State of New Jersey

Consolidated State Application Accountability Workbook

No Child Left Behind *in New Jersey*

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

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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.

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

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U.S. Department of Education
400 Maryland Ave., SW
Room 3W300
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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.

Summary of Implementation Status for Required Elements of State Accountability Systems

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

STATUS Legend:
F – Final state policy
P – Proposed policy, awaiting State approval
W – Working to formulate policy

Principle 5: Subgroup Accountability

F	5.1	The accountability system *includes all the required student subgroups*.
F	5.2	The accountability system holds *schools and LEAs accountable for the progress of student subgroups*.
F	5.3	The accountability system includes *students with disabilities*.
F	5.4	The accountability system includes *limited English proficient students*.
F	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

F	6.1	Accountability system is based *primarily on academic assessments*.

Principle 7: Additional Indicators

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

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

F	8.1	Accountability system holds students, schools and districts separately accountable for *reading/language arts* and *mathematics*.

Principle 9: System Validity and Reliability

F	9.1	Accountability system produces *reliable decisions*.
F	9.2	Accountability system produces *valid decisions*.
F	9.3	State has a plan for addressing *changes in assessment and student population*.

Principle 10: Participation Rate

F	10.1	Accountability system has a means for calculating the *rate of participation* in the statewide assessment.
F	10.2	Accountability system has a means for *applying the 95% assessment criteria to student subgroups and small schools.*

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
1.1 How does the State Accountability System include every public school and LEA in the State?	Every public school and LEA is required to make adequate yearly progress and is included in the State Accountability System. State has a definition of "public school" and "LEA" for AYP accountability purposes. • 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).	A public school or LEA is not required to make adequate yearly progress and is not included in the State Accountability System. State policy systematically excludes certain public schools and/or LEAs.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

New Jersey has a long established system of accountability which includes rewards and sanctions. This system of accountability is applied to all public schools and districts in the state.

State regulations clearly articulate the requirement for "the annual evaluation of all public schools to determine if they are meeting standards" (N.J.A.C. 6A:30-1.1.). The standards, by which these schools will now be evaluated, as outlined in this *Accountability Workbook*, are based upon Adequate Yearly Progress (AYP) indicators.

The long established measurement tool for determining schools progress are the state assessments. These assessments are designed to measure student mastery of the State's Core Curriculum Content Standards that detail the skills and knowledge expected to be attained by all

students across the state of New Jersey, including students enrolled in the Katzenbach School for the Deaf, as well as those students in state facilities operated by other state agencies.

All charter schools are considered LEAs within the State Accountability System and, as such, are held to the same accountability requirements as all other schools and districts within the state. Those schools without a test grade, e.g., K-2 schools, are linked to their respective receiving schools and treated as a single unit for accountability purposes since their outcomes are part of a continuum of the curriculum and instructional process. If a receiving school is identified as in need of improvement, but the sending school can demonstrate through the occurrence of data errors or extraordinary circumstances that warrant review that it has made adequate yearly progress, the sending school's identification as a school in need of improvement will be changed and recorded accordingly, since they are challenging the accuracy of the data.

New Jersey has a small percentage of schools with an enrollment of less than 20 students. These schools are included in and are subject to the same State Accountability provisions as any other schools within a district and the state.

New Jersey's alternative schools are constituted as separate schools subject to the same State Accountability provisions as any other schools within a district and the state. (Alternative schools serve specific student groups across one or more districts and include: magnet schools, specific high schools, [special services schools for students with disabilities,] vocational education programs, and schools for students housed in state facilities.) Although, some alternative programs are constituted as small schools, within larger school entities, they are included as part of the regularly constituted school's accountability system.

New Jersey also has a long-established state vocational-technical school choice system. New Jersey's vocational-technical schools can be operational as a single school located within a district or clustered by geographic region and considered a district. In all instances, the full-time comprehensive vocational-technical schools are included in the district and State Accountability System, as are other public schools. The accountability consequences for these schools/districts will be applied contingent of the structure. Shared-time vocational school students are counted in the accountability system of the sending schools, since the sending schools still provide and are responsible for the academic programs, services and outcomes for these students.

All students with disabilities who are sent to private schools designed to address their specific educational needs are counted in the accountability systems of the sending **districts**.
Thus the system is:

- Inclusive of all public schools and districts, and consistent with new federal regulations;
- Focused on student performance outcomes;
- Applied equally across all public schools; and
- Focused on school improvement.

Please note: This technical correction is being made to reflect actual practice in the state. The initial document incorrectly identified special services schools for students with disabilities as an alternative school.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
1.2 How are all public schools and LEAs held to the same criteria when making an AYP determination?	All public schools and LEAs are systematically judged on the basis of the same criteria when making an AYP determination. If applicable, the AYP definition is integrated into the State Accountability System.	Some public schools and LEAs are systematically judged on the basis of alternate criteria when making an AYP determination.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

New Jersey holds all public schools and LEAs to the same criteria for making AYP determinations. New Jersey is transitioning from the old system of accountability to the new system. As such, the NJDOE Core Curriculum Content Standards that apply to all schools and districts in the state have been revised to conform to the new NCLB mandated starting points for establishing proficiency. These new starting points (based on 2001-2002 data) along with requirements for intermediate goals (based on 2002-2003 data) established to achieve 100% proficiency for all students are uniformly applied to all schools **and districts** in the state.

New Jersey defines AYP as the proportion of all students and their respective subgroups, meeting or exceeding the new state standards annually until 2014, when 100 percent proficiency is achieved in language arts literacy and mathematics.

In addition, New Jersey will prioritize the technical assistance provided to districts identified as "in need of improvement" status using a triage approach to help those districts most in need of assistance and the least able to act on their own, to ensure that the lowest achieving districts are served. All districts will be identified as "in need of improvement" when less than 90% of when their measured AYP indicators in all schools across the district are met and when 50% of the schools within a district have not met AYP measures.

Please note: This technical correction is being made to support the development and implementation of a state evaluation and assistance delivery system infrastructure with sufficient capacity to conduct the necessary in depth analysis and diagnosis of districts in need of improvement. This percentage has been established based on data and to account for variables within school districts such as size of district and student population.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
1.3 Does the State have, at a minimum, a definition of *basic*, *proficient* and *advanced* student achievement levels in reading/language arts and mathematics?	State has defined three levels of student achievement: *basic*, *proficient* and *advanced*.[1] Student achievement levels of *proficient* and *advanced* determine how well students are mastering the materials in the State's academic content standards; and the *basic* level of achievement provides complete information about the progress of lower-achieving students toward mastering the *proficient* and *advanced* levels.	Standards do not meet the legislated requirements.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The State of New Jersey has established three levels of achievement for its assessment program that apply to language arts literacy and mathematics (defined in regulations at N.J.A.C. 6A:8). These levels correspond to the three levels identified in federal regulations and guidance and are:

"Partially proficient" – means a score achieved by a student below the cut score which demarks a solid understanding of the content measured by an individual section of any State assessment.

"Proficient" – means a score achieved by a student at or above the cut score which demarks a solid understanding of the content measured by an individual section of any State assessment.

"Advanced proficient" – means a score achieved by a student at or above the cut score which demarks a comprehensive and in-depth understanding of the knowledge and skills measured by a content-area component of any State assessment.

To ensure consistency, the defined achievement levels for general education students are also denoted in the state's Alternate Proficiency Assessment, used for students with disabilities.

For technical background on standard setting, please see Peer Review material submitted in 2000 to the USDOE.

