

**EXECUTIVE SUMMARY**

**Title:** Changes to Policy Providing Annual Performance Standards Under the ABCs Model

**Type of Executive Summary:**

- Action
- Action on First Reading
- Discussion
- Information

**Policy Implications:**

- Constitution \_\_\_\_\_
- General Statute #
- SBE Policy #HSP-C-021
- SBE Policy Amendment
- SBE Policy (New)
- APA #16NCAC 6G.0312
- APA Amendment
- APA (New)
- Other NCLB

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

**Description:**

HSP-C-021 is revised to reflect two modifications to the ABCs growth formulas. First, the component for college university prep/college tech prep (CUP/CTP) is modified to give additional credit to schools with high baseline performance. Second, the U.S. History prediction is revised to use either Civics & Economics or Biology as the primary predictor in conjunction with English I as the secondary predictor.

**Resources:**

District LEP Coordinators and ESL teachers, NCDPI staff

**Input Process:**

CUP/CTP – Compliance Commission recommended to the SBE that a modification be made based on its review of ABCs appeals from the 2007-08 school year.  
U.S. History – Based on review of formulas; input from selected LEAs

**Stakeholders:**

Students, Parents, LEAs, Legislators, public

**Timeline For Action:**

Presented for Discussion at the April SBE meeting and for Action at the May SBE meeting

**Recommendations:**

The department recommends that the amendments to policies HSP-C-021 be approved and that the APA process be initiated.

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**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 \_\_\_\_\_

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

**Policy Identification**

**Priority:** High Student Performance

**Category:** ABCs Accountability Model

**Policy ID Number:** HSP-C-021

**Policy Title:** 16NCAC 6G.0312 Policy providing annual performance standards under the ABCs Model

**Current Policy Date:** ~~09/11/2008~~04/02/2009

**Other Historical Information:** 01/06/2005, 04/05/2007, ~~09/11/2008~~

**Statutory Reference:**

**Administrative Procedures Act (APA) Reference Number and Category:**

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

**.0312 ANNUAL PERFORMANCE STANDARDS**

(a) In carrying out its duty under G.S. 115C-105.35 to establish annual performance goals for each school, the SBE shall use both growth standards and performance standards as follows:

- (1) In grades 3 through 8, when two previous assessments are available, the expectation for student performance in the change scale shall be the average of the two previous assessments ~~minus the results of multiplying multiplied the average~~ by the factor for regression to the mean. When only one previous assessment is available, the expectation for student performance shall be the previous assessment score on the change scale ~~minus the result of multiplying multiplied the previous score~~ by the factor for regression to the mean as defined in 16 NCAC 06G .0305.
- (2) The expectation for end-of-course scores shall be the average of the two previous assessments as specified below (if they are available) or the one assessment specified below ~~minus the result of multiplying multiplied by the factor for regression to the mean as defined in 16 NCAC 06G .0305 by either the average of the two previous assessments or the previous assessment~~. The expected performance for each end-of-course subject shall be based upon previous performance on the end-of-grade or end-of-course scores as follows:

- (A) For Biology, end-of-grade Reading Grade 8 and English I, if available, or end-of-grade Reading Grade 8 if English I is not available, shall be used.
- (B) For Physical Science, end-of-grade Mathematics Grade 8 shall be used.
- (C) For Physics, Chemistry and Geometry score shall be used.
- (D) For Chemistry, Biology score shall be used.
- (E) For Algebra II, Algebra I score shall be used.
- (F) For Algebra I, end-of-grade Mathematics Grade 8 shall be used.
- (G) For Geometry, Algebra I and end-of-grade Mathematics Grade 8 if available, or Algebra I only, if end-of-grade Mathematics Grade 8 is not available.
- (H) For English I, end-of-grade Reading Grade 8 shall be used.
- (I) For US History, English I and **Biology-Civics & Economics** if available, or **Biology-Civics & Economics** only, if English I is not available, shall be used. **Biology shall substitute for Civics & Economics whenever the latter is not available.**
- (J) For Civics and Economics, English I and Biology if available, or English I only, if Biology is not available, shall be used.

