



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**



STATE OF NEW JERSEY
No Child Left Behind *in New Jersey*
CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

Washington, D.C. 20202

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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.



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**Summary of Implementation Status for Required Elements of
 State Accountability Systems**

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

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



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Principle 5: Subgroup Accountability		
F	5.1	The accountability system <i>includes all the required student subgroups</i> .
F	5.2	The accountability system holds <i>schools and LEAs accountable for the progress of student subgroups</i> .
F	5.3	The accountability system includes <i>students with disabilities</i> .
F	5.4	The accountability system includes <i>limited English proficient students</i> .
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 <i>primarily on academic assessments</i> .
Principle 7: Additional Indicators		
F	7.1	Accountability system includes <i>graduation rate for high schools</i> .
F	7.2	Accountability system includes an <i>additional academic indicator for elementary and middle schools</i> .
F	7.3	Additional indicators are valid and reliable.
Principle 8: Separate Decisions for Reading/Language Arts and Mathematics		
F	8.1	Accountability system holds students, schools and districts separately accountable for <i>reading/language arts and mathematics</i> .
Principle 9: System Validity and Reliability		
F	9.1	Accountability system produces <i>reliable decisions</i> .
F	9.2	Accountability system produces <i>valid decisions</i> .
F	9.3	State has a plan for addressing <i>changes in assessment and student population</i> .
Principle 10: Participation Rate		
F	10.1	Accountability system has a means for calculating the <i>rate of participation</i> in the statewide assessment.
F	10.2	Accountability system has a means for <i>applying the 95% assessment criteria to student subgroups and small schools</i> .

STATUS Legend:

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



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

Instructions

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



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

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.1 How does the State Accountability System include every public school and LEA in the State?</p>	<p>Every public school and LEA is required to make adequate yearly progress and is included in the State Accountability System.</p> <p>State has a definition of “public school” and “LEA” for AYP accountability purposes.</p> <ul style="list-style-type: none"> • 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). 	<p>A public school or LEA is not required to make adequate yearly progress and is not included in the State Accountability System.</p> <p>State policy systematically excludes certain public schools and/or LEAs.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>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.</p> <p>State regulations clearly articulate the requirement for “the annual evaluation of all public schools to determine if they are meeting standards” (<i>N.J.A.C. 6A:30-1.1.</i>). The standards, by which these schools are evaluated, as outlined in this <i>Accountability Workbook</i>, are based upon Adequate Yearly Progress (AYP) indicators.</p> <p>The long-established measurement tool for determining schools’ progress is 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.</p> <p>All charter schools are considered LEAs within the state’s accountability system and, as such, are held to the same accountability requirements as all other schools and districts within the state. Those</p>		



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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's alternative schools are constituted as separate schools subject to the same state accountability provisions as any other school within a district and the state. Alternative schools serve specific student groups across one or more districts and include: magnet schools, theme high schools, 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 are applied in accordance with 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.

New Jersey also maintains several school districts that contain only one school. These districts/schools can include charter schools, many vocational-technical schools and regional day schools. Therefore, when applicable, these districts/schools will be identified as in need of improvement as both a school and as a district, if it meets the identification criteria. In these instances, when a school/district is identified as in need of improvement, only the federal consequences identified in Section 1116 of the *NCLB Act* for schools will apply.

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 must be:

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



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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?	<p>All public schools and LEAs are systematically judged on the basis of the same criteria when making an AYP determination.</p> <p>If applicable, the AYP definition is integrated into the State Accountability System.</p>	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		
<p>New Jersey holds all public schools and LEAs to the same criteria for making AYP determinations. The NJDOE Core Curriculum Content Standards that apply to all schools and districts in the state were revised to conform to the new <i>NCLB</i>-mandated starting points for establishing proficiency. These 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. Due to the redesign of the state assessments beginning with the 2008 administration, the intermediate goals may be adjusted.</p> <p>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.</p> <p>Beginning in school year 2004–2005, as required, New Jersey began identifying districts as “in need of improvement.” In addition, New Jersey prioritizes the technical assistance provided to these districts identified as being “in need of improvement” 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. For purposes of the <i>NCLB</i> federal requirements, all districts are identified as “in need of improvement” when they miss AYP for two consecutive years in the same subject areas in all elementary, middle and high school grade levels.</p>		



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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
1.3 Does the State have, at a minimum, a definition of <i>basic</i> , <i>proficient</i> and <i>advanced</i> student achievement levels in reading/language arts and mathematics?	<p>State has defined three levels of student achievement: <i>basic</i>, <i>proficient</i> and <i>advanced</i>.¹</p> <p>Student achievement levels of <i>proficient</i> and <i>advanced</i> determine how well students are mastering the materials in the State's academic content standards; and the <i>basic</i> level of achievement provides complete information about the progress of lower-achieving students toward mastering the <i>proficient</i> and <i>advanced</i> levels.</p>	Standards do not meet the legislated requirements.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>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 <i>N.J.A.C. 6A:8</i>). These levels correspond to the three levels identified in federal regulations and guidance and are:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>For technical background on standard-setting, please see Peer Review material submitted in 2000 and 2006 to the USDOE.</p>		

¹ System of state achievement standards will be reviewed by the Standards and Assessments Peer Review. The Accountability Peer Review will determine what achievement levels are used in determining AYP.



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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?</p>	<p>State provides decisions about adequate yearly progress in time for LEAs to implement the required provisions before the beginning of the next academic year.</p> <p>State allows enough time to notify parents about public school choice or supplemental educational service options, time for parents to make an informed decision, and time to implement public school choice and supplemental educational services.</p>	<p>Timeline does not provide sufficient time for LEAs to fulfill their responsibilities before the beginning of the next academic year.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>To assure accountability for all schools and districts and that information and decisions about AYP are made in a timely manner, New Jersey uses data from its state assessment Cycle I reports (preliminary data) to determine AYP for the school year. The issuance of AYP decisions from the Cycle I report occurs prior to the start of school in September. This ensures that districts/schools, where applicable, are able to notify the public and parents about the status of the school and accountability sanctions of school choice and SES prior to the start of the school year.</p> <p>All state assessments of students in New Jersey take place in the spring of each year. The NJ assessments are as follows:</p> <ul style="list-style-type: none"> • Grade 11 - High School Proficiency Assessment (HSPA) • Grades 3-8 - New Jersey Assessment of Skills and Knowledge (NJ ASK) <p>Since these assessments include extended writing samples and many open-ended items, the established quality control measures undertaken incorporate trained readers with read-behinds and/or double scoring for all writing samples in two reporting cycles as follows:</p> <p>Cycle I – reports preliminary individual student results to districts and schools for initial review and rescoring may be requested based on this report.</p> <p>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.</p>		



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	NJ ASK 3, 4 and 5	NJ ASK 6, 7, and 8	HSPA -Grade 11
Cycle I results issued by test vendors	August	August	May
AYP Reports completed and sent to districts/schools	October 31*	August 26	August 26
District/schools notify public of AYP status and sanctions of school choice/SES offered	August (Transition process)	August (Transition process)	August

If the district/school believes that the annual AYP determination has been made in error, there is an appeal process.

* Due to the resetting of the AYP targets based upon the 2009 state assessment administration, the notification of these AYP results will be delayed. Districts and schools in improvement status will continue to implement the required Title I sanctions during the transition period (see Appendix B).



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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

In accordance with state law, New Jersey has produced annual report cards for all schools in the state since 1995. The New Jersey School Report Card contains over thirty fields of information in five categories as follows: school environment, student information, student performance indicators, staff information, and district finance data. The issue date is the first Wednesday of February when every school-level report can be viewed on the Department of Education's Web site.