[1] 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.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?	State provides decisions about adequate yearly progress in time for LEAs to implement the required provisions before the beginning of the next academic year. 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.	Timeline does not provide sufficient time for LEAs to fulfill their responsibilities before the beginning of the next academic year.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

To assure accountability for all schools and districts and that information and decisions about AYP are made in a timely manner, as an interim measure New Jersey will use preliminary data from its Cycle I reports of state assessments. The issuance of information from the Cycle I report will ensure that consequences, where applicable, can be implemented prior to the start of the school year. Beginning with the 2003 – 2004 school year,[New Jersey plans to move its test administration date forward to accelerate the timeline further] **all assessments of students in New Jersey will take place in March:**

- High School Proficiency Assessment (HSPA) in March;
- Grade Eight Proficiency Assessment (GEPA) in [April] **March**; and
- Elementary School Proficiency Assessment (ESPA) in [May] **March.**

In May 2003, the New Jersey Department of Education introduced the New Jersey Assessment of Skills and Knowledge (NJ ASK 4). This assessment replaced the ESPA that was previously used to assess grade 4 students and will be used for AYP this year. A new third grade assessment (NJ ASK 3) was also developed and introduced in May 2003 as a field test. NJ ASK 3 will be administered as a benchmark test in March 2004 to give school districts the opportunity to evaluate literacy and mathematics programs. It will be an operational test in March 2005 that will be used for accountability purposes for the first time. Since these assessments include extended writing samples and many open-ended items, the established quality control measures undertaken incorporate two readers for all writing samples and two reporting cycles as follows:

Cycle I – reports out preliminary individual student results to districts and schools for initial review; rescoring may be requested based on this report; any miscoding at the student level is also identified at this time.

Cycle II – reports out final individual student results along with summary data for school, district and subgroup performance. Additionally, all amended data from Cycle I reports are integrated into the Cycle II report.

As the standard assessment measures are administered in the [**Spring 2003]** **spring of each school year**, preliminary results from the Cycle I report will be provided, schools will be notified of improvement status, and school choice and supplemental educational services will be provided as follows:

	[ESPA] **NJ ASK 4**	**GEPA**	**HSPA**
Cycle I Results Issued	June [2003]	June [2003]	June [2003]
Improvement Status Notifications *	August [2003]	August [2003]	August [2003]
Choice and SES Provided	September [2003]	September [2003]	September[2003]

***** These dates are dependent upon receipt of the assessment results

If the school or district believes that the annual AYP determination has been made in error, they are to notify the NJDOE providing supporting documentation.

Please note:

a. The first amendment to this section reflects a policy change by NJDOE to move the statewide assessment system to March of each year to allow for any curriculum changes needed by districts and to facilitate the release of timely assessment results.

b. The second change is a technical correction made to clarify information related to the state assessment administration dates.

c. The third amendment reflects a technical change. NJDOE will administer the NJ ASK 3 as a benchmark test during the 2003-2004 school year to provide the districts with additional time to implement strategies used to improve academic achievement. Since the requirements do not mandate the implementation of a grade 3 assessment until 2005, New Jersey chooses to accept this flexibility. We anticipate that this assessment will become operational for the 2005-2006 school year.

d. The fourth amendment is a technical correction made to accurately clarify the administration of the statewide assessment system, make reference to the new grade 4 assessment, and clarify the release of assessment results and AYP determinations each year.

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Yes. The NJDOE has produced a State Report Card issued in February of each year for over 10 years. [For the past 6 years] **Since 1997,** this State Report Card has been required by State statute. Data reported includes: state assessment results, attendance records, student demographic data, class size, graduation and dropout rates, instructional time, per pupil expenditures, and teacher educational data and years of experience. Also included in the State Report Card is information regarding teacher qualifications, the number with advanced degrees, years of experience, and additional information that will explain and reference the "highly qualified teacher" requirements under NCLB. The report card was modified to include disaggregated test results as required under IASA. This document is issued for all schools and LEAs in the state. With the advent of NCLB, the State Report Card will now include the identification of schools in need of improvement along with their results that list school performance compared to state standards and the performance of all other schools in the state. Also, in accordance with NCLB requirements, the Report Card will also be made available in Spanish by February 2004.

To ensure the information contained in the Report Card is made available to the public at the beginning of the academic year, New Jersey will issue a modified version by August [2003] **of each year**, highlighting the NCLB requirements for public reporting of school performance. **This year the state will merge its NCLB and State Report Card into a single Report Card.**

It is made available in print and can also be accessed electronically at: www.nj.gov/njded/data/.

<u>Please note</u>: These technical corrections are being made to this section to accurately identify the state statute reference for issuance of the state report card and to merge the two reports into a single state report card.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
1.6 How does the State Accountability System include rewards and sanctions for public schools and LEAs?[2]	State uses one or more types of rewards and sanctions, where the criteria are: • Set by the State; • Based on adequate yearly progress decisions; and, • Applied uniformly across public schools and LEAs.	State does not implement rewards or sanctions for public schools and LEAs based on adequate yearly progress.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The State accountability system incorporates a reward and sanction system. The rewards include recognition programs for both outstanding educators and model schools. This reward system has been modified to now focus on ensuring that all schools (Title I and non-Title I funded) identified for recognition meet the new AYP standards. Likewise, educators selected will represent schools and classrooms in which all students perform to high standards, and in which rewards are closely linked to student performance. Also, it should be noted that the New Jersey State Board of Education recognizes outstanding students at their monthly public meetings.

New Jersey's recognition programs include:

- Best Practices/Star Schools;
- Blue Ribbon Schools;
- Governor's School of Excellence;
- Presidential Awards in Mathematics and Science Teaching;
- Fulbright Scholar Programs;
- 2001 New Jersey Teacher Fellowship in Biodiversity;
- GIFT program (Gift Initiative for Teachers);
- Woodrow Wilson National Fellowship Core Institutes;
- Chevron Education Awards – Best Classroom Practices in Math and Science;
- Presidential Awards for Educational Excellence and Improvement, and

[2] 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)].

– Rutgers Academic Challenge.

New Jersey also currently maintains an evaluation system that includes sanctions for all public schools and LEAs (N.J.A.C. 6A:30 and N.J.S.A. 18A:7A-14 and 18A:7F-6(b)). On an annual basis, a review of assessment results for all schools (Title I and non-Title I funded) is completed through the Quality Assurance Annual Report (Q.A.A.R.) and the annual school report card. These reports include, but are not limited to, performance indicators, assessment results, average daily attendance, student drop-out rate, budgets, audits, and a review of the school objectives. For these schools and LEAs not meeting standard performance, a corrective action plan is required.

Additionally, every seven years an evaluation of specific documentation and on-site compliance monitoring is conducted for every school for state certification purposes. Within this certification system, dependent on performance of each school within the district, a district may be designated as follows:

Level I – districts that have achieved full certification

Conditional Certification – Districts with identified deficiencies that **are** correcting **these** issues without the need for additional monitoring or technical assistance, within a specified period.

Level II – Districts that fail one or more of the evaluation standards and have been determined to need additional monitoring or technical assistance within a specified time period.

Level III – districts that fail to correct the deficiencies identified in Level II; or

State Takeover – occurs when the state deems that the performance of a school or the entire district warrants its operation [must be] **being** under the control of the state.

Decisions about consequences for not meeting AYP are not in conflict with the state's current evaluation and monitoring system. Rather the state's system is incorporated into the accountability system and treated as a first step toward assisting schools and districts and will not delay implementation of the federally mandated timelines for applying sanctions to schools identified as in need of improvement. Schools that receive Title I funds will be required to adhere to all NCLB sanctions and rewards that relate to student performance inclusive of offering choice and supplemental services if they are identified for improvement. Furthermore, if they continue in that status for three years, they will be subject to corrective action; if they continue in that status for a fourth year, they will be subject to restructuring.

Schools that do not receive Title I funds are incorporated in the accountability system for monitoring student performance and are held to the same standards for making adequate yearly progress. The sanctions and rewards for these schools are linked to the annual review of assessment results completed through the established Quality Assurance Annual Report (Q.A.A.R.) and the annual school report card.