(3) Whenever a predictor is not viable in a given year (e.g., because means and standard deviations are not yet available for a new test edition) an alternate predictor may be substituted that year, having identified the alternate predictor using comparable methodology as was used in determining the original predictor.

(34) To be included in accountability measures for the growth standard, a student must:

- (A) have a pre-test score and a post-test score as listed in Subparagraph (2) of this Paragraph or the previous two years end-of-grade assessments if available, or last year's assessment if two years are not available.
- (B) have been in membership for the full academic year, which is defined as 140 of 180 days as of the time of end-of-grade or end-of-course testing in a school on traditional schedule, or 70 of 90 days as of the time of end-of-course testing in a school on block schedule.

(45) Students shall be included in the performance composite without reference to pretest scores or length of membership.

(b) All eligible students shall take the SBE-adopted tests. The failure of a school to test at least 95 percent of its eligible students for two consecutive years shall be grounds for the SBE to designate the school as low-performing and target the school for assistance and intervention. Each school shall make public the percent of eligible students that the school tests.

(c) Demographic information from the state student information management system shall be used for each student. In the case of disagreement between the information coded on an answer document and the state student information system used by the LEA, the information in the student information management system shall be used. In the event that required demographic information is not a part of the state student information management system, the LEA shall comply with data requests, in electronic format or by coding on answer documents as required by the SBE.

(d) Students identified as limited English proficient shall be included in the statewide testing program as follows: standard test administration, standard test administration with accommodations, or the state-designated alternate assessment.

- (1) ~~Students identified as limited English proficient who have been assessed on the state English language proficiency tests as below Intermediate/High in reading and who have been enrolled in United States schools for less than two years may participate in the state designated alternate assessment in the areas of reading and mathematics at grades 3 through 8 and 10, science at grades 5 and 8, and in high school courses in which an end-of-course assessment is administered. Students identified as English proficient who have been assessed on the state English language proficiency tests as below Superior in writing and who have been enrolled in U.S. schools for less than two years may participate in the state designated alternate assessment in writing for grades 4, 7, and 10.~~
- (2) ~~To be identified as limited English proficient students must be assessed using the state English language proficiency tests at initial enrollment. All students identified as limited English proficient must be assessed using the state English language proficiency test annually thereafter during the spring testing window. A student who enrolls after January 1 does not have to be retested during the same school year.~~
- (3) However ~~s~~Schools shall:
- ~~(A) continue to administer state reading, mathematics, end-of-course assessments, and writing tests for students identified as limited English proficient who score at or above Intermediate/High on the state English language proficiency reading test during their first year in US schools. Results from these assessments shall be included in the ABCs and AYP.~~
- ~~(B1) not require exempt~~ students identified as limited English proficient who score below Intermediate/High Level 4 Expanding on the state English language proficiency reading test in their first year in US schools ~~to be from being~~ assessed on the reading end-of-grade assessments, high school comprehensive test in reading, the NC writing assessment, the state-designated alternate assessment for reading, or the state-designated alternate assessment for writing. ~~Therefore, Scores from~~ students who are in their first year in U.S. schools and who have scored below Intermediate High Level 4 Expanding on the reading section of the state-identified English language proficiency test shall not be included in either growth, the performance composite or AYP determinations for reading or mathematics. For purposes of determining participation, the state-identified English language proficiency reading test will be used as reading participation for the students identified in this section and participation in the state-identified English language proficiency writing test will be used as writing participation for students-identified in this section.
- ~~(C2)~~ include students previously identified as limited English proficient, who have exited limited English proficient identification during the last two years, in the calculations for determining the status of the limited English proficient subgroup for AYP only if that subgroup already met the minimum number of 40 students required for a subgroup.