In 2002, the state began issuing an additional report for each school that contains the data specifically required by *NCLB*. It includes the test results with *NCLB* conditions applied for determining AYP; the school's and district's AYP status; highly qualified teacher information; and the applicable secondary measures of attendance for elementary and middle schools and dropout rate for secondary schools. Because the state collects all of the required *NCLB* data for each school and district, it reports the school-, district-, and state-level data required by *NCLB* on the NJDOE Web site.

In August, every district receives a preliminary report from the NJDOE showing each school's AYP status based on preliminary (cycle I) test data. Each school's AYP profile and yearly *NCLB* status is posted on the NJDOE's Web site. Once the assessment data has been finalized and the Alternate Proficiency Assessment scores for special education students have been included, the districts and schools receive a final AYP status report. The same process is used to notify districts about their yearly AYP status. Once the final AYP reports are released to the districts and schools, there is an appeal period.

When the AYP appeal process is completed, the state issues the *NCLB* Report that shows school-,



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district-, and state-level information in the required fields. This report is linked to the New Jersey School Report Card so that the public can view all information in the same location.

The *NCLB* report is presented in English and Spanish as are the accompanying guides to understanding the report's data and calculating AYP. There is an additional report that contains state-level statistics in both English and Spanish versions.



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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: <ul style="list-style-type: none"> • 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		
<p>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, selected educators 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.</p> <p>New Jersey's recognition programs include: Presidential Awards for Excellence in Mathematics and Science Teaching;; Milken Family Foundation National Educator Awards; Title I Distinguished Schools; Teacher of the Year Program; Governor's Awards in Arts Education; Rutgers Academic Challenge; Commissioner's Distinguished Teacher Candidate Awards; Governor's Teacher/Educational Services Professionals Recognition Program; and Schools to Watch.</p> <p>New Jersey holds its districts accountable using a monitoring and evaluation system. The Commissioner of Education has adopted rules at <i>N.J.A.C. 6A:30, Evaluation of the Performance of School Districts</i>, to implement a monitoring and evaluation system for public school districts and county vocational school districts. These rules became effective on February 22, 2007 and are in compliance with the provisions of P.L. 2005, c. 235 and P.L. 2007, c. 16, §39a, which amended <i>N.J.S.A. 18A:7A</i>.</p>		

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)].

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Beginning in 2007, this monitoring and evaluation system, entitled New Jersey Quality Single Accountability Continuum. (NJQSAC) began in selected public school districts. Implementation continues as all districts will be evaluated within the next two years. The primary purpose of QSAC is to measure and improve school district performance in meeting state and federal standards. More detailed information is available on the NJDOE Web site at:

<http://www.state.nj.us/education/genfo/qsac/>

This system shifts the monitoring and evaluation focus from compliance to assistance, capacity-building and improvement. It is a comprehensive accountability system that consolidates and incorporates the monitoring requirements of applicable state laws and programs and complements federally required improvements. The system focuses on monitoring and evaluating school districts in five key components which, based on research, have been identified to be key factors in effective school districts. These components are:

- Instruction and program;
- Personnel;
- Fiscal management;
- Operations; and
- Governance.

The system also incorporates a process for monitoring progress every six months for districts that did not meet the QSAC standards

The NJQSAC system maintains provisions for rewards and sanctions to title I and non-Title I school districts. The rewards include public recognition for higher performing school districts, while the sanctions incorporate provisions for providing improvements and/or intervention activities. Improvement activities may include development and implementation of a district improvement plan; technical assistance or ongoing monitoring. The intervention activities may include, but are not limited to, the appointment of key district personnel or local board members, in-depth evaluation or the appointment of highly skilled professionals.

Decisions about consequences for not meeting AYP are coordinated with the state's current evaluation and monitoring system. Specifically, the AYP results for districts are used in the Instruction and Program component. The state's system is incorporated into the federal accountability system and treated as a first step toward assisting schools and districts and does not delay implementation of the federally mandated timelines for applying sanctions to Title I schools and districts identified as in need of improvement. Schools and districts that receive Title I funds are required to adhere to all *NCLB* sanctions and rewards that relate to student performance inclusive of offering school choice and supplemental educational services if schools are identified for improvement. Furthermore, if schools continue in improvement that status for three years, they are subject to corrective action. If they continue in that status for a fourth year, they are subject to restructuring. Districts are also held accountable for their performance and must implement federal sanctions as necessary. All sanctions for Title I schools and districts are in accordance with the requirements of *NCLB*. Schools and districts that do not receive Title I funds are incorporated into the state's accountability system for monitoring student performance and are held to the same standards for making adequate yearly progress. The sanctions and rewards are linked to the review of assessment results completed through the established monitoring and evaluation system.



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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?	<p>All students in the State are included in the State Accountability System.</p> <p>The definitions of “public school” and “LEA” account for all students enrolled in the public school district, regardless of program or type of public school.</p>	Public school students exist in the State for whom the State Accountability System makes no provision.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>State regulations require that <u>all</u> students must be included in the state assessment program and assessed annually. Previously, limited English proficient (LEP) students were excluded for up to three years. This exemption has been revoked. Beginning in school year 2001-2002, exemptions for students with disabilities were disallowed and the Alternative Proficiency Assessment (APA) was administered for the first time statewide (<i>N.J.A.C. 6A:8-4</i>).</p> <p>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.</p> <p>Thus, all students in all schools are 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.</p>		



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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>2.2 How does the State define “full academic year” for identifying students in AYP decisions?</p>	<p>The State has a definition of “full academic year” for determining which students are to be included in decisions about AYP.</p> <p>The definition of full academic year is consistent and applied statewide.</p>	<p>LEAs have varying definitions of “full academic year.”</p> <p>The State’s definition excludes students who must transfer from one district to another as they advance to the next grade.</p> <p>The definition of full academic year is not applied consistently.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>To ensure compliance with state regulatory requirements at <i>N.J.A.C. 6A:8-4.4</i>, 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.</p> <p>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.</p> <p>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 safeguard 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. Data collected and reported on past test administrations show that New Jersey currently meets or exceeds the minimum 95 percent participation rate. This participation rate is monitored for total student, as well as for subgroup participation.</p>		



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<p>2.3 How does the State Accountability System determine which students have attended the same public school and/or LEA for a full academic year?</p>	<p>State holds public schools accountable for students who were enrolled at the same public school for a full academic year.</p> <p>State holds LEAs accountable for students who transfer during the full academic year from one public school within the district to another public school within the district.</p>	<p>State definition requires students to attend the same public school for more than a full academic year to be included in public school accountability.</p> <p>State definition requires students to attend school in the same district for more than a full academic year to be included in district accountability.</p> <p>State holds public schools accountable for students who have not attended the same public school for a full academic year.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>New Jersey collects student rosters and verifies student information before or at the time of issuing test booklets. At this time, information regarding date of enrollment is collected and recorded on the individual student record. Students enrolled after July 1, of any given school year, are considered to have been enrolled less than one full academic year. This information is collected for both the school and district level.</p> <p>The state holds public schools accountable for students who were enrolled at the same public school for a full academic year. Districts are encouraged to review their intradistrict transfer policies. Stability in school enrollment contributes to improved student learning.</p> <p>A statewide student-level data management system that will allow the state to track individual attendance and mobility information is under development.</p>		



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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 defines its proficiency measure as the proportion of all students and their respective subgroups meeting or exceeding the state's Core Curriculum Content Standards in a given year (currently calculated as the upper limit of a confidence interval around the binomial ratio of the number of proficient students to the number of students with valid scores). Standards were established according to regulation, with incremental increases from the initial starting points leading to one hundred percent proficiency by 2014. Separate starting points for accountability have been set for language arts literacy and mathematics for grades 4, 8, and 11 each. The subsequent targets for each of these starting point grades are applied as follows:

- Grade 4: applied to grades 3 and 5
- Grades 8: applied to grades 6 and 7
- Grade 11: applied to grade 12 * (See below)

Using a Compound Annual Growth Rate (CAGR) calculation to establish the intervening steps to universal proficiency, the following are the state AYP benchmarks, which increase at three-year intervals (2005, 2008, and 2011) for both subject areas in each grade span. The CAGR approach allows for equal increments of growth at each step on the way to closing the achievement gap, rather than a fixed percentile change of decreasing growth as in a straight line calculation.