Please note: These technical corrections are being made to correct grammatical errors and clarify the State policy related to district certification.

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

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
2.1 How does the State Accountability System include all students in the State?	All students in the State are included in the State Accountability System. 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.	Public school students exist in the State for whom the State Accountability System makes no provision.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Recently adopted amendments to existing state regulations require that <u>all</u> students must be included in the State assessment program and assessed annually. Formerly, limited English proficient (LEP) students were excluded for up to three years. This exemption has been revoked. Last year, exemptions for students with disabilities were disallowed and the Alternative Proficiency Assessment (APA) was administered for the first time statewide (N.J.A.C. 6A:8-4).

All public schools, including those without test grades, will also be counted into the State's accountability system. All schools without test grades will be counted as one unit with their respective receiving schools. This will ensure closer vertical alignment of instructional services. Special education students served in proprietary schools will be counted in the sending schools' accountability system, which will ensure that placement decisions are reviewed closely at the school and district level for optimum student academic performance.

Thus, all students in all schools will be included in the statewide accountability system. There are no exemptions from participating in the assessment, and all state schools are held accountable for student performance.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
2.2 How does the State define "full academic year" for identifying students in AYP decisions?	The State has a definition of "full academic year" for determining which students are to be included in decisions about AYP. The definition of full academic year is consistent and applied statewide.	LEAs have varying definitions of "full academic year." The State's definition excludes students who must transfer from one district to another as they advance to the next grade. The definition of full academic year is not applied consistently.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

To ensure compliance with State regulatory requirements at N.J.A.C. 6A:8-4.4, a full academic year is defined as the term that begins on July 1 and ends on or about June 30. (This date was established to accommodate the start of the district/school fiscal year and the allowance of academic programs and services offered to students prior to September.) Any student enrolling in a school or district for the first time after July 1, up to the test administration date, will <u>not</u> have been considered to be enrolled for a full academic year. However, for making decisions related to AYP, a full academic year will begin on July 1 to the test administration date.

New Jersey will not include in the accountability system the results of any student enrolled less than one full academic year in a school for school accountability, or in a district for district accountability. This does not discount from a district's accountability system those students who transfer from one school to another within a district.

One month prior to the state test date, schools must submit their class rosters of students to the test publisher. Test booklets are then sent out printed with students' names. Another safe guard that has always been part of the New Jersey system is a make-up period for every test. This make-up period affords greater opportunity to ensure that a minimum of 95 percent of all students enrolled will be tested as required. Following the established make-up test period, all unused booklets must be returned and accounted for by the school or district. Discrepancies must be addressed to the satisfaction of the NJDOE. This ensures that all students enrolled in a school, at a test grade, are included in the assessment.

These two measures ensure high participation rates. Data collected and reported on past administrations show that New Jersey currently meets or exceeds the minimum 95 percent participation rate. This participation rate will now be monitored for total student, as well as for subgroup participation.

Please note: This policy change as been made to mitigate any unintended consequences of penalizing the schools/districts for absences of 3 or fewer on test administration days.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
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?	State holds public schools accountable for students who were enrolled at the same public school for a full academic year. 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.	State definition requires students to attend the same public school for more than a full academic year to be included in public school accountability. State definition requires students to attend school in the same district for more than a full academic year to be included in district accountability. State holds public schools accountable for students who have not attended the same public school for a full academic year.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

New Jersey collects class rosters and verifies student information before issuing test booklets. This process occurs approximately one month before the test administration date. At this time, information regarding date of enrollment will be collected and recorded on the individual student data sheet. Students enrolled July 1 or after, of any given school year, will be considered to have been enrolled less than one full academic year. This information will be collected for both the school and district level.

If enrolled in the school less than a year, but within the district for more than a year, the student assessment results will be counted in the district's accountability, but not the school's. Students not in the school or district for one full academic year will be included in the State's accountability system. As noted earlier, districts are encouraged to review their intradistrict transfer policies. Stability in school enrollment contributes to improved student learning.

A statewide student level data management system is in development at this time. The focus of this new data management system will be to design a method for establishing unique student identifiers to be used as the basis for tracking individual student attendance and mobility information. Projected timelines call for a phased-in implementation pilot project beginning in spring 2003, and full implementation **is anticipated** by fall [2004] 2006.

Please Note: This technical correction was made to revise the timeline for full implementation of this project.

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
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?	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[3] and mathematics, not later than 2013-2014.	State definition does not require all students to achieve proficiency by 2013-2014. State extends the timeline past the 2013-2014 academic year.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

New Jersey's definition of AYP (that proportion of all students and their respective subgroups, meeting or exceeding the new state standards annually until 2014, when 100 percent proficiency is achieved in language arts literacy and mathematics) is determined by a formula. This formula calculates the number of proficient scores over the number of valid test scores, with 20% of the items responded to denoting a valid test score. Standards have been set based on starting points and incremental increases with 100 percent proficiency by 2014. Separate starting points for this process have been set for language arts literacy and mathematics for grades 4, 8, and 11 each. Using the Compound Annual Growth Rate (CAGR) model, state benchmarks for these standards will be raised every three years in school years 2004-2005, 2007-2008, 2010-2011 and 2013-2014 until the 100 percent proficiency goal is reached for <u>all</u> subject areas at all levels. This methodology employs equal increments of growth calculated on a percentage rate for closing the achievement gap, rather than a straight numerical calculation.

Although students at the high school level are allowed up to three administrations of the HSPA in order to demonstrate skills proficiency, thereby making them eligible for graduation, only the spring grade 11 administration results will be used for accountability purposes.

[3] 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.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
3.2 How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?	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. 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.	State uses different method for calculating how public schools and LEAs make AYP.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

New Jersey's accountability system for determining whether each student subgroup, public school and LEA makes AYP is determined based on a series of decision points. These decision points are as follows:

1. Each subgroup is reviewed to assure a minimum of 95 percent of the total group participates in the administration of the test. **<u>For purposes of determining participation rate only, a minimum group size will be 40</u>**;
2. After the results of the test are received, the score of each subgroup is reviewed against the established AYP starting point for language arts literacy and mathematics; and then

3. The scores of each subgroup are reviewed using the "safe harbor" provisions, **as outlined at 34 CFR Part 200.20.**

Additionally, the performance of the following populations will be compared to the objectives set:

- Total population;
- Each racial/ethnic group, including White, African American, Hispanic, Asian/Pacific Islander and Native American students;
- Low-income students, i.e., those eligible for free and reduced price lunch;
- Students with disabilities; and
- Students with limited English proficiency.

These comparisons will be made for:

- Each school;
- Each school district; and
- Each content area, i.e., language arts literacy and mathematics.

For those subgroups not making the intermediate objectives, a review of progress will determine whether they made safe harbor, i.e., reduced their failure rate by 10 percent over the previous year, met the threshold of the other academic indicators, or made progress on one or more of the other academic indicators.

Please note: This policy change has been made to mitigate any unintended consequences of penalizing the schools/districts for absences of 3 or fewer on test administration days.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
3.2a What is the State's starting point for calculating Adequate Yearly Progress?	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. 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 20th percentile of the State's total enrollment among all schools ranked by the percentage of students at the proficient level. 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…).	The State Accountability System uses a different method for calculating the starting point (or baseline data).

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The State used the spring 2002 assessment results to set starting points for the new accountability program. These starting points were established using the following methodology:

- All schools at each grade level and in each content area were rank ordered from lowest to highest performing;

- The school which enrolled the student that represented the 20th percentile of all students across the state was identified, along with its percentage of students scoring proficient or advanced proficient;

- The proportion of students proficient in the lowest performing subgroup was identified at each grade and in each content;

- These two figures were compared; and

- The higher of the two was identified as the starting point.

