

EXECUTIVE SUMMARY

Title: Allowing Retest Results in the Calculation of Performance Composites of the ABCs and AYP

Type of Executive Summary:

- Action
- Action on First Reading
- Discussion
- Information

Policy Implications:

- Constitution _____
- General Statute # _____
- SBE Policy # GCS-A-004, HSP-N-005, HSP-N-003
- SBE Policy Amendment
- SBE Policy (New)
- APA # 16 NCAC 6D.0502, 16 NCAC 6D.0504
- APA Amendment
- APA (New)
- Other _____

Presenter(s): Ms. Angela H. Quick (Deputy Chief Academic Officer/Assistant State Superintendent, Curriculum, Instruction, Technology and Accountability Services) and Dr. Louis M. Fabrizio (Director of Accountability Policy & Communications)

Description:

At its January 2009 meeting, the State Board of Education (SBE) approved requiring students who do not meet the Achievement Level III standard on EOGs to be retested (Retest 1) and for the higher of the original or Retest 1 EOG score to be included in the performance composites and for AYP effective with the 2008-09 school year. In addition, the SBE approved requiring students who do not meet the Achievement Level III standard on EOCs to be retested (Retest 1) and for the higher of the original or Retest 1 EOC score to be included in the performance composites and for AYP (where applicable) effective with the 2009-10 school year. A new policy is attached to specifically address the retesting for ABCs and AYP. Amendments to other affected policies also are attached.

Resources:

Superintendents, DPI staff

Input Process:

Agency leadership, superintendents participating in the Superintendents' Conference Call on February 16, 2009

Stakeholders:

Staff of the public schools of North Carolina and the general public

Timeline For Action:

This item is being presented for Discussion at the March SBE meeting and for Action at the April meeting.

Recommendations:

It is recommended that the State Board of Education approve the new retesting policy and the amendments to other affected policies.

Audiovisual equipment requested for the presentation:

- Data Projector/Video (Videotape/DVD and/or Computer Data, Internet, Presentations-PowerPoint preferred)
Specify: _____
 - Audio Requirements (computer or other, except for PA system which is provided)
Specify: _____
 - Document Camera (for transparencies or paper documents – white paper preferred)

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Motion By: _____

Seconded By: _____

Vote: Yes _____ No _____

Abstain _____

Approved _____ Disapproved _____

Postponed _____ Revised _____

*Person responsible for SBE agenda materials and SBE policy updates: Lucy Medlin, 919-807-3771

**NORTH CAROLINA STATE BOARD OF EDUCATION
Policy Manual**

Policy Identification

Priority: High Student Performance

Category:

Policy ID Number: New Policy

Policy Title: End-of-Grade and End-of-Course Retests and Review Procedures

Current Policy Date: 03/05/2009

Other Historical Information:

Statutory Reference:

Administrative Procedures Act (APA) Reference Number and Category:

***** Begin Policy *** (Do not tamper with this line)**

I. End-of-Grade

A. Effective the 2008–09 school year and beyond:

1. All public school students in grades 3, 4, 5, 6, 7, and 8 who do not score Achievement Level III (without the standard error of measurement) or above on the first administration of the end-of-grade reading and/or mathematics assessments and/or their alternate assessment shall be administered Retest 1, and those scores may be used for calculating ABCs Performance Composites and AYP results.
2. All public school students in grades 5 and 8 who do not score Achievement Level III (without the standard error of measurement) on the first administration of the end-of-grade science assessments and/or their alternate assessment shall be administered Retest 1, and those scores may be used for calculating ABCs Performance Composites.

Note: Students identified as limited English proficient (LEP) in their first year in U.S schools who score below Level 4 Expanding on the state English language proficiency reading subtest are exempt from Retest 1 because these students' score are not used in state or federal accountability.

B. LEAs must ensure that all Retest 1 scores are submitted to NCDPI by the deadline for accountability data submission.

C. Following Retest 1, schools can use the results from both the original administration and Retest 1 along with other available information (e.g., formative or benchmark data, portfolios) to make promotion decisions.