During the 2008-2009 school year, new tests were administered in grades 3 and 4. New tests were not administered in grades 5-8 and 11. NJ's AYP process aggregates grades 3 through 5 as one elementary grade span. As a result, New Jersey modified the AMOs (benchmark targets) for the elementary grade span to ensure a transition with the new assessments. To insure 100% proficiency by the year 2014, NJ set target increases at equal three-year intervals. The modified targets are indicated in the chart below.

* High school students may take up to three administrations of the HSPA in order to demonstrate skills proficiency, thereby making them eligible for graduation. HSPA is administered in the spring of 11th



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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>grade and in the fall and spring of 12th grade. The first proficient score received in any of the first two administrations of the test or the score received by the official point of test administration (spring grade 12), whichever comes first, will be used for AYP purposes. Beginning in 2008, the grade 12 administration is the official test administration for the high school 9-12 grade span. The banking of the grade 11 student scores begins in the spring of 2007.</p>		

Following is the AYP timeline: *

Content Area	Grades	Starting Point 2003 and 2004	2005-2007	2008-2010	2011-2013	2014
Language Arts Literacy	3, 4 & 5	68	75	*59	*79	100
	6, 7 & 8	58	66	72	86	100
	11	73	79	85	92	100
Math	3, 4 & 5	53	62	*66	*83	100
	6, 7 & 8	39	49	61	80	100
	11	55	64	74	86	100

* The targets were re-set based upon the administration of new state assessments beginning in spring 2009 (see Appendix B).



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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2 How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?</p>	<p>For a public school and LEA to make adequate yearly progress, each student subgroup must meet or exceed the State annual measurable objectives, each student subgroup must have at least a 95% participation rate in the statewide assessments, and the school must meet the State's requirement for other academic indicators.</p> <p>However, if in any particular year the student subgroup does not meet those annual measurable objectives, the public school or LEA may be considered to have made AYP, if the percentage of students in that group who did not meet or exceed the proficient level of academic achievement on the State assessments for that year decreased by 10% of that percentage from the preceding public school year; that group made progress on one or more of the State's academic indicators; and that group had at least 95% participation rate on the statewide assessment.</p>	<p>State uses different method for calculating how public schools and LEAs make AYP.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>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 as follows:</p> <ol style="list-style-type: none"> 1. Each subgroup is reviewed to assure a minimum of 95 percent of the total group participates in the administration of the test. For purposes of determining participation rate only, a minimum group size is 40. If a school is making AYP for all of its subgroups and generally has a high participation rate, but in one year a particular subgroup participation rate drops slightly below 95 percent, that school or LEA may be able to make AYP if its multiyear participation rate average for three years is at least 95 percent; 		



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2. After the results of the test are received, the percent proficient of each subgroup is reviewed against the established AYP targets for language arts literacy and mathematics.
3. The percent proficient in each subgroup is reviewed using the “safe harbor” provisions, as outlined at 34 CFR Part 200.20.
4. The secondary measures (dropout rate for high schools and attendance rate for elementary and middle schools) are then applied.

Additionally, the performance of the following populations are compared to the AYP targets:

- 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 are made for:

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

For those subgroups not making the AYP targets, a review of progress determines whether they made safe harbor (i.e., reduced their partially proficient rate by 10 percent over the previous year incorporating a 75 percent confidence interval around the proportion proficient) and met the other academic indicators.

Because New Jersey implemented a new testing program in 2009 for grades 3 and 4, calculating whether a school met the Safe Harbor criteria for the 2009 school year utilized a procedure based on statistically linking the new tests to the old tests. **This procedure is necessary for one year only** (see Appendix C).

Next year we will be able to use progress on the same test for grades 3-4 since the new test will have been administered both in 2009 and 2010.



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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2a What is the State's starting point for calculating Adequate Yearly Progress?</p>	<p>Using data from the 2001-2002 school year, the State established separate starting points in reading/language arts and mathematics for measuring the percentage of students meeting or exceeding the State's proficient level of academic achievement.</p> <p>Each starting point is based, at a minimum, on the higher of the following percentages of students at the proficient level: (1) the percentage in the State of proficient students in the lowest-achieving student subgroup; or, (2) the percentage of proficient students in a public school at the 20th percentile of the State's total enrollment among all schools ranked by the percentage of students at the proficient level.</p> <p>A State may use these procedures to establish separate starting points by grade span; however, the starting point must be the same for all like schools (e.g., one same starting point for all elementary schools, one same starting point for all middle schools...).</p>	<p>The State Accountability System uses a different method for calculating the starting point (or baseline data).</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The State used the spring 2002 assessment results to set starting points for the <i>NCLB</i> accountability program. These starting points were established using the following methodology:</p> <ul style="list-style-type: none"> • 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; 		



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- 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%



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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2b What are the State's annual measurable objectives for determining adequate yearly progress?</p>	<p>State has annual measurable objectives that are consistent with a state's intermediate goals and that identify for each year a minimum percentage of students who must meet or exceed the proficient level of academic achievement on the State's academic assessments.</p> <p>The State's annual measurable objectives ensure that all students meet or exceed the State's proficient level of academic achievement within the timeline.</p> <p>The State's annual measurable objectives are the same throughout the State for each public school, each LEA, and each subgroup of students.</p>	<p>The State Accountability System uses another method for calculating annual measurable objectives.</p> <p>The State Accountability System does not include annual measurable objectives.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>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 began at the state's AYP starting points for the 2001-2002 school year and increase proportionally based on a Compound Annual Growth Rate (CAGR) calculation. The state applies the measurable objectives to each district, school and subgroup as a performance target and to determine AYP annually. These performance targets assist the school and district with planning and implementation strategies to ensure meeting established intermediate goals.</p> <p>The starting points for each grade and content area identified in the chart below are the state's annual measurable objectives for 2002-03.</p> <p>As of 2005-2006, assessments for grades 3-8 inclusive, as well as for grade 11 have been administered. The implementation schedule for adding assessments was as follows:</p> <ul style="list-style-type: none"> • In 2004-2005, grade 3 assessment became operational; and • In 2005-2006, grades 5, 6 and 7 assessments have been added. <p>AYP is calculated by aggregating the proportion of proficient students across grades as follows:</p> <ul style="list-style-type: none"> • Grades 3, 4 and 5 • Grades 6, 7 and 8 		



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Assessment results for grades 3, 4, and 5 are aggregated for the three grades, and the elementary set of proficiency benchmarks are applied to the aggregated scores. For grades 6, 7, and 8, the tests are similarly aggregated for the three grades and the middle school set of proficiency benchmarks are applied. In schools that have only two of the three grades in a span, the scores are aggregated for the two grades. Where there is only a single grade in a school, AYP is calculated separately for that grade. In schools that have more than one grade span, both are calculated separately.

The state utilized both the 2008 assessment results and the new 2009 assessment results to modify its AMOs for the elementary grade span using the following equalized percentile rank procedure consistent with the NCLB Section 1111.

- For each assessment year, 2008 and 2009, all schools for each grade span and content area were rank-ordered from lowest to highest by the percentage of students at or above proficient. The 2008 assessment results were used as our benchmark.
- Using the 2008 ranked distribution of student performance, we determined the percentile rank of the school that had the percentage of students at or above proficiency at the 2008 previously established AYP target. (Listed in Tables 1 and 2)
- Using the new 2009 ranked distribution of student performance, NJ set the new AMOs at the performance target based on total student enrollment that was equal to the school at the same percentile rank as seen in the 2008 distribution of student performance.