In all instances, this was the proportion of students proficient in the 20th percentile school.

These starting point percentages are:

	Language Arts Literacy	**Mathematics**
Grade 4	68%	53%
Grade 8	58%	39%
Grade 11	73%	55%

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
3.2b What are the State's annual measurable objectives for determining adequate yearly progress?	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. The State's annual measurable objectives ensure that all students meet or exceed the State's proficient level of academic achievement within the timeline. The State's annual measurable objectives are the same throughout the State for each public school, each LEA, and each subgroup of students.	The State Accountability System uses another method for calculating annual measurable objectives. The State Accountability System does not include annual measurable objectives.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

New Jersey established separate measurable objectives for language arts literacy and math for each test grade span (3, 4, 5), (6, 7, 8) and for grade 11. These objectives determine the minimum percentage of students that must meet the proficient level for academic achievement. The objectives will begin at the State's AYP starting points for the 2001-2002 school year and will increase proportionally by applying the Compound Annual Growth Rate (CAGR) model. Annually, the State will apply the measurable objectives to each district, school and subgroup as a performance target and to determine AYP. These performance targets will assist the school and district in planning and implementation of strategies to ensure compliance with established intermediate goals.

The starting points for each grade and content area identified in the chart below are the State's annual measurable objectives for 2002-03. [This year,] **As of 2002-2003,** there are three grade levels at which these objectives must be met. New Jersey plans to add additional [grades] **assessments** incrementally until assessments are in place for grades 3-8 inclusive, as well as for grade 11 by 2006. **The anticipated schedule for adding assessments is as follows**:

- **In 2002-2003, grade 3 assessment was added as a field test**
- In 2003-2004, [add] grade 3 assessment **was calculated as a benchmark test only**;

- In 2004-2005, [add grades 5 and 6] **grade 3 assessment will become operational in the state assessment system**; and
- In 2005-2006, [add] grades **5, 6** and 7 **assessments will be added**.

As these assessments are added, AYP will be calculated by averaging across grades as follows:

- Grades 3, 4 and 5 will be compared to starting points and intermediate objectives set for grade 4; and
- Grades 6, 7 and 8 will be measured using starting points and intermediate objectives initially set for grade 8.

The application of CAGR method will yield the following annual and intermediate goals:

Content Area	Grade	2002-2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2013-2014
LAL	**4**	68	68	75	75	75	82	82	82	91	91	91	100
	8	58	58	66	66	66	76	76	76	87	87	87	100
	11	73	73	79	79	79	85	85	85	92	92	92	100
Math	**4**	53	53	62	62	62	73	73	73	85	85	85	100
	8	39	39	49	49	49	62	62	62	79	79	79	100
	11	55	55	64	64	64	74	74	74	86	86	86	100

This represents equal increments of growth based on a percentage of growth rather than an absolute number. This methodology thus allows schools sufficient opportunity to meet growth expectations, and allows the NJDOE to focus attention on the lowest performing schools initially, making targets attainable while setting equal incremental increases that allow all schools to attain the goal of 100 percent proficiency by 2013-2014.

These intermediate objectives are the primary indicators used to determine adequate yearly progress. They will be applied to the total school and district populations, as well as to each subgroup represented within the schools and districts across the state. However, if a school or district does not meet the standard for a particular subgroup, then it must be determined whether the school or district reached "safe harbor" for that group by reducing the failure rate for them by at least 10 percent over the prior year, met the threshold of other academic indicators, or made progress on one or more of the other academic indicators. Schools attaining these pass rates or reaching "safe harbor" for their total student population and each subgroup, will have made AYP for the year of that analyses or review.

Please Note: **The technical corrections are being made to this section to reflect changes to the implementation schedule for the administration of new assessments. NJDOE will administer the NJ ASK 3 as a benchmark test during the 2003-2004 school year to provide the districts with additional time to implement strategies used to improve academic achievement. This assessment will be operational in March 2005 and will be used for accountability purposes. Since the requirements do not mandate the implementation of a grade 3 assessment until 2005, New Jersey chooses to accept this flexibility.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
3.2c What are the State's intermediate goals for determining adequate yearly progress?	State has established intermediate goals that increase in equal increments over the period covered by the State timeline. • The first incremental increase takes effect not later than the 2004-2005 academic year. • Each following incremental increase occurs within three years.	The State uses another method for calculating intermediate goals. The State does not include intermediate goals in its definition of adequate yearly progress.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

NJDOE will set growth increments for subgroups, schools and districts every three years for 2005, 2008, 2011 and 2014 using the CAGR method as indicated below. In the intervening years, these objectives will remain stable provided that schools and districts meet the higher standards in each of the aforementioned years when the bar is raised.

This allows schools to assess progress and implement strategies to make necessary curriculum and instructional adjustments as they prepare to meet higher expectations incrementally.

Content Area	Grade	Starting Point	2004-2005	2007-2008	2010-2011	2013-2014
Language Arts Literacy	**4**	68	75	82	91	100
	8	58	66	76	87	100
	11	73	79	85	92	100
Math	**4**	53	62	73	85	100
	8	39	49	62	79	100
	11	55	64	74	86	100

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
4.1 How does the State Accountability System make an annual determination of whether each public school and LEA in the State made AYP?	AYP decisions for each public school and LEA are made annually.[4]	AYP decisions for public schools and LEAs are not made annually.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

AYP decisions for each public school and district are made annually by determining whether each subgroup, school and district has made AYP in at least one content area.

Specifically, each content area has separate starting points and intermediate objectives; each area's outcomes will be reviewed closely. Failing to achieve AYP for the total school population or any subgroup in one content area will require identification of having failed to make AYP. Schools or districts that fail to make AYP in the same content area for two consecutive years will be identified as in need of improvement.

This process allows schools and districts to focus on the identified content area that needs improvement. Additionally, it eliminates the chance of a school being identified for improvement based only on random occurrences. The process is directed toward a school or district developing a pattern of failure. Furthermore, the process allows schools and districts the time to examine their curricula and instructional programs closely, adapt them to the special needs of their students, and effect change. This systematic approach is more likely to produce positive outcomes, whereas a less focused approach that directs a school's attention first in one area, then in another, is far less likely to produce focused efforts resulting in positive change.

[4] 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 *NOT* MEETING REQUIREMENTS
5.1 How does the definition of adequate yearly progress include all the required student subgroups?	Identifies subgroups for defining adequate yearly progress: economically disadvantaged, major racial and ethnic groups, students with disabilities, and students with limited English proficiency. Provides definition and data source of subgroups for adequate yearly progress.	State does not disaggregate data by each required student subgroup.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The State of New Jersey's definition of AYP includes all required student subgroups, i.e., students from all major racial/ethnic groups, those who are economically disadvantaged, students with disabilities, and those who are limited English proficient.

Students who are economically disadvantaged will be identified using the U.S. Department of Agriculture free/reduced price lunch indicators. Racial and ethnic identification is in conformance with current federally mandated groupings: white, African American, Hispanic, Asian/Pacific Islanders, and Native American based on U.S. Census data categories.

In 2001, in conformance with IASA, the NJDOE began reporting publicly all test results disaggregated by socioeconomic status, race/ethnicity, and student status as limited English proficient or having disabilities, and will continue as required under NCLB.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.2 How are public schools and LEAs held accountable for the progress of student subgroups in the determination of adequate yearly progress?	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.	State does not include student subgroups in its State Accountability System.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The NJDOE began reporting all assessment results by subgroup for the 2001-2002 school year. Disaggregated reports are made available to schools and districts in the state, as well as reported publicly through our state report card system which is also available electronically. All schools and LEAs are held accountable for student subgroup performance including students who are economically disadvantaged, those from all major ethnic and racial groups, and those with disabilities or limited English proficiency.

