEAs to appeal an accountability decision.	State does not have a system for handling appeals of accountability decisions.

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 9.2**

The performance of all schools will be statistically tested against the AYP targets unique to grade structure of the school. If the null hypothesis is rejected at the school level, the school will be said to have failed to meet its AYP target. The performance of subgroups also will be statistically tested against the AYP target. If the null hypothesis is rejected, safe harbor statistical tests will be performed. If the null hypothesis is rejected, the subgroup and hence the school will be said to have failed to meet its AYP target. Each subgroup will be tested each year and failure of any subgroup to meet its AYP or safe harbor target will be said to have failed to meet AYP.

Before identifying a local school or school system for improvement, the State shall provide an opportunity to review the data on which the proposed identification is based and give the local school system an opportunity to provide supporting evidence if it believes the identification is in error for statistically substantive reasons.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations
- Attachment B, Draft Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>9.3 How has the State planned for incorporating into its definition of AYP anticipated changes in assessments?</p>	<p>State has a plan to maintain continuity in AYP decisions necessary for validity through planned assessment changes, and other changes necessary to comply fully with NCLB.<sup>11</sup></p> <p>State has a plan for including new public schools in the State Accountability System.</p> <p>State has a plan for periodically reviewing its State Accountability System, so that unforeseen changes can be quickly addressed.</p>	<p>State's transition plan interrupts annual determination of AYP.</p> <p>State does not have a plan for handling changes: e.g., to its assessment system, or the addition of new public schools.</p>

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<sup>11</sup> Several events may occur which necessitate such a plan. For example, (1) the State may need to include additional assessments in grades 3-8 by 2005-2006; (2) the State may revise content and/or academic achievement standards; (3) the State may need to recalculate the starting point with the addition of new assessments; or (4) the State may need to incorporate the graduation rate or other indicators into its State Accountability System. These events may require new calculations of validity and reliability.

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 9.3**

By using grade specific starting points, the new assessments in grades 4, 6, and 7 are readily incorporated into Maryland’s definition of AYP. Schools will be held accountable for the grades they serve by computing their performance using the weighted average of the performance at each grade. Starting points, and hence AYP targets, will be recomputed when the new assessments are administered.

Newly created schools are held to the same annual measurable objectives as all schools with the same grade structure, and thus, in the first year of operation, subgroup and school level AYP decisions will be based on comparisons of the school and subgroup performance levels with the statewide annual measurable objectives. For safe harbor determinations, student level data from the students’ previous school will be used to determine if the number of students performing below the proficient level decreased by at least 10%.

Maryland will review its procedures every five years or as necessary to ensure that the accountability system continues to address the needs of all students. Content standards, assessments, proficiency levels, intermediate goals, and annual objectives will be reviewed and, if necessary, appropriate adjustments will be made. As Maryland implements new assessments, adequate yearly progress determinations will incorporate data from new tests while maintaining the timeline for all students to reach proficiency by 2013-2014.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations

**PRINCIPLE 10. In order for a public school or LEA to make AYP, the State ensures that it assessed at least 95% of the students enrolled in each subgroup.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>10.1 What is the State's method for calculating participation rates in the State assessments for use in AYP determinations?</p>	<p>State has a procedure to determine the number of absent or untested students (by subgroup and aggregate).</p> <p>State has a procedure to determine the denominator (total enrollment) for the 95% calculation (by subgroup and aggregate).</p> <p>Public schools and LEAs are held accountable for reaching the 95% assessed goal.</p>	<p>The state does not have a procedure for determining the rate of students participating in statewide assessments.</p> <p>Public schools and LEAs are not held accountable for testing at least 95% of their students.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 10.1**

Maryland will use the full academic year criteria as the basis for defining the pool of students at the subgroup, school, LEA, and state level required to be included in the calculation for AYP. All students enrolled on the testing date will be required to participate in the assessments for AYP. Schools are held accountable for students continuously enrolled and who attend the same school from the beginning of the academic year to the time of testing. LEAs are held accountable for students who are continuously enrolled in the LEA from the beginning of the academic year to the time of testing but who transfer between schools within the LEA. The state is held accountable for students who are continuously enrolled but who transfer between LEAs within the state from the beginning of the academic year to the time of testing. Maryland’s accountability system tracks student enrollment and withdrawals at the school and district level to ensure appropriate school-specific and district-specific accountability for purposes of measuring adequate yearly progress of students enrolled for the full academic year.