D. For any student who does not score at Level III or above on Retest 1 for reading and/or mathematics the following review procedures will apply at grades 3, 5, and 8 to ensure

students meet the Student Accountability Standards as outlined in Section I of 16 NCAC 6D .0502 (HSP-N-003):

1. A teacher or a parent may request a promotion for a student scoring below Level III.
2. Based on the needs of the student, the LEA will determine whether or not to require the student to be subject to
 - (a) focused intervention **and/or**
 - i. Focused intervention involves extended instructional opportunities which are different from and supplemental to regular grade level or high school course work and which are specifically designed to improve the student's performance to proficient.
 - ii. Strategies may include but are not limited to alternative learning models, special homework, smaller classes, tutorial sessions, extended school day, Saturday school, modified instructional programs, parental involvement, summer school instruction, or retention.
 - (b) a third administration of the test (i.e., Retest 2). **Third** administration (i.e, Retest 2) scores will **not** be included in ABCs or AYP.
3. Upon a request by the parent or teacher, or at the discretion of school administration, and when deemed appropriate by the LEA, a review committee will be convened to review a promotion request.
4. The review committee will be appointed by the LEA, and will be comprised of teachers, principals, and/or central office administrators from the district. **Special education personnel must be included if the student is identified as a special needs student. English as a second language staff must be included if the student is identified as LEP.**
5. The committee will review documentation presented by teachers on behalf of the student, including but not limited to: student work samples, test data other than the EOG, information from parents, information from the IEP, if applicable, and any other information tending to verify that the student is at grade level.
6. The student's parent shall be permitted an opportunity to be present at the review and to speak on the student's behalf.
7. The recommendation of the review committee is subject to the principal's authority to grade and classify pupils (G.S. §115C-288(a)).

II. End-of-Course

A. Effective the 2009–10 school year and beyond:

All public school students who do not score Achievement Level III (without the standard error of measurement) or above on the first administration of an end-of-course assessment (i.e., Algebra I, Algebra II, Geometry, Biology, Chemistry, Physics, Physical Science, Civics and Economics, U.S. History, and English I and/or their alternate assessment) shall be administered Retest 1, and those scores

may be used for calculating ABCs Performance Composites and AYP results (where applicable). Retest 1 scores must not be used for calculating course grades. Note: Students identified as limited English proficient (LEP) in their first year in U.S. schools who score below Level 4 Expanding on the state English language proficiency reading subtest are exempt from Retest 1 because these students' scores are not used in state or federal accountability.

B. LEAs must ensure that all Retest 1 scores are submitted to NCDPI by the deadline for accountability data submission.

C. For any student who does not score at Level III or above on Retest 1 for EOCs required for meeting the exit standards (i.e., Algebra I, Biology, Civics and Economics, English I, U.S. History), the following review procedures will apply to ensure students meet the Student Accountability Standards for High School as outlined in Section II of 16 NCAC 6D .0502 (HSP-N-003):

1. A teacher or a parent may request a promotion for a student scoring below Level III.
2. Prior to convening an exit standard review hearing, the LEA will determine whether or not to require the student to be subject to focused intervention and/or to take a third administration (i.e., Retest 2). Third administrations (i.e, Retest 2) scores will not be included in ABCs or AYP.
3. Upon a request by the parent or teacher, or at the discretion of school administration, and when deemed appropriate by the LEA, a review committee will be convened to review a request for meeting the exit standard(s).
4. The review committee will be appointed by the LEA, and will be comprised of teachers, principals, and/or central office staff from the district. Special education personnel must be included if the student is identified as a special needs student. English as a second language staff must be included if the student is identified as LEP.
5. The committee will review documentation presented by teachers on behalf of the student, including but not limited to: student work samples, test data other than the EOC, information from parents, information from the IEP, if applicable, and any other information tending to verify that the student is proficient.
6. The student's parent shall be permitted an opportunity to be present at the review and to speak on the student's behalf.
7. The recommendation of the review committee is subject to the principal's authority to grade and classify pupils (G.S. §115C-288(a)).