For AYP determination purposes, all limited English proficient students and those with disabilities who are clustered for educational services will be counted back in their home school. This will make schools accountable for their placement decisions, as well as ensure that, once a student is placed in another school either within or outside of the district, the school maintains responsibility for the student's continued academic growth.

All student results, disaggregated by these subgroups, will be reviewed to ensure they achieve the intermediate objectives set.

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

State regulations (N.J.A.C. 6A:8, Standards and Assessment) require all students be assessed annually with the State assessment including all students with disabilities. The majority of students with disabilities participate in the regular administration of the general State assessment with or without accommodations. (Please see Peer Review documents for further information regarding assessment with accommodations and guidance for participation in this process.) For those students with severe disabilities and are unable to participate in the general state assessment due to the severity of their disability, an Alternate Proficiency Assessment (APA) is administered as required by state regulations at N.J.A.C. 6A:8-4.1(d). The APA is also linked to the student's Individual Education Plans (IEP). Currently, the APA is administered to approximately one percent of the total statewide test population (i.e., all students in the State).

The APA measures performance on the Core Curriculum Content Standards as reflected in their Individualized Educational Programs (IEPs). Assessment results for students taking the APA will be reported in the same way as results are reported for the general assessments, i.e., "advanced proficient, "proficient" and "partially proficient." Assessment results of all students with disabilities will be part of the school, district, and State accountability systems. Students assigned to self-contained classes in the public schools of the State or proprietary schools will be counted in the home school of the child, i.e., the sending school. Results of the APA will be incorporated into the total subgroup results for students with disabilities, as well as into the accountability for total students in the respective schools and districts. **[Pending the promulgation of final federal regulations, a limit may be placed on the proportion of students passing the APA who will be counted as proficient in the final accountability tally, thereby requiring the State to make adjustments to ensure compliance.] Based on the federal requirements delineated at 34 CFR Part 200, when measuring AYP the proficient scores for students with the most significant cognitive disabilities who take the APA will not exceed 1 percent of all students in the grades tested.**

Please Note: This technical amendment was made to clarify the new requirements for including measuring AYP students of students with sever cognitive disabilities.

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

State regulations at N.J.A.C. 6A:8 no longer allow for exemptions of LEP students from the State assessment. The amendments specifically require that all students be assessed annually through content area tests.

Beginning in school year 2003 - 2004, the NJDOE modified its definition of the LEP subgroup in the statewide testing program for purposes of determining AYP. This subgroup of students are now defined as those :

- **currently enrolled in language assistance programs (bilingual education, English as a Second Language); and**
- **that has achieved English proficiency and has exited from a language assistance program for up to two years.**

[In addition,]New Jersey policy requires annual English language proficiency assessment of all LEP students. The NJDOE uses three language proficiency tests for this purpose. These tests are:

- Idea Proficiency Test (IPT)
- Language Assessment Scales (LAS)
- Macaulitis (MAC II)

Although New Jersey permits districts to use three different tests, cut scores for all three tests have been identified and are used as a diagnostic tool for providing services and programs. **Beginning in the 2004 - 2005 school year, NJDOE will authorize districts to substitute, for first year LEP students only, any one of the above referenced English proficiency tests for the language arts literacy portion of the state assessments to determine participation. These students will still be required to take the math portion of the state assessments. For the 2003-2004 school year, the scores of LEP students who are in their first year in United States schools will not be included in AYP determinations.**

For the purpose of AYP decisions, the NJDOE will report both aggregated LEP subgroup assessment results, for bilingual education, limited English proficient students and students requiring instruction in English as a Second Language (ESL), as well as collect and analyze disaggregated LEP subgroup assessment results by years in the program. This will demonstrate how performance in the content areas improves as a function of time in the program.

LEP students may be assessed with accommodations that allow for translation of directions, longer test time, and use of bilingual dictionaries, when appropriate, as part of assessment with accommodation. New Jersey is one of the most culturally diverse states in the country. Over 55,000 students from over 150 different language backgrounds are reported annually on state enrollment reports with the prominent language after English being Spanish. To meet these students' academic and English language needs, over 290 school districts provide bilingual and/or ESL programs to these students. The next largest language group has fewer than 2,000 students represented across grades K through 12, thereby making it impractical to develop native language tests. For this reason, New Jersey continues to explore the feasibility of developing a sheltered-English assessment program for language arts and mathematics, with science to be added later.

Please Note: This policy amendment is being made as a result of the April 2004 USDOE guidance which grants states additional flexibility how to calculate AYP and determine participation in the state assessment system for limited English proficient students. This amendment will also enable New Jersey to make academic achievement determinations that more accurately reflect the LEP population in our state and report progress of these students that addresses their unique characteristics.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
5.5 What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?	State defines the number of students required in a subgroup for reporting and accountability purposes, and applies this definition consistently across the State.[5] Definition of subgroup will result in data that are statistically reliable.	State does not define the required number of students in a subgroup for reporting and accountability purposes. Definition is not applied consistently across the State. Definition does not result in data that are statistically reliable.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

New Jersey is the most densely populated state, and there is much diversity in its educational system. The accountability system adopted by the state has to address the needs of all students with the highest degree of consistency and fairness, while remaining responsive to changing demographics and increasing number of students falling in various subpopulations. Given the wide range of enrollment numbers across LEAs, a balance was sought between ensuring schools are not "over-identified" simply due to small enrollment numbers, and ensuring schools are not "under-identified" by an accountability system that would mask subgroup performance. Relying on a single, fixed accountability number high enough to be statistically reliable would overlook many subgroups, particularly in smaller schools. Therefore, it was decided to identify a method for statistical reliability that incorporates a measure of acceptable reliability that would extend to all assessed populations. This would ensure that all schools are being held to the same standards in a reliable and equitable manner, while maintaining rigorous accountability.

To ensure the validity and reliability of our accountability system, New Jersey initially requested a review of the relevant literature to identify a variety of approaches for consideration. Intensive dialogue within the NJDOE, as well as discussions with educators and interested parties from across the state, ensured that the merits and tradeoffs inherent in each method under consideration were carefully considered. A salient concern was the consequences of identifying a school as "in need of improvement." Thus, maintaining a sufficient level of certainty in all decisions is both necessary and desirable. Ultimately, it was determined that a minimum "n" of 20 combined with a misclassification rate of 5% (error rate) would best meet the needs of children while maintaining the highest level of accountability within an acceptable misclassification adjustment rate. The combined use of a minimum "n" count of 20 and a misclassification rate allows the state to specify the same level of certainty regarding a school's proficiency level based on assessment tests, after adjusting for small sample variability using a minimum "n" and to maintain that level as demographics and numbers change over time.

[5] The minimum number is not required to be the same for reporting and accountability.

Recognizing a key factor in determining reliability as a statistical measure of a school's performance evaluation is the "n" count, the New Jersey Department of Education has adopted as its final policy the use of a minimum "n" of 20 combined with a (5% error rate) adjustment for misclassification **for the total student population and all subgroups with the exception of the special education student populations.** The 5% error rate is based on data collected and reported on past test administrations. This combined approach allows us to increase the probability of correctly identifying a school as being in need of improvement by holding the error rate constant to ensure the same level of accuracy for all groups being assessed.