Maryland takes a two-pronged approach to ensure and check for the 95% participation rate for schools and LEAs in state assessments.

1. **Performance.** When calculating the performance level for a subgroup, school, LEA, or the state, all students meeting the full academic year criteria will be included. A “basic” performance level will be assigned to any student absent for the mathematics or reading assessment or make-up administration of these assessments. This provides a significant incentive to ensure full participation in state assessments.
2. **Participation.** The participation rate will be computed for each subgroup, and in the aggregate, for each of the reading and mathematics assessments by dividing the number of students present in each testing group by the number of enrolled students in that group. The participation rate will be calculated for each subgroup and for the aggregate separately in each of reading and mathematics assessments where a group includes at least:
  - a. 30 students for schools with one grade tested,
  - b. 60 students for schools with two or more grades tested, or
  - c. 60 students for LEAs.

Groups not meeting the minimum criteria listed above will not be checked for participation rate.

This procedure should ensure that subgroups are appropriately included in the participation check while protecting schools and LEAs from the effects of the absences of a few students in very small subgroups. This two-pronged approach provides incentives for the inclusion of students in testing along with a fair measure of participation with an appropriate minimum “n.”

Students with disabilities pursuing a course of study based on the Maryland content standards must participate in the MSA or geometry assessments with appropriate accommodations. Their scores will be included in AYP calculations for the school in which the student is enrolled as well as for the school system and the state according to the full academic year criteria. Students with disabilities pursuing a course of study based on alternative goals specified in their IEPs are required to take a grade appropriate alternate assessment. Their scores will be included in AYP calculations for the school in which the student is enrolled as well as for the school system and the state according to the full academic year criteria.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
10.2 What is the State's policy for determining when the 95% assessed requirement should be applied?	State has a policy that implements the regulation regarding the use of 95% allowance when the group is statistically significant according to State rules.	State does not have a procedure for making this determination.

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Question 10.2**

Maryland takes a two-pronged approach to ensure and check for the 95% participation rate for schools and LEAs in state assessments.

1. **Performance.** When calculating the performance level for a school or LEA, all enrolled students will be included. A “basic” performance level will be assigned to any student absent for the mathematics or reading assessment or make-up administration of these assessments. This provides a significant incentive to ensure full participation in state assessments.
2. **Participation.** The participation rate will be computed for each subgroup, and in the aggregate, for each of the reading and mathematics assessments by dividing the number of students present in each testing group by the number of enrolled students in that group. The participation rate will be calculated for each subgroup and for the aggregate separately in each of reading and mathematics assessments where a group includes at least:
  1. 30 students for schools with one grade tested,
  2. 60 students for schools with two or more grades tested, or
  3. 60 students for LEAs.

Groups not meeting the minimum criteria listed above will not be checked for participation rate.

This procedure should ensure that subgroups are appropriately included in the participation check while protecting schools and LEAs from the effects of the absences of a few students in very small subgroups. This two-pronged approach provides incentives for the inclusion of students in testing along with a fair measure of participation with an appropriate minimum “n.”

See 10.1, page 50, for further explanation of participation policy.

**Evidence:**

- Attachment A, Draft Implementation Procedures for AYP Determinations

Appendix A  
Required Data Elements for State Report Card

**1111(h)(1)(C)**

1. Information, in the aggregate, on student achievement at each proficiency level on the State academic assessments (disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.
2. Information that provides a comparison between the actual achievement levels of each student subgroup and the State's annual measurable objectives for each such group of students on each of the academic assessments.
3. The percentage of students not tested (disaggregated by the student subgroups), except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.
4. The most recent 2-year trend in student achievement in each subject area, and for each grade level, for the required assessments.
5. Aggregate information on any other indicators used by the State to determine the adequate yearly progress of students in achieving State academic achievement standards disaggregated by student subgroups.
6. Graduation rates for secondary school students disaggregated by student subgroups.
7. Information on the performance of local educational agencies in the State regarding making adequate yearly progress, including the number and names of each school identified for school improvement under section 1116.
8. The professional qualifications of teachers in the State, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the State not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which (for this purpose) means schools in the top quartile of poverty and the bottom quartile of poverty in the State.