**NORTH CAROLINA STATE BOARD OF EDUCATION
POLICY MANUAL**

POLICY IDENTIFICATION

PRIORITY: HIGH STUDENT PERFORMANCE

CATEGORY: STUDENT ACCOUNTABILITY STANDARDS/GRADUATION
REQUIREMENTS

POLICY ID NUMBER: HSP-N-003

POLICY TITLE: 16 NCAC 6D .0502 STUDENT ACCOUNTABILITY STANDARDS

CURRENT POLICY DATE: ~~01/06/2005~~11/12/0604/2008

OTHER HISTORICAL INFORMATION: PREVIOUS BOARD DATES: 12/01/1999,
01/10/01, 02/01/01, 06/07/2001, 03/04/2004, 01/06/2005

STATUTORY REFERENCE: GS 115C-12(9B); GS 115C-81(B)(4); NC CONSTITUTION,
ARTICLE IX, SECTION 5

**ADMINISTRATIVE PROCEDURES ACT (APA) REFERENCE NUMBER AND
CATEGORY:** 16 NCAC 6D .0502

***** BEGIN POLICY *** (DO NOT TAMPER WITH THIS LINE)**

I. Student Accountability Standards for Grades 3, 5, and 8

A. Grade 3. In addition to meeting local promotion requirements, a student at grade 3 shall demonstrate proficiency by having assessment scores at Level III or above on end-of-grade assessments in both reading and mathematics. A student who scores at Level III or above and who meets all local promotion requirements shall be promoted to grade 4 unless the school principal shall determine otherwise in consultation with teacher(s).

B. Grade 5. In addition to meeting local promotion requirements, a student at grade 5 shall demonstrate proficiency by having assessment scores at Level III or above on end-of-grade assessments in both reading and mathematics. A student who scores at Level III or above on reading and mathematics and who meets all local promotion standards shall be promoted to grade 6, unless the school principal shall determine otherwise in consultation with teacher(s).

C. Grade 8. In addition to meeting local promotion requirements, a student at grade 8 shall demonstrate proficiency by having assessment scores at Level III or above on an end-of-grade assessment in both reading and mathematics. Students who score at Level III or above on reading and mathematics and who meet all local promotion standards shall be promoted to grade 9 unless the school principal shall determine otherwise in consultation with teacher(s).

II. Student Accountability Standards for High School

- A. In order to receive a North Carolina high school diploma, a student who enters grade 9 for the first time in 2009–10 or beyond and who follows the Future-Ready Core as defined in State Board of Education policy HSP-N-004 (16NCAC 6D .0503) ~~must~~ shall meet the following standards of proficiency:
1. Score at Level III or above on the end-of-course (EOC) assessment for English I, Algebra I, U.S. History, Biology, and Civics and Economics; and
 2. Successfully complete a ~~The North Carolina Graduation Project~~ in accordance with ~~HSP-N-009~~ The North Carolina Graduation Project Implementation Guide; and
 3. Pass the appropriate edition of the North Carolina Test of Computer Skills
- B. In order to receive a North Carolina high school diploma, a student who entered grade 9 for the first time prior to 2009–10 ~~must~~ shall meet the following standards for proficiency:
1. A student who entered grade 9 for the first time in 2006–07 through 2008–09, who is following the career preparation, college technical preparation, or college/university preparation course of study as defined in State Board of Education policy HSP-N-004 (16NCAC 6D .0503) must meet the following standards of proficiency:
 - a. Score at Level III or above on the end-of-course (EOC) assessment for English I, Algebra I, U.S. History, Biology, and Civics and Economics; and
 - b. Successfully complete a ~~The North Carolina Graduation Project~~ in accordance with ~~HSP-N-009~~ The North Carolina Graduation Project Implementation Guide and
 - c. Pass the appropriate edition for the North Carolina Test of Computer Skills
 2. A student who entered grade 9 for the first time prior to 2006–07 ~~must~~ shall meet the following standards of proficiency:
 - a. Demonstrate their competency in reading and mathematics by either:
 1. Attaining Level III or Level IV on the eighth grade end-of-grade reading and mathematics tests; or
 2. Passing the North Carolina Competency Tests of Reading and Mathematics; or
 3. Using other approved measures.
 - b. Pass the appropriate test edition for the North Carolina Test of Computer Skills.
- C. In order to receive a North Carolina high school diploma, a student who follows the Occupational Course of Study, regardless of the year entering grade 9, ~~must~~ shall meet the following standards of proficiency :
1. Complete rigorous exit standards as outlined in State Board of Education policy HSP-N-004 (16 NCAC 6D .0503) and
 2. Demonstrate computer proficiency as documented in the student’s IEP.