When the accountability workbook policy decisions were initially reached, they were [This policy direction was] derived after an extensive and deliberative process of analysis of New Jersey's public school system, broad based public input from the education community, student and school performance data, the size of schools and diverse student populations, as well as the heterogeneity of both the special education and limited English proficient student populations who require extensive use of accommodations in testing and substantial variation in identification rates. **Since that time, NJDOE has received additional information and supporting data to warrant more consideration.**

NJDOE is raising the minimum "n" to 35 for the special education subgroup for the following reasons:
First, the test scores for all students vary from year to year due to sampling error and measurement error (Hill and DePascale, 2003). The special education subgroup is extremely vulnerable to sampling error due to the heterogeneity of the population. The Individuals with Disabilities Education Act (IDEA) identifies 13 categories of disabilities that qualify students to receive special education and/or related services. These categories represent students ranging from those with mild disabilities to those with the most severe cognitive disabilities. This heterogeneity negatively impacts the ability to make valid and reliable inferences about the effectiveness of a school or district in educating students with disabilities. A small n size increases the possibility of sampling error since the distribution of the special education students across the disability categories will vary from year to year. While it might be preferable to address separate categories of disabilities for the purpose of meeting the AYP standards, this would no doubt lead to group sizes so small as to eliminate most students with disabilities from the accountability system.

From one year to the next, there may be more or fewer students with severe disabilities making year to year comparisons difficult. Since test scores are used to determine if schools are in need of improvement in addition to determining individual student achievement, it is difficult to make assumptions about school improvement over time based on small, heterogeneous samples that vary from year to year. Increasing the n size to 35 limits the chance of inaccurate AYP decisions based on a very small, heterogeneous group.

Additionally, New Jersey school districts vary in size from less than 100 students to 40,000 students. An individual student score carries much more weight in a smaller district in the calculation of participation rates and adequate yearly progress. Districts also vary in their identification criteria and the resulting incidence of students with disabilities. The state-wide incidence rate is approximately 15%, and this varies from a low of 8% to a high of

approximately 29%. By establishing a higher subgroup size we can improve the accuracy of decisions we make regarding the performance of a school or a district.

Given our ability to adequately assess very small populations, New Jersey is maintaining a minimum number of 11 students tested for reporting purposes as our "suppression number" for privacy concerns.

Please note:

a. This policy change is being made as a result of additional data obtained related to assessments of special education students and the inability of NJDOE to nationally report the progress of special education students in a manner that would inform instruction and learning for the multiple categories contained within this population of students.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
5.6 How does the State Accountability System protect the privacy of students when reporting results and when determining AYP?	Definition does not reveal personally identifiable information.[6]	Definition reveals personally identifiable information.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
New Jersey's state accountability system protects the privacy of students when reporting results **and when determining AYP** by suppression of any assessment results for groups of **students** that are 11 or **less in number** [more students will be calculated and when determining AYP].		

Please note: This technical correction is being made to clarify the State's current policy on the protection of privacy of students for reporting and for purposes of determining AYP.

[6] 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
6.1 How is the State's definition of adequate yearly progress based primarily on academic assessments?	Formula for AYP shows that decisions are based primarily on assessments.[7] Plan clearly identifies which assessments are included in accountability.	Formula for AYP shows that decisions are based primarily on non-academic indicators or indicators other than the State assessments.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

New Jersey defines AYP as the proportion of all students and their respective subgroups, meeting or exceeding the new state standards annually until 2014, when 100 percent proficiency is achieved in language arts literacy and mathematics. This definition of AYP and decisions for determining AYP is based on its existing statewide academic assessment system designed to ensure students achieve acceptable levels of proficiency at various checkpoints.

Currently, students are assessed in grades 4, 8, and 11 in language arts literacy and mathematics. NCLB requires assessment in specific grade spans (i.e. 3-8), with starting points and subsequent intermediate goals toward achieving 100% proficiency by 2013-2014. To meet these requirements, New Jersey has adopted the AYP starting points and three year incremental goals as its new standard for determining whether subgroups, schools and districts achieve AYP. These starting points were established using state assessment data from Spring 2002 and applying the formula prescribed in Title I of NCLB.

New Jersey has developed a new 3rd grade test, entitled New Jersey Assessment of Skills and Knowledge (NJ ASK 3). This new test **[will be]** **was** administered in May 2003**, as a field test; as a benchmark test in March 2004; and as an operational test that will be used for accountability purposes in March 2005.** In addition, the former 4th grade test, ESPA, has been replaced with a new test, named NJ ASK 4. NJ ASK 4 **[will also be]** **was** administered in May 2003. Valid comparisons between the test scores will be possible for several reasons. Both ESPA and NJ ASK 4 measure the same skills found in the New Jersey Core Curriculum Content Standards. More directly, the item pool from which NJ ASK 4 is developed in the same as the item pool used for ESPA. Moreover, NJ ASK 4 will use the same anchor items as ESPA for statistical equating purposes. This allows for a straight comparison and equating of the tests.

[7] State Assessment System will be reviewed by the Standards and Assessments Peer Review Team.

CRITICAL ELEMENT	*EXAMPLES FOR* MEETING REQUIREMENTS	*EXAMPLES OF NOT* MEETING REQUIREMENTS
The test results from Spring 2002 were recently analyzed for those schools that had been identified as in need of improvement. This review shows that of the 251 schools identified last year being in need of improvement, 9 schools met all state standards and have been removed from the list; another 36 schools made AYP for one year and the remaining 206 schools entered a second year of improvement status. In order to incorporate multiple measures in its academic assessment model, the NJDOE is collaborating with the NJ Business Coalition for Educational Excellence (BCEE) and the Coalition for Responsible Educational Assessment, Testing and Evaluation (CREATE), a group representing the state's major professional educational associations. In this collaboration, the NJDOE is supporting the development and implementation of a pilot project in performance assessment. If successful, this project will be expanded to all districts and will become a part of New Jersey's statewide assessment system. As described earlier, the NJDOE will expand its current assessment system to include all required grade levels and content areas. Current curriculum standards have been detailed in New Jersey's Core Curriculum Content Standards. The content areas of language arts literacy, mathematics and science were reviewed, revised and readopted in July 2002. These amendments add increased specificity regarding when to introduce key skills. For more information, see the NJDOE Web site at www.nj.gov/njded/stass/.		

Please Note: The technical corrections are being made to this section to reflect changes to the administration of the NJ ASK 3. NJDOE will administer the NJ ASK 3 as a benchmark test during the 2003-2004 school year to provide the districts with additional time to implement and obtain results from strategies used to improve academic achievement. Since the requirements do not mandate the implementation of a grade 3 assessment until 2005-2006, New Jersey chooses to accept this flexibility. We anticipate that this assessment will become operational for the 2004-2005 school year and will be used for accountability for the first time.

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
7.1 What is the State definition for the public high school graduation rate?	State definition of graduation rate: • 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, • Uses another more accurate definition that has been approved by the Secretary; and • Must avoid counting a dropout as a transfer. Graduation rate is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause[8] to make AYP.	State definition of public high school graduation rate does not meet these criteria.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

As an interim measure **[for school year 2002-2003]** **<u>until school year 2004-2005</u>**, New Jersey proposes to use the drop-out rate as the NCLB required other academic indicator, to assist in determining AYP. This indicator is being used because the state does not have a cohort (full four years) analysis of data available. This interim measure is also imposed because, currently, the information to calculate graduation and drop-out rates are collected locally and many districts do not have a system in place to track student mobility over multiple years for the NCLB required subgroups. The State's drop-out data and rates are calculated by tracking students who drop-out

[8] See USC 6311(b)(2)(I)(i), and 34 C.F.R. 200.20(b)

(either through formal withdrawal or who cannot otherwise be accounted for, i.e., transfer request) divided by total students on roll. This information is currently collected and calculated in the aggregate for AYP purposes and disaggregated for the determination of safe harbor provision for subgroups. The State's formula for the drop-out rate is as follows:

$$\frac{\text{\#students in Grades 9 through 12 who drop-out during July through June each year}}{\text{\# students enrolled by October enrollment report for grades 9 through 12}}$$

Based on an analysis of 2001–2002 data, the standard statewide single year drop-out rate is 2.6 percent. However, to support AYP determinations as the other academic indicator for high schools for school year 2002-2003, schools will have to reduce their drop-out rate by .5% per year until they reach the prior years' statewide drop-out rate percentage.