To insure 100% proficiency by the year 2014, NJ set target increases at equal three-year intervals. The original targets and modified targets are indicated in the chart below.

These calculations (derived via CAGR) yield the following annual AYP goals: *

Content Area	Grade	2002-2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2013 - 2014
LAL	3,4,5	68	68	75	75	75	73	59	59	79	79	79	100
	6,7,8	58	58	66	66	66	72	72	72	86	86	86	100
	11	73	73	79	79	79	85	85	85	92	92	92	100
Math	3,4,5	53	53	62	62	62	69	66	66	83	83	83	100
	6,7,8	39	39	49	49	49	61	61	61	80	80	80	100
	11	55	55	64	64	64	74	74	74	86	86	86	100

These increments are based on equal proportional change rather than fixed increments. This approach allows schools to demonstrate proportionately equal growth no matter where they lie on the performance continuum with the goal of one hundred percent proficiency by 2013-2014.

These annual objectives are the primary indicators used to determine adequate yearly progress. They are 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 the total population and a particular subgroup, then it must be determined whether the school or district reached "safe harbor" for that group by reducing the partially proficient rate by at least 10 percent (based on the upper limit of a 75 percent confidence interval calculated around the binomial



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proficiency proportion) over the prior year. Schools attaining the established AYP rates outright or reaching "safe harbor" for their total student population and each subgroup will have made AYP for the year of that analysis.

Because New Jersey implemented a new testing program in 2009, calculating whether a school met the Safe Harbor criteria for the 2009 school year utilized a procedure based on statistically linking the new tests to the old tests. **This procedure is necessary for one year only** (see Appendix C). Next year we will be able to use progress on the same test for grades 3-4 since the new test will have been administered both in 2009 and 2010.

* The annual AYP goals were re-set based upon the administration of a new assessment series beginning in spring 2008 (see Appendix B).



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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?	<p>State has established intermediate goals that increase in equal increments over the period covered by the State timeline.</p> <ul style="list-style-type: none"> • The first incremental increase takes effect not later than the 2004-2005 academic year. • Each following incremental increase occurs within three years. 	<p>The State uses another method for calculating intermediate goals.</p> <p>The State does not include intermediate goals in its definition of adequate yearly progress.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

NJDOE has established achievement goals for total population and student subgroups in increments of three years (2005, 2008, 2011 and 2014) using a CAGR calculation as indicated below. This allows schools to assess progress and implement strategies to make necessary curriculum and instructional adjustments as they prepare to meet higher expectations incrementally. *

During the 2008-2009 school year, new tests were administered in grades 3-4 only. New tests were not administered in grades 5-8 and 11. As a result, New Jersey modified the AMOs (benchmark targets) for the elementary grade span to ensure a transition with the new assessments. To insure 100% proficiency by the year 2014, NJ set target increases at equal three-year intervals. The original targets and modified targets are indicated in the chart below.

Content Area	Grades	Starting Point	SY 2004-2005	SY 2008-2009	SY 2010-2011	SY 2013-2014
Language Arts Literacy	3, 4, 5	68	75	*59	*79	100
	6, 7, 8	58	66	72	86	100
	11	73	79	85	92	100
Math	3, 4, 5	53	62	*66	*83	100
	6, 7, 8	39	49	61	80	100
	11	55	64	74	86	100

* The intermediate AYP goals were reset based upon the administration of a new assessment series beginning in spring 2009 (see Appendix B).



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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		
<p>AYP decisions for each public school and district are made annually by determining whether each subgroup, school and district has made AYP. Specifically, when addressing AYP determinations for schools, each content area has separate starting points and intermediate objectives and each area's outcomes are reviewed closely. AYP elements are rounded to the nearest tenth of a percent. Schools that miss AYP for the total school population or any subgroup in the same content area for two consecutive years are identified as in need of improvement.</p> <p>Further, districts are identified as in need of improvement when they miss AYP for two consecutive years in the same content areas (subject) in all elementary (grades 3-5), middle (grades 6-8) and high school grade (grades 9-12) levels.</p> <p>As New Jersey continues implementation of the <i>NCLB</i> school improvement sanctions, increasing numbers of schools are being restructured. For some districts, this has meant closing schools, reconfiguring grade levels, shifting staff and/or redistricting, resulting in schools that are significantly different from what they were prior to being identified as in need of improvement.</p> <p>To address these schools that have significantly restructured, New Jersey has established AYP restart criteria as follows: 1) the restructured school must now serve grade levels that are at least 50 percent different from the grade levels the school previously served and 2) the school's staff must now include fifty percent or less of the previous staff.</p> <p>AYP restart could occur at any time in the school improvement continuum (<i>i.e.</i>, schools in Years 2-5) if the restart criteria are met. Districts must submit a written request to the NJDOE on behalf of their school(s) that are eligible for restart. The request must include documentation that the school meets the AYP restart criteria.</p> <p>Secondary Measures Secondary measures are built into the <i>final</i> calculation of AYP. Standards for these measures must be met by the total school population in order to make AYP. The secondary measures are as follows:</p> <ul style="list-style-type: none"> • Graduation rate/dropout data for high schools. <i>NCLB</i> requires states to review graduation rate 		

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)].



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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
		<p>data that are calculated by determining the proportion of students graduating after four-year enrollment in the high school. This requires a student-level tracking system. For this year, the dropout rate data will be used. A dropout rate less than 2.6% or a .5% less than the previous year is the standard.</p> <p>The NJDOE will provide a disaggregated graduation rate in February of 2010 on the 2009 NCLB report card. The data will come from our aggregate collection of mobility. In 2012, we anticipate using our new individual student-level data system (NJ SMART) to produce four consecutive of mobility and disaggregated graduation data.</p> <ul style="list-style-type: none">• Attendance rate data are applied at the elementary and middle school levels only. The ASSA report provides the average daily attendance (ADA) data used for the attendance calculation. An average daily attendance for the school year reported on the ASSA must meet or exceed 90%.



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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		
<p>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.</p> <p>Students who are economically disadvantaged are 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.</p> <p>"Limited English proficient (LEP) students" means students from pre-kindergarten through grade 12 whose native language is other than English and who have sufficient difficulty speaking, reading, writing or understanding the English language as measured by an English language proficiency test, so as to be denied the opportunity to learn successfully in the classrooms where the language of instruction is English. This term means the same as limited English speaking ability, the term used in N.J.S.A. 18A:35-15 to 26.</p> <p>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 has continued as required under <i>NCLB</i>.</p>		



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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		
<p>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.</p> <p>For AYP determination purposes, all limited English proficient students and those with disabilities who are clustered for educational services are counted back in their home school. This makes schools accountable for their placement decisions, as well as ensures 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.</p> <p>All student results, disaggregated by these subgroups, are reviewed to ensure that they achieve the intermediate objectives set.</p>		



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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?	<p>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.</p> <p>State demonstrates that students with disabilities are fully included in the State Accountability System.</p>	<p>The State Accountability System or State policy excludes students with disabilities from participating in the statewide assessments.</p> <p>State cannot demonstrate that alternate assessments measure grade-level standards for the grade in which students are enrolled.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

State regulations (*N.J.A.C. 6A:8, Standards and Assessment*) require all students to 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 USED peer review documents for further information regarding assessment with accommodations and guidance for participation in this process.)

For those students with severe disabilities who are unable to participate in the general state assessment due to the severity of their disabilities, the Alternate Proficiency Assessment (APA) is administered as required by state regulations in (*N.J.A.C. 6A:8-4.1(d)* and *6A:14.4.10*). The APA is linked to the student's Individual Education Program (IEP). Currently, the APA is administered to approximately one percent of the total statewide test population that includes all students in the state.