(e) All students with disabilities including those identified under Section 504 of the Rehabilitation Act of 1973 in membership in grades 3 through 8 and 10 and in high school courses in which an end-of-course assessment is administered shall be included in the statewide testing program through the use of state assessments with or without accommodations, or an alternate assessment. The student's IEP team shall determine whether a student can access the assessment without accommodations, with one or more accommodations, or whether the student should be assessed using a state-designed alternate assessment.

Students with disabilities in grades 3 through 8 and 10 with the most significant cognitive disabilities may participate in a state-designated alternate assessment based on alternate achievement standards. For the purposes of ABCs performance composite and AYP these students shall be evaluated by alternate achievement standards. Only students with the most significant cognitive disabilities may be deemed proficient against alternate achievement standards.

LEAs shall be held to having a maximum of 1 percent of their total number of students in the assessed grades (3 through 8 and 10) deemed proficient based on alternate achievement standards for AYP and ABCs purposes. This prohibition shall not apply to student level accountability. If an LEA finds that greater than 1 percent of its students in these grades are proficient based on alternate achievement standards, the LEA superintendent may apply to the state superintendent for an exception as prescribed in the Federal Register, [April 9, 2007](#), Vol. [68 72](#) No. [236-67](#) page [68703](#)-RIN 1810-AA958. If an LEA does not receive an exception to the 1 percent limit and it has exceeded this limit, the state shall ~~randomly~~ reassign enough proficient student scores for students held to alternate achievement standards to non-proficient such that the LEA will fall within the 1 percent limitation [according to procedures in the NC Accountability Workbook \(as accepted by the US Department of Education\)](#). This process shall be done using a statistically random process across schools in the LEA and shall apply to AYP and ABCs statuses but not to students.

Students with disabilities in grades 3 through 8 and 10 ~~with persistent academic disabilities~~ as referenced in the NC Accountability Workbook (as accepted by the US Department of Education) may participate in a state-designated alternate assessment ~~based on~~ ~~For the purposes of ABCs performance composite and AYP these students shall be evaluated by~~ modified [academic](#) achievement standards [as prescribed in the Federal Register, April 9, 2007, Vol. 72 No. 67 RIN 1810-AA98](#). LEAs shall be held to having a maximum of 2 percent of their total number of students in the assessed grades deemed proficient based on modified [academic](#) achievement standards for AYP and ABCs purposes. This prohibition shall not apply to student level accountability. If an LEA finds that greater than 2 percent of its students in these grades are proficient based on modified [academic](#) achievement standards, ~~the LEA superintendent may apply to the state superintendent for an exception as prescribed in the Federal Register Vol. 68 No. 236 page 68703 RIN 1810-AA95. If an LEA does not receive an exception to the 2 percent limit and it has exceeded this limit,~~ the state shall ~~randomly~~ reassign enough proficient student scores for students held to modified [academic](#) achievement standards to non-proficient such that the LEA will fall within the ~~2 percent~~ limitation [as stated in Section 200.13 of the Federal Register and according to procedures in the NC Accountability Workbook \(as accepted by the US Department of Education\)](#). This process shall ~~be done using a statistically random process~~

~~across schools in the LEA and shall apply to in~~ AYP and ABCs ~~statuses determinations~~ but not to students.

(f) The SBE shall calculate a school's attainment of growth in student performance using the following process:

- (1) The SBE shall convert all student scores to the change scale.
- (2) The SBE shall calculate the difference between the expectation for each student using the previous assessments as outlined in this Rule (including the factor for regression to the mean) and the student's actual performance in the current year's assessments.
- (3) The SBE shall average together all differences from all grades and subjects encompassed in the school. This is the Academic Change term.
- (4) The SBE shall calculate a school's growth component in college university prep/college tech prep using the following process:
  - (A) The SBE shall compute the percent of graduates who receive diplomas (minus the diploma recipients who completed the Occupational Course of Study) who completed either course of study in the current accountability year. Students shall be counted only once if they complete more than one course of study.
  - (B) The SBE shall find the baseline, which is the average of the two prior school years' percent of graduates who received diplomas and who completed a course of study (except for the Occupational Course of Study).
  - (C) The SBE shall subtract the baseline from the current year's percentage.
  - ~~(D) The SBE shall subtract 0.1, unless the percentages are both 100. If both percentages are 100, the gain is zero.~~
  - (D) When the baseline is greater than ninety percent (90%) and the current year's percentage is above 90%, the SBE shall add an amount equal to .01 times the difference between the baseline and 90%.**
  - ~~(E) The SBE shall divide by 10.0, which is the associated standard deviation. The result is the standard growth for college university prep/college tech prep. This number is then multiplied by the number of graduates for inclusion in the growth standards.~~
- ~~(5) The SBE shall calculate a school's growth component in the competency passing rate by comparing the grade 10 competency passing rate to the grade 8 passing rate for the group of students in grade 10 who also took the 8<sup>th</sup> grade end-of-grade test.
  - ~~(A) The SBE shall subtract the grade 8 rate from the grade 10 rate.~~
  - ~~(B) The SBE shall subtract 0.1.~~
  - ~~(C) The SBE shall divide by 12.8, which is the standard deviation. The result is the standard growth in competency passing rate. The SBE shall multiply this number by the number of 10<sup>th</sup> graders included in the calculation for inclusion in the growth standards.~~~~
- (65) The SBE shall calculate a school's growth component in the drop-out rate by comparing the average percent of dropouts from the two most recent years prior to the current drop-out rate to the current drop-out rate for the school as follows:

- (A) The SBE shall subtract the current year drop-out rate from the average of the two previous years drop out rate.
- (B) The SBE shall divide by 2.1 (the standard deviation). The result is the standard growth in drop-out rate. The SBE shall multiply this number by  $\frac{1}{4}$  the school average daily membership for inclusion in the growth standards.

(76) For expected growth, the SBE shall multiply the Academic Change for the school by the number of scores used in Subparagraphs (2) and (3) of this Paragraph and add to that the results from Subparagraphs (4) ~~and~~, (5), ~~(6)~~ of this Paragraph. The SBE shall divide by the number of students included in Subparagraphs (2) and (3) of this Paragraph plus the number of graduates, ~~plus the number of 10<sup>th</sup> graders from Subparagraph (5) of this Paragraph~~ plus the  $\frac{1}{4}$  ADM from Subparagraph (65) of this Paragraph. If the resulting number is “0.00” or above, the school has met the expected growth standard.

(87) The SBE shall compute high growth using as the high growth standard a c-ratio of 1.50 or greater when the school has already met the expected growth standard.

(g) If school officials believe that the school's growth standards were unreasonable due to specific, compelling reasons, the school may appeal its growth standards to the SBE. The SBE shall appoint the compliance commission to review written appeals from schools. The school officials must document the circumstances that made the goals unrealistic and must submit its appeal to the SBE within 30 days of receipt of notice from the Department of the school's performance. The appeals committee shall review all appeals and shall make recommendations to the SBE. The SBE shall make the final decision on the reasonableness of the growth ~~goals~~standards.

(h) In compliance with the No Child Left Behind Act of 2001 (P.L. 107-110), its subsequent final regulations (34 CFR Part 200) released November 26, 2002, and pursuant to GS 115C-105.35 the SBE shall incorporate adequate yearly progress (AYP) as the “closing the achievement gap” component of the ABCs. The calculations shall use forty (40) students’ scores as the minimum number of scores for a group to be statistically reliable and valid for AYP purposes along with the use of a confidence interval around the percentage of students scoring proficient on the assessments.

(i) Upon written request by the Department, the SBE may waive specific factors in the accountability measures used to set growth expectations in this Rule upon consideration of:

- (1) the need for the waiver;
- (2) the degree of public benefit; and
- (3) whether the Department had control over the circumstances that required the requested waiver.

*History Note: Authority G.S. 115C-12(9)c4.;*  
*Eff. April 1, 2005;*  
*Amended Eff. June 1, 2007; January 2, 2006.*