Beginning with the school year [2003-2004] **2004-2005** and all subsequent years, New Jersey will begin to implement graduation rate as the other academic indicator for assisting with AYP determinations at the secondary level and add a new cohort each year. Graduation rate will be defined and calculated by the method recommended by the National Center for Education Statistics:

$$\text{Graduation Rate} = \left(\frac{\text{\# of SY [2002-03] } \mathbf{2004\text{-}2005} \text{ Graduates + Summer [2003]} \mathbf{2005} \text{ Graduates}}{\begin{array}{l}\text{(\# of SY [2002-03] } \mathbf{2004\text{-}2005} \text{ Graduates + Summer [2003]} \mathbf{2005} \text{ Graduates +} \\ \text{\# of Grade 9 Dropouts in SY [1999-2000] } \mathbf{2001\text{-}2002} \text{ +} \\ \text{\# of Grade 10 Dropouts in SY [2000-2001] } \mathbf{2002\text{-}2003} \text{ +} \\ \text{\#of Grade 11 Dropouts in SY [2001-2002] } \mathbf{2003\text{-}2004} \text{ +} \\ \text{\# of Grade 12 Dropouts in SY [2002-2003] } \mathbf{2004\text{-}2005}\text{)}\end{array}} \right) \times 100$$

New Jersey issues only one diploma. A G.E.D is issued in the state only when a student formally drops out from regular high school. Therefore, issuance of G.E.Ds will not be counted in the graduation rate.

This graduation rate calculation will enable the state to obtain information in the aggregate at the school and district level for AYP purposes, and disaggregated by subgroups for "safe harbor" provisions. Schools and districts that achieve or exceed the threshold for the graduation rate, as well as those that are below the threshold but improve their graduation rate when compared to the previous year will have met the other academic indicator for purposes of making decisions about AYP.

In addition, schools and districts will be required to meet the graduation rate threshold or improve their graduation rate as a requirement for the "safe harbor" provision.

Finally, the state is also in the process of developing a statewide student data management system that will facilitate the collection of data and tracking student mobility at the state and local level. This system, entitled NJ Standards Measurements and Resource for Teaching (NJ SMART), is a student level database that allows for rich longitudinal and cohort analysis of students and school performance. The system will be tested in twelve districts in the fall of 2003. Statewide implementation will occur based on the results of this pilot. When this system is in place, we will

use drop-out data and graduation rates, which we collect and calculate in the aggregate for AYP and disaggregate for subgroups. **We anticipate this system will be fully implemented statewide by school year 2005-2006.**

Please Note: **This technical correction is being made to extend the use of drop-out rate as the secondary academic indicator for high schools until 2004-2005. This extension is needed to accommodate additional time required to modify existing data collection methods and unavoidable delays associated with full statewide implementation of the student data management system.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
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?	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.[9] 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.	State has not defined an additional academic indicator for elementary and middle schools.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The state's additional academic indicator that will be applied at the elementary and middle school levels is attendance for AYP.

Attendance is calculated by multiplying the number of students on roll by the number of days present, divided by the number of students on roll multiplied by 180, the minimum possible number of days for attendance. (N.J.A.C. 6:3-9.2).

The additional academic indicator at the high school level that will be applied in New Jersey is graduation rate (drop-out rate will be used as an interim measure [for the 2002-2003] until **the 2004-2005** school year).

Please Note: **This technical correction is being made to extend the use of drop-out rate as the secondary academic indicator for high schools until 2004-2005. This extension is needed to accommodate additional time required to modify existing data collection methods and unavoidable delays associated with full statewide implementation of the student data management system.**

[9] NCLB only lists these indicators as examples.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
7.3 Are the State's academic indicators valid and reliable?	State has defined academic indicators that are valid and reliable. State has defined academic indicators that are consistent with nationally recognized standards, if any.	State has an academic indicator that is not valid and reliable. State has an academic indicator that is not consistent with nationally recognized standards. State has an academic indicator that is not consistent within grade levels.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

New Jersey's academic indicators are valid and reliable, as well as consistent with federal standards. Attendance rate is the indicator that will be used at the elementary and middle school levels. The standard is an average daily attendance rate of 90 percent.

Attendance rate has long been a key element in the pre-established State monitoring system. New Jersey selected to use attendance rate as the additional academic indicator because it is linked to the state's school regulations governing the number of days a student must be in attendance to receive a thorough and efficient education (i.e. 180 days). At the secondary school level, this indicator is used to enable students to acquire credit for graduation purposes. In addition, attendance is monitored regularly. While attendance is gathered at the school level, as a quality control measure, it is reviewed by the state's Quality Annual Assessment Review (QAAR) and in the annual report card.

Likewise, graduation rate and its reporting were selected as required by NCLB and will be in conformance with National Center for Education Statistics (NCES) standards. (New Jersey will use drop-out rate as an interim measure [for 2002 -2003] **until the 2004-2005** school year).

Please Note: **This technical correction is being made to extend the use of drop-out rate as the secondary academic indicator for high schools until 2004-2005. This extension is needed to accommodate additional time required to modify existing data collection methods and unavoidable delays associated with full statewide implementation of the student data management system.**

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

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
8.1 Does the state measure achievement in reading/language arts and mathematics separately for determining AYP?	State AYP determination for student subgroups, public schools and LEAs separately measures reading/language arts and mathematics. [10] AYP is a separate calculation for reading/language arts and mathematics for each group, public school, and LEA.	State AYP determination for student subgroups, public schools and LEAs averages or combines achievement across reading/language arts and mathematics.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

New Jersey measures achievement in language arts literacy and mathematics separately. AYP is calculated for language arts literacy and mathematics and is applied to each subgroup, public school, and LEA.

New Jersey will determine two consecutive years of failure to make AYP based on failure in one content area. This is consistent with New Jersey's intent and purpose for accountability, i.e., improving instruction. A focus on one content area helps schools and districts concentrate efforts, identify programs and curriculum that are scientifically research-based, provide professional development, and support and change instructional practice in order to improve student achievement.

[10] 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 *NOT* MEETING REQUIREMENTS
9.1 How do AYP determinations meet the State's standard for acceptable reliability?	State has defined a method for determining an acceptable level of reliability (decision consistency) for AYP decisions. State provides evidence that decision consistency is (1) within the range deemed acceptable to the State, and (2) meets professional standards and practice. State publicly reports the estimate of decision consistency, and incorporates it appropriately into accountability decisions. State updates analysis and reporting of decision consistency at appropriate intervals.	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. State has parameters for acceptable reliability; however, the actual reliability (decision consistency) falls outside those parameters. State's evidence regarding accountability reliability (decision consistency) is not updated.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The State accountability system design[ed] is consistent with **<u>the State</u>** [State's] standards for acceptable reliability as evidenced by:

- Building on New Jersey's existing infrastructure, i.e., Core Curriculum Content Standards and the State's approved assessment system;
- Reviewing and drawing upon the current monitoring system, the basis of the former State accountability, for certain key elements such as the use of attendance as a secondary measure and the State Report Card System as the public awareness instrument;
- Gathering input from across the department's internal senior staff to ensure internal mechanisms are in place to support the system and that all components are compatible and consistent;
- Closely reviewing federal NCLB legislation and regulation to ensure compliance;
- Defining an acceptable level of reliability in the decision making process; and
- Public engagement, communication and accountability.