The APA measures performance on the Core Curriculum Content Standards as reflected in students' IEPs. Assessment results for students taking the APA are reported in the same way as results are reported for the general assessments with three categories --"advanced proficient," proficient," and "partially proficient". Assessment results of all students with disabilities are part of the school, district, and state accountability systems. Students assigned to self-contained classrooms in the districts and those in public or private receiving schools are counted in the sending or home school of the child.

Results of the APA are 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. These students are counted in other subgroups, as appropriate, of race/ethnicity, economically disadvantaged, and limited English proficient. Based on the federal requirements delineated in 34 CFR Part 200, when calculating AYP, the proficient scores for students with the most significant cognitive disabilities who take the APA will not exceed one (1) percent of all students in the grades tested unless an exception is granted to a local education agency (LEA) by the state education agency (SEA).



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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?	<p>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.</p> <p>State demonstrates that LEP students are fully included in the State Accountability System.</p>	LEP students are not fully included in the State Accountability System.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

New Jersey is a culturally diverse state with over 55,000 students representing over 150 different language backgrounds with Spanish as the most frequent. Over 400 of the 600 school districts provide language assistance programs to these students. Even with such diversity, state regulations in *N.J.A.C. 6A:8* no longer allow for exemptions of limited English proficient (LEP) students from the state assessment. The amendments specifically require that all students be assessed annually through content-based tests.

For calculating AYP, in accordance with flexibility provided by the USDOE, LEP students who have entered the United States and are in a language assistance program by July 1 or later are exempt from taking the language arts literacy (LAL) portion of the state tests in the spring of that school year, but the students must take the math and science portions. For the LAL portion of the tests for the recently arrived LEP students, the NJDOE has authorized school districts to use the ACCESS for ELLs™ to determine participation. The exemption for LAL applies to all state tests except the High School Proficiency Assessment (HSPA). Students must pass the LAL portion in order to graduate. LEP students are eligible to take the Special Review Assessment which is an alternative to the HSPA.

LEP students who have enrolled in the school prior to July 1 must take the state tests with or without accommodations and be counted for AYP calculations. Accommodations may include translation of directions, longer test time, and use of bilingual dictionaries, when appropriate.

LEP students enrolled in the bilingual, ESL, or English language services program shall be placed in a monolingual English program when they have demonstrated readiness to function successfully in an English only program. The process to determine the readiness or inability of the individual student to function successfully in the English only program shall be initiated by the student's level of English proficiency as measured by a Department established standard on an English language proficiency test, and the readiness of the student shall be further assessed on the basis of multiple indicators which shall, at a minimum, include classroom performance, the student's reading level in English, the judgment of the teaching staff member or members responsible for the educational program of the student, and performance on achievement tests in English according to P.L. 1991, c. 12.

Beginning in school year 2003–2004, the NJDOE began to include former LEP students in the LEP



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subgroup for purposes of determining AYP. This subgroup of former LEP students are now defined as those that have achieved English proficiency and have exited from a language assistance program for up to two years.

New Jersey policy requires annual assessment of English language proficiency for all LEP students. Until the 2005-2006 school year, the NJDOE used the following tests: Idea Proficiency Test (IPT), Language Assessment Scales (LAS), and Macaulitis (MAC II). In 2005-2006, all Title III-funded districts were required to use the ACCESS for ELLs™, developed by the World-class Instructional Design and Assessment (WIDA) consortium of states of which New Jersey is a member. In the spring of 2007, all New Jersey districts must administer ACCESS for ELLs™ to measure annual progress of LEP students in acquiring English proficiency.

Beginning in the 2007-2008, statewide assessments in grades 5-8 in LAL and math are offered in Spanish. In 2008-2009, grades 3 and 4 will be offered in Spanish.



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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?	<p>State defines the number of students required in a subgroup for reporting and accountability purposes, and applies this definition consistently across the State.⁵</p> <p>Definition of subgroup will result in data that are statistically reliable.</p>	<p>State does not define the required number of students in a subgroup for reporting and accountability purposes.</p> <p>Definition is not applied consistently across the State.</p> <p>Definition does not result in data that are statistically reliable.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>New Jersey applies a minimum “N” size of 30 by grade span for all students and for each subgroup. This minimum number for reporting proficiency provides valid and reliable measures of school- and district-level progress toward established AYP targets for all students. In addition to applying the “N” size, the state also uses a confidence interval of 95 percent around the school’s or district’s proficiency level (i.e. binomial proportion) for purposes of determining AYP status, and a confidence interval of 75 percent around the school’s or district’s proficiency level for purposes of determining safe harbor status. For participation, the state uses a minimum “N” size of 40 for each student subgroup. In the rare instance that a school is too small to determine AYP, based on assessment data, the department will take a second look and examine the school with appropriate measures, such as program performance.</p> <p>Incorporating confidence intervals around our measures of proficiency and safe harbor meet the needs of the students for valid and reliable assessment of their schools and districts while maintaining the highest level of accountability within an acceptable level of error. The use of confidence intervals allows the state to specify the same level of certainty about a school's proficiency on state assessments, regardless of the size of the district, school, class, or subpopulation and to maintain the same level as numbers change over time. To ensure the same level of accuracy for schools being assessed, the confidence intervals are calculated using a non-parametric exact binomial of the test of the ratio of the number of students tested in that group. Using this statistical approach will maintain the same level of certainty for all schools in the state regardless of size.</p>		



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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		
<p>New Jersey's 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 do not meet the established "N". The "N" size protects the confidentiality of students. The AYP results of districts/schools are calculated for all students and only reportable for those meeting or exceeding the minimum established "N" counts. The results are similarly suppressed when published on the NJDOE Web site for the <i>NCLB</i> Report.</p>		

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.

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

CRITICAL ELEMENT	<i>EXAMPLES FOR MEETING REQUIREMENTS</i>	<i>EXAMPLES OF NOT MEETING REQUIREMENTS</i>
6.1 How is the State's definition of adequate yearly progress based primarily on academic assessments?	<p>Formula for AYP shows that decisions are based primarily on assessments.⁷</p> <p>Plan clearly identifies which assessments are included in accountability.</p>	<p>Formula for AYP shows that decisions are based primarily on non-academic indicators or indicators other than the State assessments.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>In the spring of 2005, the NJ Department of Education administered the New Jersey Assessment of Skills and Knowledge (NJ ASK) in grades 3 and 4, the Grade Eight Proficiency Assessment (GEPA) in grade 8, and the High School Proficiency Assessment (HSPA) in grade 11. These assessments are aligned with the state’s Core Curriculum Content Standards (CCCS), as well as the requirements of <i>No Child Left Behind (NCLB)</i>. No later than the spring of 2006, New Jersey was required by <i>NCLB</i> to complete the assessment series from grades 3 through 8 by adding the tests for grades 5, 6, and 7.</p> <p>In October of 2005, New Jersey petitioned the federal government to allow it to administer an interim series of tests in grades 5, 6, and 7 while new tests were developed for the 2007 spring test administration. The U.S. Department of Education granted permission, and the state used a series of three assessments called NJ ASK that were already aligned with the state’s grade-level content standards. The testing company used new test items for the 2006 state test administration in grades 5, 6, and 7. The three tests were part of the state’s AYP calculations.</p> <p>For the 2008 assessment administration, tests in grades 5, 6, 7, 8 were redesigned to add rigor. Grades 3 and 4 were redesigned for administration in 2009. These assessments will be available in Spanish for each grade.</p> <p>The assessment results for grades 3, 4, and 5 are aggregated for the three grades, and the elementary set of proficiency benchmarks is applied to the aggregated scores. For grades 6, 7, and 8, the tests are similarly aggregated for the three grades and the middle school set of proficiency benchmarks is applied. In schools that have only two of the three grades in a span, the scores are aggregated for the two grades. Where there is only a single grade in a school, AYP is calculated separately for that grade. In schools that have more than one grade span, both are calculated separately. *</p> <p>Students at the secondary level are allowed up to three tries to pass the High School Proficiency Assessment (HSPA) and become eligible to graduate. The HSPA is administered in the spring to students in grade 11, followed by fall and spring administrations in the senior year. Students’ passing scores are banked over the three administrations of the test, and when the students meet the</p>		

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

* The annual AYP goals were re-set based upon the administration of a new assessment series beginning in spring 2009 (see Appendix B).