III. Remediation/Intervention

A. Focused intervention

1. School districts shall provide focused intervention to all students not meeting standards of proficiency. Such intervention shall involve extended instructional

~~opportunities which are different from and supplemental to regular grade level or high school course work and which are specifically designed to improve the student's performance to proficient.~~

~~2. Strategies may include but are not limited to alternative learning models, special homework, smaller classes, tutorial sessions, extended school day, Saturday school, modified instructional programs, parental involvement, summer school instruction, or retention.~~

~~3. A student who scores below Level III on an end-of-grade test shall be given a second administration of the test unless the parents elect for the student not to be retested. In this case, the child shall be deemed to have accepted participation in focused intervention.~~

~~III. B. Review Procedures for End-of-Grade and End-of-Course Assessments:~~

~~1. For any student who does not score at Level III or above on an End-of-Grade test at grades 3, 5 or 8, and any student who does not score at Level III or above on an End-of-Course test required for the high school graduation exit standards, or successfully complete The North Carolina Graduation Project, the following procedures apply: outlined in (insert new policy here) apply~~

~~a. A teacher or a parent may request a promotion for a student scoring below Level III.~~

~~b. Prior to convening a promotion review hearing, the LEA will determine whether or not to require the student to take a retest or be subject to focused intervention as set forth in Section A above.~~

~~c. Upon a request by the parent or teacher, or at the discretion of school administration, and when deemed appropriate by the LEA, a review committee will be convened to review a promotion request.~~

~~d. The review committee will be appointed by the LEA, and will be comprised of teachers, and either principals from other schools or central office administrators, and special education personnel if the student is identified as a special needs student.~~

~~e. The committee will review documentation presented by teachers on behalf of the student, including but not limited to: student work samples, test data other than the EOG or EOC; information from parents; information from the IEP, if applicable; and any other information tending to verify that the student is at grade level.~~

~~f. The student's parent shall be permitted an opportunity to be present at the review and to speak on the student's behalf.~~

~~g. the decision of the review committee is final subject to the principal's authority to grade and classify pupils G.S. §115C-288(a).~~

~~IV. C. Remediation/Retesting Procedures for Computer Proficiency~~

~~1. Regardless of the year a student was administered the computer skills test for the first time (i.e., sixth, seventh, or eighth grade), students who have not met the computer proficiency requirement must have at least one opportunity per year to take the test until the requirement has been met.~~

~~2. Until the graduation requirement has been met, a student who has not met this standard must be provided focused remedial instruction.~~

~~3. Any student who has failed to pass the computer skills test by the end of the last school month of the year in which the student's class graduates may receive additional remedial instruction and continue to take the computer skills test during regularly scheduled testing until the student reaches maximum school age.~~

2. **IV. Promotion and Retention Decisions**

1. Promotion or retention decisions shall be made by the principal according to state and local policy and discretion, and
2. Promotion and retention decisions must take into account test scores and other information which may indicate a student's level of proficiency.

~~.0502 Student Accountability Standards~~

~~(a) Gateway 1—Grade 3. In addition to meeting local promotion requirements, students in grade 3 shall demonstrate proficiency by having assessment scores at Level III or above on end-of-grade assessments in both reading and mathematics. Students who score at Level III or above and who meet all local promotion requirements shall be promoted to grade 4 unless the school principal shall determine otherwise in consultation with teacher(s). These requirements shall become effective with the 2001-02 school year.~~

~~(b) Gateway 2—Grade 5. In addition to meeting local promotion requirements, students in grade 5 shall demonstrate proficiency by having assessment scores at Level III or above on end-of-grade assessments in both reading and mathematics. Additionally, LEAs shall use the grade 4 writing assessment as a screen to determine whether students are making adequate progress in developing writing skills. If a student has not scored at or above grade level proficiency as defined in Rule .0501(3) of this Section on the grade 4 writing assessment, the school shall provide intervention and assistance to develop writing skills. The principal and teacher(s) shall use locally developed and scored writing samples during grade 5 to determine if students have made adequate progress in order to be promoted to grade 6. Students who score at Level III or above on reading and mathematics, who meet all local promotion standards, and who make adequate progress in writing shall be promoted to grade 6, unless the school principal shall determine otherwise in consultation with teacher(s).~~

~~(c) Gateway 3—Grade 8. In addition to meeting local promotion requirements, students in grade 8 shall demonstrate proficiency by having assessment scores at Level III or above on an end-of-grade assessment in both reading and mathematics. Additionally, the LEA shall use the grade 7 writing assessment as a screen to determine whether students are making adequate progress in developing writing skills. If a student has not scored at or above grade level proficiency as defined in Rule .0501(3) of this Section on the grade 7 writing assessment, the school shall provide intervention and assistance to develop writing skills. The principal and teacher(s) shall use locally developed and scored writing samples during grade 8 to determine if students have made adequate progress to be promoted to grade 9. Students who score at Level III or above on reading and mathematics, who meet all local promotion standards, and who make adequate progress in writing shall be promoted to grade 9 unless the school principal shall determine otherwise in consultation with teacher(s).~~