The accountability system was also developed with the full recognition that decisions about

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS

schools and districts making AYP must ensure full validity and reliability. In order to construct a system that is both valid and reliable, the state incorporated the following elements:

- Alignment of assessments with existing State content standards that are valid and reliable;
- Assessments designed with valid and reliable controls built in, including two readers for all open-ended items and two cycles of reporting, as well as a mechanism for rescoring of tests when results are in question;
- **Districts have the ability to ensure the accuracy of demographic data on all students through a record change process;**
- **The scoring process now entails an automatic adjudication of scoring on open-ended items for students who scores are close to, but not over, the proficiency level on each assessment. Districts may also ask for such adjudications at the time they receive Cycle I score reports;**
- 5% error rate for the student assessment measures;
- "Safe harbor" calculations applied to subgroup results;
- Predicated improvement status based on failure in a single content area; and
- An appeal process implemented to guard against an error in our data or calculations at any step in the process.

It should be noted that NJDOE has worked closely with the State's Technical Advisory Committee for Assessment. This highly respected group of national assessment experts has closely monitored and guided NJDOE's efforts to develop a model accountability system. The State will utilize data to constantly review and modify the system as appropriate to ensure all data points are reported and recorded accurately and valid decisions are made.

New Jersey also publicly reports and solicits input from the broader New Jersey educational community, including the:

- NCLB Advisory Committee (Committee of Practitioners),
- NJ School Boards Association,
- NJ Association of School Administrators,
- NJ Principals and Supervisors Association,
- NJ Federal Program Administrators Association,
- NJ Education Association,
- School superintendents and other key administrators from across the state;
- Technical Advisory Committee for Assessment,
- State Senate and Assembly Education Subcommittees, [;] and
- New Jersey Parent Advisory Committees.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
New Jersey will also develop and implement an annual plan for evaluating the statewide accountability system that incorporates up-to-date conceptions regarding the validation of accountability systems, and incorporates a timeline for key activities that are linked to assessment results.		

Please note: These technical corrections are being made to further clarify the appeals process for districts.

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

The State's process for making valid AYP determinations and appeals includes:

- All test results are reported first to districts for their review for accuracy. Re-scores can be requested, as well as student level data amended, before they are officially recorded at the State level during Cycle I reporting;
- Validity checks are built into all other data collection and reporting systems including attendance and dropout rate;
- Final determinations will be made and reported to the school or districts, following which determinations are reported publicly and posted on the NJDOE web site.
- The identification of any school or district as having failed to make AYP may be appealed before it is reported publicly. Schools and/or school districts can indicate challenges to the accuracy of the data, present extraordinary circumstances or what indicator is disputed and what they believe is the valid indicator to be applied. All appeals must be submitted within 30 days of notification of state determinations regarding AYP. A final decision will be made by the State within two weeks of receipt of an appeal.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
9.3 How has the State planned for incorporating into its definition of AYP anticipated changes in assessments?	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.[11] State has a plan for including new public schools in the State Accountability System. State has a plan for periodically reviewing its State Accountability System, so that unforeseen changes can be quickly addressed.	State's transition plan interrupts annual determination of AYP. State does not have a plan for handling changes: e.g., to its assessment system, or the addition of new public schools.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The State's plan for incorporating anticipated changes in assessments into its definition of AYP is as follows:

As new grade level tests are added to the State assessment system, they will be equated both vertically **[(from administrator to teacher)]** **(between grades)** and horizontally **[(from teacher to teacher or school to school)]** **(from year to year within a grade)** to ensure consistency across the system and inform classroom instruction to ultimately improve teaching and learning. **The methodology for vertical equating will be determined and presented to the New Jersey Technical Advisory Committee prior to implementation.** The results for these grades will be considered by grade span 3-5, 6-8 and 11. The procedures described earlier will be applied uniformly.

New Jersey has developed a new 3rd grade test, entitled New Jersey Assessment of Skills and Knowledge (NJ ASK 3). This test will be administered in May 2003 **as a field test; as a benchmark test in March 2004; and as an operational test that will be used for accountability purposes in March 2005.** In addition, the former 4th grade test, ESPA, has been replaced with a new test, named the NJ ASK 4. NJ ASK 4 **[will also be]** **was** administered in May 2003. Valid comparisons between the test scores will be possible for several reasons -- both

[11] 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.

the ESPA and NJ ASK 4 measure the same skills found in the New Jersey Core Curriculum Content Standards. More directly, the item pool from which NJ ASK 4 is developed is the same as the item pool used for ESPA. Moreover, NJ ASK 4 will use the same anchor items as ESPA for statistical equating purposes. This allows for a straight comparison and equating of the tests. **Future administrations of NJ ASK 4 will take place in March of each school year, beginning in 2004.**

As required by NCLB, assessments will be expanded by specific grade spans and to incorporate science. These new assessments, including alternate proficiency assessments will be included in New Jersey's accountability system as indicated in the following timeline:

	Grade Level						
YEAR	**3**	**4**	**5**	**6**	**7**	**8**	**HS**
02-03		Math LAL				Math, LAL, SC	Math LAL
2004	Math LAL (benchmark)	Math, LAL, SC (field test)				Math, LAL, SC	Math, LAL, SC (field tested)
2005	Math LAL	Math, LAL, SC	Math LAL	Math LAL	Math LAL	Math, LAL, SC	Math, LAL, SC
2006	Math LAL	Math, LAL, SC	Math LAL	Math LAL	Math LAL	Math, LAL, SC	Math, LAL, SC
2007	Math LAL	Math, LAL, SC	Math LAL	Math LAL	Math LAL	Math, LAL, SC	Math, LAL, SC
07-08	Math LAL	Math, LAL, SC	Math LAL	Math LAL	Math LAL	Math, LAL, SC	Math, LAL, SC

Math – mathematics, LAL – language arts literacy, SC – science

All schools will be included in the state accountability system. Prior to opening any new school, NJDOE is notified and involved in the approval process to ensure compliance with all state and federal regulations. The school is then added to the State database of all schools and districts. This database is drawn upon to identify all schools in the state. The first accountability check will be to ensure all schools in the state are included in the initial accountability system file. In this way, NJDOE ensures that all schools are incorporated into the system.

NJDOE will continually monitor the system annually to ensure accuracy of all reporting and the validity and reliability of determinations made. Adjustments as needed will be made to ensure that all decisions made are valid and reliable.

Please note: These technical corrections are being made to clarify how tests are equated to ensure consistency and to reflect the revised assessment implementation schedule.

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The State's method for calculating participation rates in the assessment system is to determine the number of absent or untested students, (disaggregated) to ensure both total student and subgroup participation in the State assessment. New Jersey collects enrollment data along with student header information on each test booklet that includes:

- Race/ethnicity,
- Eligibility for free or reduced price lunch,
- Student status as LEP, along with years of enrollment in bilingual/ESL program,
- Student status as student with disabilities,
- Date of enrollment in school/district after July 1,
- Birth date,
- School and district code, and
- Gender.

For each student on roll, a test booklet is generated along with a test label. <u>All</u> test booklets must be returned to the test company. Thus, for students not participating in the test, the test booklet is returned to the NJDOE. Additional test booklets and blank header sheets to be hand-coded are forwarded upon request for new students.

This allows the state to calculate a total participation rate that can be disaggregated by subgroup. These data will now also be reported and taken into account in the total accountability system when determining 95 percent minimum participation rates.

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

The State's policy is that initial determination of 95 percent minimum participation for each subgroup regardless of size, is made when tests are submitted for scoring. This preliminary determination is made against all test booklets submitted. This will be used to verify total school participation rate prior to scoring. When a significant number, now defined as less than 95 percent, of test booklets are not returned, the school and district will be contacted to determine the reasons.

After preliminary runs, if the performance of a subgroup is in question, "safe harbor" is employed for that group, and the 95 percent minimum participation rate for that group will be verified to ensure accountability measures are applied appropriately.

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.