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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
	<p>proficiency benchmarks in both language arts and math, they will have passed the HSPA. Starting in 2007-2008, the state will use the banked results in the spring of grade 12 with students tracked from grade 11 and accountability assigned by means of using a system designed to account for individual student mobility at the state, district, and school levels over the three-test administration tracking period.</p> <p>In addition to the aggregation of the scores from grades 3-8, the state uses an “N” of 30 for all student subgroups. There is a 95 percent confidence interval calculated around the proficiency level (i. e., binomial proportion) and a 75 percent confidence interval used in conjunction with safe harbor. (See section 5.5 -- state’s definition of the minimum number of students in a subgroup required for reporting purposes)</p> <p><u>Science Assessments</u></p> <p>NJASK 4 science was initially field tested in 2004 and became operational in 2005.</p> <p>The GEPA (grade 8) science assessment was initially field tested in 1999 and was operational in 2000. For the science assessment for 2008, NJASK 8 will use the GEPA item pool.</p> <p>Our high school assessment (HSPA) items were continuously field tested between 1999 and 2006. The test became operational in 2007 and immediately thereafter ceased to exist. Starting in 2008, there will be an end of course biology test. It will be given whenever students complete one of a variety of introduction to biology (or the equivalent) courses. It will not be limited to any particular high school grade level. Items used in this test will be those field tested for the life sciences section of the 2007 HSPA science.</p>	



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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?	<p>State definition of graduation rate:</p> <ul style="list-style-type: none"> • 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. <p>Graduation rate is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause⁸ to make AYP.</p>	<p>State definition of public high school graduation rate does not meet these criteria.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Until the state’s student-level database is operational, New Jersey is using the drop-out rate as the <i>NCLB</i>-required secondary academic indicator in determining AYP for high schools. This indicator is being used in place of the graduation rate because the state does not have a cohort (full four years) analysis of graduation data available. Currently, the information to calculate graduation and drop-out rates is collected locally and many districts do not have a system in place to track student mobility over multiple years for the <i>NCLB</i>-required subgroups. Drop-out information is currently collected by the state and is calculated in the aggregate for AYP purposes and disaggregated for the determination of the safe harbor provision for subgroups. The state’s formula for the drop-out rate is as follows:</p> $\frac{\text{\#students in Grades 9 through 12 who drop-out during July through June each year}}{\text{\# students enrolled by October enrollment report for grades 9 through 12}}$		

⁸ See USC 6311(b)(2)(I)(i), and 34 C.F.R. 200.20(b)
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Based on an analysis of 2001-2002 data, the standard statewide single-year drop-out rate was 2.6 percent. To support AYP determinations as the other academic indicator for high schools, districts must reduce their drop-out rate by .5 percent per year until they reach the 2.6 statewide drop-out percentage.

The NJDOE will provide a disaggregated graduation rate in February of 2010 on the 2009 NCLB report card. The data will come from our aggregate collection of mobility. In 2012, we anticipate using our new individual student-level data system (NJ SMART) to produce four consecutive of mobility and disaggregated graduation data.



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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?	<p>State defines the additional academic indicators, e.g., additional State or locally administered assessments not included in the State assessment system, grade-to-grade retention rates or attendance rates.⁹</p> <p>An additional academic indicator is included (in the aggregate) for AYP and disaggregated (as necessary) for use when applying the exception clause to make AYP.</p>	<p>State has not defined an additional academic indicator for elementary and middle schools.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The state's additional academic indicator for AYP that is applied at the elementary and middle school levels is attendance.</p> <p>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. (<i>N.J.A.C. 6:3-9.2</i>).</p> <p>The additional academic indicator at the high school level that is applied in New Jersey is graduation rate, but drop-out rate will be used as an interim measure until the state has a student-level database.</p>		



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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
7.3 Are the State's academic indicators valid and reliable?	<p>State has defined academic indicators that are valid and reliable.</p> <p>State has defined academic indicators that are consistent with nationally recognized standards, if any.</p>	<p>State has an academic indicator that is not valid and reliable.</p> <p>State has an academic indicator that is not consistent with nationally recognized standards.</p> <p>State has an academic indicator that is not consistent within grade levels.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>New Jersey's academic indicators are valid and reliable, as well as consistent with federal standards. Attendance rate is the indicator that is used at the elementary and middle school levels. The standard is an average daily attendance rate of 90 percent.</p> <p>Attendance rate has long been a key element in the pre-established state monitoring system. New Jersey selected 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 as part of the State's accountability system (NJQSAC) and the annual report card.</p> <p>At the secondary level, New Jersey currently uses drop-out rate as an interim secondary measure. The NJDOE will provide a disaggregated graduation rate in February of 2010 on the 2009 NCLB report card. The data will come from our aggregate collection of mobility. In 2012, we anticipate using our new individual student-level data system (NJ SMART) to produce four consecutive of mobility and disaggregated graduation data.</p>		



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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?	<p>State AYP determination for student subgroups, public schools and LEAs separately measures reading/language arts and mathematics.¹⁰</p> <p>AYP is a separate calculation for reading/language arts and mathematics for each group, public school, and LEA.</p>	<p>State AYP determination for student subgroups, public schools and LEAs averages or combines achievement across reading/language arts and mathematics.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>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.</p> <p>New Jersey identifies schools for improvement when AYP is missed for two consecutive years in each subtest area. For districts, improvement status is determined when AYP is missed for two consecutive years in one subject area and in all grade levels: elementary, middle and high school. This is consistent with New Jersey's intent and purpose for accountability, i.e., improving instruction. A focus on one subtest 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.</p>		

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.



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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?	<p>State has defined a method for determining an acceptable level of reliability (decision consistency) for AYP decisions.</p> <p>State provides evidence that decision consistency is (1) within the range deemed acceptable to the State, and (2) meets professional standards and practice.</p> <p>State publicly reports the estimate of decision consistency, and incorporates it appropriately into accountability decisions.</p> <p>State updates analysis and reporting of decision consistency at appropriate intervals.</p>	<p>State does not have an acceptable method for determining reliability (decision consistency) of accountability decisions, e.g., it reports only reliability coefficients for its assessments.</p> <p>State has parameters for acceptable reliability; however, the actual reliability (decision consistency) falls outside those parameters.</p> <p>State's evidence regarding accountability reliability (decision consistency) is not updated.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The state accountability system design is consistent with the state standards for acceptable reliability as evidenced by:</p> <ul style="list-style-type: none"> • 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 <i>NCLB</i> legislation and regulation to ensure compliance; • Defining an acceptable level of reliability in the decision making process; and • Public engagement, communication and accountability. <p>The accountability system was also developed with the full recognition that decisions about 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:</p> <ul style="list-style-type: none"> • Alignment of assessments with existing state content standards that are valid and reliable; • Assessments designed with valid and reliable controls built in, including highly trained readers for all open-ended items with quality controls such as read-behinds and, in most cases, double scoring; 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 		



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record change process;

- The scoring process now entails an automatic adjudication of scoring on open-ended items for students whose 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;
- A 95 percent confidence interval calculated around the school's or district's proficiency for all subgroups;
- "Safe harbor" calculations applied to all students, as well as subgroup results, incorporating a 75 percent confidence interval in the determination; 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 assessment 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 Council (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.