~~(d) Gateway 4—Grade 12. Students shall meet state graduation requirements as defined in Rule .0503 of this Section and local school board requirements to receive a North Carolina high school diploma.~~

~~History Note:— Authority G.S. 115C-12(9b); 115C-81(b)(4); N.C. Constitution, Article IX, Sec. 5; Eff. December 1, 1999; Amended Eff. January 2, 2006; August 1, 2001.~~

**NORTH CAROLINA STATE BOARD OF EDUCATION
Policy Manual**

Policy Identification

Priority: Globally Competitive Students

Category: Testing

Policy ID Number: GCS-A-004

Policy Title: Policy ~~delienatingdelineating~~ the appropriate use of state tests

Current Policy Date: ~~01/08/2009~~03/05/2009

Other Historical Information: Previous board dates: 05/01/1997, 11/05/1998, 01/08/2009

Statutory Reference:

Administrative Procedures Act (APA) Reference Number and Category:

Appropriate Use of State Tests

Secure tests developed by the State of North Carolina may not be used for purposes other than those approved by the Division of Accountability Services and the State Board of Education.

~~Only one administration of secure end-of-grade tests shall be permitted during a given school year, except in documented cases where a misadministration yields invalid test scores.~~

~~—Local school districts may administer a designated released form of the test to students who score below Achievement Level III in reading and/or mathematics to provide additional information to assist in making decisions regarding promotion. Appropriate focused supplemental instructional assistance (remediation) shall be provided prior to any re-testing.~~

**NORTH CAROLINA STATE BOARD OF EDUCATION
Policy Manual**

Policy Identification

Priority: High Student Performance

Category: Student Accountability Standards/Graduation Requirements

Policy ID Number: HSP-N-005

Policy Title: 16 NCAC 6D .0504 Review procedures for promotion requests

Current Policy Date: ~~12/01/1999~~03/05/2009

Other Historical Information: 12/01/1999

Statutory Reference: GS 115C-12(9b); GS 115C-81(b)(4); NC Constitution, Article IX, Section 5

Administrative Procedures Act (APA) Reference Number and Category: 16 NCAC 6D .0504

.0504 REVIEW PROCEDURES

~~For students who do not score at Level III or above on the reading and mathematics tests and for students in Grades 5 and 8 who are not making adequate progress in developing writing skills, the school district shall follow these procedures to determine if students are performing at grade level and are able to succeed at the next grade:~~

- ~~(1) Students who score below Level III on an end-of-grade test shall be given a second test no later than three weeks from the receipt of test results. Parents may request that their child be excused from the second administration of the test. In this case, the parents and child shall be deemed to have accepted participation in focused intervention.~~
- ~~(2) Teachers or parents may request a promotion for students who score below Level III on an end-of-grade test after the second or third test administration. Teachers shall provide documentation of the students' performance during a review process. Documentation may include:
 - ~~(a) student work samples~~
 - ~~(b) other test data~~
 - ~~(c) information supplied by parents~~
 - ~~(d) for students with disabilities, information that is included in the individualized education program (IEP).~~
 - ~~(e) other information that verifies that a student is at grade level. Students with disabilities shall be at grade level or be making adequate progress to meet requirements at grade level.~~~~
- ~~(3) Students who are not promoted after the second or third administration of the test shall be given focused intervention of a time period that is instructionally sound. Strategies may include, but are not limited to, alternative learning models, special homework, smaller classes, tutorial sessions, extended school day, Saturday school, modified instructional programs, parental involvement, summer school instruction, or retention.~~

~~(4) The LEA shall appoint a committee to review student promotion requests. This committee shall be composed of teachers and either principals from other schools or central office staff and shall make recommendations to the student's principal about whether the student should be promoted to the next grade. This recommendation shall be based on documentation presented by teachers on behalf of the student. Special education personnel shall be on the committee if a student with a disability is being considered for a promotion. Parents of any student being presented for review shall have the right to be a non-voting participant, and further shall have the right to speak on behalf of their child.~~

History Note: Authority G.S. 115C-12(9b); 115C-81(b)(4); N.C. Constitution, Article IX, Sec. 5; Eff. December 1, 1999.

Special Note: While this policy provides a mechanism for considering promotion requests, all promotion decisions must be made in accordance with both State and local policy.