New Jersey has a process for evaluating the statewide accountability system that incorporates up-to-date models regarding the validation of accountability systems, and incorporates a timeline for key activities that are linked to assessment results.



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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
9.2 What is the State's process for making valid AYP determinations?	State has established a process for public schools and LEAs to appeal an accountability decision.	State does not have a system for handling appeals of accountability decisions.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The State's process for making valid AYP determinations and appeals includes:</p> <ul style="list-style-type: none"> • Prior to the release of any test result reports to the districts, a quality control process is conducted. • Test results are reported first to districts for this review for accuracy. Re-scores can be requested at that time. Student-level data can be amended prior to the arrival of Cycle I data through an online record change process. • Validity checks are built into all other data collection and reporting systems, including attendance and dropout rate; • Final determinations are made and reported to the school or district, following which determinations are reported publicly and posted on the NJDOE Web site. • The identification of any school or district that missed 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 question what indicator has been used 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. 		



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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The state's plan incorporates the anticipated changes in assessments into its definition of AYP. As new grade-level tests were added to the state assessment system, they were equated horizontally (from year to year within a grade) to ensure consistency across the system and inform classroom instruction to ultimately improve teaching and learning. As assessments were added, they were aligned to the Core Curriculum Content Standards at each grade level. Standard setting at each grade level has ensured consistency of scale score measuring across grade levels. The results for these grades have been considered by grade span 3-5, 6-8 and 11. The procedures were applied uniformly.

New Jersey developed a 3rd grade test, entitled New Jersey Assessment of Skills and Knowledge (NJ ASK 3). This test was administered in May 2003 as a field test; as a benchmark test in March 2004; and as an operational test that was used for accountability purposes in March 2005.

In addition, the former 4th grade ESPA was replaced by the NJ ASK 4 that was administered in May 2003. Valid comparisons between the test scores have been possible for several reasons -- both 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 was developed was the same as the item pool used for ESPA. Moreover, NJ ASK 4 used the same anchor items as ESPA for statistical equating purposes. This allowed for a straight comparison and equating of the tests.

The NJ ASK tests for grades 5, 6 and 7 were added for the 2006 test series. These tests were specifically designed to serve as NJ assessments since they were modeled on the existing NJ ASK and GEPA programs. The 5, 6 and 7 assessments are aligned to the NJ Core Curriculum Content

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.



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Standards.

In 2008, grades 5, 6, 7 and 8 tests were redesigned to add rigor and align to NJ's CCCS. For the 2009 administration, grades 3-4 tests were redesigned. As a result, New Jersey proposed new AMOs (Benchmark Targets) and a modified safe harbor process for the elementary and middle grade spans to ensure a smooth transition with the new assessments (See Appendix C).

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

YEAR	Grade Level						
	3	4	5	6	7	8	HS
02-03		Math LAL				Math, LAL, SC	Math LAL
2004	Math LAL (benchmark)	Math, LAL,				Math, LAL, SC	Math, LAL,
		SC (field test)			SC (field tested)		
2005	Math LAL	Math, LAL, SC				Math, LAL, SC	Math, LAL, SC (field tested)
2006	Math LAL	Math, LAL, SC	Math LAL	Math LAL	Math LAL	Math, LAL, SC	Math, LAL, SC (field tested)
2007	Math LAL	Math, LAL, SC	Math LAL	Math LAL	Math LAL	Math, LAL, SC	Math, LAL, SC
2008	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 are 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's 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 that 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 continually monitors both the assessment and accountability systems to ensure accuracy of all reporting and the validity and reliability of determinations made. Adjustments as needed are made to ensure that all decisions are valid and reliable.



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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?	<p>State has a procedure to determine the number of absent or untested students (by subgroup and aggregate).</p> <p>State has a procedure to determine the denominator (total enrollment) for the 95% calculation (by subgroup and aggregate).</p> <p>Public schools and LEAs are held accountable for reaching the 95% assessed goal.</p>	<p>The state does not have a procedure for determining the rate of students participating in statewide assessments.</p> <p>Public schools and LEAs are not held accountable for testing at least 95% of their students.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>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. Absent or untested students with medical emergencies will be exempt from the assessment system and not included in the denominator for calculating participation rate. A medical emergency is defined as the occurrence of a severe medical or psychiatric condition or episode that requires medical attention or supervision during which time the student is not able to participate in state assessments. Exclusion from state assessments for a medical emergency will be determined on a case-by-case basis by the district and the appropriate data will be maintained.</p> <p>New Jersey collects enrollment data along with student demographic information for each student test booklet and/or answer document that includes:</p> <ul style="list-style-type: none"> • 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, • Enrollment in school/district less than one year, • Birth date, • School and district code • Homeless status, and • Gender. <p>For each student on roll, a test booklet and/or answer document is generated along with a test label. <u>All</u> test booklets and answer documents must be returned to the test company. Thus, for students not participating in the test, the unused test booklet and/or answer document is returned to the vendor. Additional test booklets and/or answer documents to be hand-coded are forwarded upon request for new students.</p>		



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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.

If a school is making AYP for all of its subgroups and generally has a high participation rate, but in one year a particular subgroup drops slightly below 95 percent, that school or LEA may be able to make AYP if the multiyear participation rate average for three years is at least 95 percent.



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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		
<p>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 is used to verify total school participation rate prior to scoring. When less than 95 percent of the enrolled students participate in the test, the school and district is contacted to determine the reasons.</p> <p>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. If a school is making AYP for all of its subgroups and generally has a high participation rate, but in one year a particular subgroup participation rate drops slightly below 95 percent, that school or LEA may be able to make AYP if its multiyear participation rate average for three years is at least 95 percent.</p>		



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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.



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Appendix B:

Timeline for Resetting of Starting Points and Annual Measurable Objectives (AMOs)

The New Jersey Department of Education has implemented a new, more rigorous testing program and a new, more rigorous definition of what it means to be Proficient where necessary, to uniformly align to high standards. As a result, New Jersey must implement a new set of AYP targets to reflect the new program and recognize the progress that schools have made since the inception of NCLB. The overall goal, of course, remains that 100% of the students are at least proficient by school year 2014 consistent with Section 1116 of ESEA.

The NJDOE's final scoring and standard setting occurred in August 2009. These results were available for federal accountability purposes in **September 2009**. At that time, the NJDOE calculated the AMO analysis to determine the modified AMOs.

NJDOE then submitted the revised Accountability Workbook to the USDE for review and approval of the new AMOs. Assuming a timely review and approval, the NJDOE will notify the districts/schools of the 2009 AYP decisions by **November 30, 2009**.

Since the process of the resetting the AMOs delayed the notification to school districts of their AYP status, the 2008 status and sanctions will continue for the 2009-10 school year as a transition until the release of the new AYP results in late November, 2009. For Title I schools in need of improvement, the year of improvement status and the Title I sanctions of school choice and supplemental educational services will continue.

Schools will be reclassified once the new AMOs are established and approved by the USDE. The districts/schools must then be notified by the NJDOE of the 2009 AYP results and accompanying federal sanctions that must be implemented for any new status changes. Parents will then be notified accordingly by the district.



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Appendix C:

Proposing a Revised Set of AYP Performance Targets
and Interim Safe Harbor Procedure for New Jersey

Introduction

As part of its emphasis on raising academic standards, the New Jersey Department of Education has changed its statewide testing program, implementing a more rigorous test of language arts literacy and mathematics at grades 3 and 4 during the 2009 school year. Cutscores have been set on the new tests to reflect a more stringent definition of “Proficient” and “Advanced Proficient” compared to the previous tests.

The implementation of this new test has implications for the Adequate Yearly Progress (AYP) component of the No Child Left Behind law (NCLB). The set of performance targets for satisfying AYP established and approved in 2004 were altogether proper for the previous testing program, and New Jersey schools were on track to have all students at least Proficient by 2014 under the previous definition of Proficient. However, because the new tests are more rigorous and the cutscores represent a higher level of mastery in order for students to be considered at least Proficient, it is necessary to establish new AYP targets that are appropriate for the new tests, that reflect the progress that NJ schools have made during the past four years, and, most importantly, still keep NJ schools on track to meet the 2014 goal.

So last year we submitted a proposal for changing the AYP targets for elementary and middle grade spans since we implemented a more rigorous test of language arts literacy and mathematics at grades 5, 6, 7 and 8 during the 2008 school year. The proposal was accepted by the USDE and we successfully implemented it for 2008 school year.

The purpose of this paper is to propose the same process to that of last year to determine a set of performance targets for New Jersey for grade spans 3-5 (elementary grade span) and to explain the rationale behind the proposed targets. This paper also explains our proposed interim procedure for the Safe Harbor calculation, which is needed because of the change in testing programs. It is important to note that we will continue to use the 2004 approved targets for high school and 2008 approved targets for middle school.



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New Targets

Tables 1 and 2 provide the original targets for the elementary grade span, approved in 2008, and the proposed targets associated with the new testing program.

Table 1 Language Arts Literacy Targets

School Years	Grades 3-5	
	Original Target	Proposed Target
2003-2004*	68	
2005-2007*	75	
2008-2010	73	59
2011-2013	86	79
2014	100	100

* Because the new targets begin with the 2008 school year, there is no need to revise the original ones.

Table 2 Mathematics Targets

School Years	Grades 3-5	
	Original Target	Proposed Target
2003-2004*	53	
2005-2007*	62	
2008-2010	69	66
2011-2013	84	83
2014	100	100

* Because the new targets begin with the 2008 school year, there is no need to revise the original ones.



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Rationale for Proposed Targets

New Jersey schools have made considerable progress since NCLB was authorized. Our proposed targets take this progress into account and build on it. We based our selection of proposed targets on the following objectives:

1. We wanted to establish a set of appropriate and realistic annual targets that would assure that schools would continue to be on track to meet the 2014 target of 100% of the students being at least proficient.
2. We wanted to reflect the progress that New Jersey schools have made and not “penalize” schools because the New Jersey Department of Education established a new, more rigorous testing program and a new, more rigorous definition of Proficient where necessary, to uniformly align to high standards.

Thus, to set the proposed targets we employed the following procedure:

We used the 2008 school year results as our benchmark

1. 2008 DATA: Determine the distribution of schools at or above the 2008 targets for grade span (3-5) and subject area (LAL-73, Math-69)
 - o Compute a cumulative frequency distribution of the percent of schools that are at least proficient for the total subgroup to determine the % of schools at or above the proficiency at the 2008 target.
 - Determine the percent of students proficient at each school
 - Order the percent proficient in descending order
 - Count the number of schools at each level of proficiency.
 - Compute a cumulative frequency to determine the % of schools at each levels of proficiency
2. 2009 DATA: Repeat the same process as in Step 1 with 2009 data and analyzed to determine the proposed targets that best fit the distribution of schools as seen in 2008 distribution. (Equal percentile rank). The Cumulative frequency distribution is attached.
3. 2009 TARGET : Set the target where the same distribution of schools match the 2008 data, **or** set target at the 20%ile, whichever is higher.



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Table 3

	2008 DATA		2009 DATA	
3-5 Language	% Proficient	% Schools meeting target Total Sub pop	% Proficient	% Schools meeting target Total Sub pop
20%ile	66		49	
08TARGET	73	69.5	73	41.4
09TARGET			*59	69.8
3-5 Mathematics	% Proficient	% Schools meeting target Total Sub pop	% Proficient	% Schools meeting target Total Sub pop
20%ile	74		*66	
08 TARGET	69	85.6	69	71.7
09 TARGET			*57	85.5

Following the above process we are proposing 59 as the Language Arts literacy target and 66 as the mathematics target since the % proficient at 20th percentile is 66 which is greater than 57.

Table 4 Projected new targets

Group	Grades 3-5	
	Language Arts Literacy	Mathematics
Total School	59	66

Once we determined the target for 2009 and knew that the target for 2014 was 100%, we decided upon the proposed target for each year between 2009 and 2014. As we did with the original targets, we did not want to raise the target each year; thus we have proposed raising the target every three years. Given that, our approach was to determine a linear set of targets for the succeeding years as illustrated in Tables 1 and 2.



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Safe Harbor

Schools that do not meet the target can still be considered to have achieved Adequate Yearly Progress if they meet the Safe Harbor criteria which is a 10% decrease of the percent partially proficient achieved in the previous year.

Because New Jersey implemented a new testing program for grades 3 and 4 in 2009 calculating whether a school met the Safe Harbor criteria for the 2009 school year is not straightforward. If we simply used the data from 2008 and the data from 2009, the change in number of students considered to be at least proficient would be based on two different definitions of “Proficient.” It might turn out that some schools did not have a 10% increase because of the changed rigor of the test and definition of proficient rather than because of some real progress made in the schools. We believe that schools should not be adversely impacted in the short run because we changed the definition of Proficient. Thus, for the 2009 year, we propose an alternative method for determining whether a school met the Safe Harbor criteria. It is important to note that we are not proposing a change in the criteria of at least a 10% decrease in percent of students deemed partially proficient; we are proposing a methodology for how we determine the magnitude of the increase.

Our proposed Safe Harbor procedure is based on statistically linking the new tests to the old tests. For the new program, a cutscore study based on the Benchmark procedure was conducted to determine the score a student needed to attain in order to be considered Proficient and also Advanced Proficient. These new cutscores reflect a higher level of mastery than the previous program for a student to be considered Proficient and Advanced Proficient. It is important to note that the scaled score range for both the old and new tests are identical (100-300). Further, a score of 200 on either test indicates that a student is “Proficient.” However, in order to get the 200, one had to demonstrate a higher level of mastery on the new test than on the old test.

Because of the differences in the cutscores for the old and new testing program (i.e. the definition of at least Proficient), it would not be appropriate to simply determine the percentage of students that scored at least 200 on the old test and 200 on the new test and compare those percentages. What we needed to do was statistically link the scores on the new test to the scores on the old test and use those linked scores for the determination of Safe Harbor. NJ’s testing vendor, Measurement Incorporated, performed the linking for us. The correspondence tables are attached.



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What linking meant was that we determined that score on the new test that was statistically equivalent to a score of 200 on the old test (i.e. in broad terms, for students who took the old test and scored a 200, on average what would they have scored on the new test?). Table 5 provides those linked scores on the 2009 test for each grade and subject area. Once we determined the linked cut scores, we used the percentage of students who scored above a scaled score of 200 on the 2008 test and the appropriate score from Table 5 on the 2009 test for our Safe Harbor analysis.

Table 5 Linked Cut Scores

Grade	Linked Cut Score	
	Language Arts Literacy	Mathematics
3	182	170
4	177	177

We certainly recognize that this procedure is necessary for this year only since next year we will be able to use progress on the same test.

Summary

The New Jersey Department of Education has implemented a new, more rigorous testing program and a new, more rigorous definition of what it means to be Proficient where necessary, to uniformly align to high standards. As a result, we must implement a new set of AYP targets to reflect the new program as well as respect the progress that schools have made since the inception of NCLB. The overall goal, of course, remains that 100% of the students are at least Proficient by school year 2014.

We have proposed a set of new targets and an interim procedure to calculate the Safe Harbor provision of AYP that we are confident meet the letter and spirit of the law as well as satisfy our statewide objectives. We look forward to the U.S. Department of Education’s prompt approval of these new targets and interim Safe Harbor procedure so that we may implement the new procedure and notify the schools about their AYP status with all due speed.