

Figure: 19 TAC §97.1004(b)

Section II: System Overview

Under the accountability provisions in the *No Child Left Behind Act of 2001* (NCLB), all districts, campuses, and the state are evaluated for Adequate Yearly Progress (AYP). Following is an overview of the process for determining district and campus 2006 AYP Status.

Key Dates Related to the 2006 AYP Process

- | | |
|--------------------------|--|
| November 30, 2005 | AYP Flexibility Agreement Approved
USDE and TEA reached a flexibility agreement with respect to the inclusion of students with disabilities for 2006 and 2007 Adequate Yearly Progress. |
| February 1, 2006 | TEA Requests for Amendments
TEA submits requests for amendments to the Texas Consolidated State Application Accountability Workbook (Texas AYP Plan). |
| Mid-April, 2006 | Exception Applications via RF Tracker
Districts with residential treatment facilities (RF) and group foster homes may apply for an exception to the 3% cap by registering with the Division of Program Monitoring and Interventions' RF Tracker Texas Education Agency Secure Environment (TEASE) application. |
| May 23, 2006 | USDE Response to TEA Request for Amendments
USDE responds to the Texas Consolidated State Application Accountability Workbook (Texas AYP Plan) amendments for 2006. |
| Early July, 2006 | 2006 AYP Calculations Approved
USDE approves amendments to the Texas AYP Plan related to the 2006 AYP calculations. |
| Early July, 2006 | AYP Guide Released |

August 1, 2006	TEA provides USDE with List of Schools and Districts who Missed AYP due to Hurricane Katrina/Rita student group alone
August 8, 2006	Deadline for USDE Response to Hurricane Katrina/Rita Student Group Results
August 15, 2006*	<p>Release of 2006 Preliminary Data Tables to Campuses and Districts TEA provides 2006 AYP preliminary data tables to school districts on the Texas Education Agency Secure Environment (TEASE) for Title I and non-Title I districts and campuses, alternative education campuses, and open-enrollment charter schools.</p> <p>Appeals Begin Student-level data for submission of appeals are available to districts electronically. Appeal letters for district and campus AYP results are accepted.</p>
August 16, 2006	<p>Public Release of 2006 Preliminary Data Tables TEA releases preliminary 2006 AYP masked data tables electronically on public website.</p>
August 25, 2006	Deadline for Parental Notification of School Improvement Requirements Based on the Approved Texas AYP Plan
September 20, 2006	<p>Appeals Deadline Appeals of district and campus preliminary 2006 AYP Status must be submitted in writing under the signature of the superintendent by Wednesday, September 20, 2006.</p>
Mid-December, 2006	<p>Final 2006 AYP Status TEA releases final 2006 AYP masked data tables with final AYP Status electronically on public website.</p>

* Release date is contingent on receiving responses from USDE by August 8, 2006, concerning the Review of AYP Status of Hurricane Katrina/Rita Student Group Results.

New Features of the 2006 AYP System

The USDE approved changes to specific components of the AYP system for 2006. Sections III through VII provide more details on the following areas:

- USDE flexibility agreement requires a decrease in federal cap on alternative assessment proficient results from 5% to 3%.
- Separate, mutually exclusive Hurricane Katrina/Rita student group includes all students enrolled in districts, campuses, and charters who were displaced by Hurricane Katrina or Rita.
- Students displaced by Hurricane Katrina or Rita will be evaluated for participation only based on the Hurricane Katrina/Rita student group.
- Both participation and performance results are reported for the Hurricane Katrina/Rita student group on the campus, district, and state level AYP data tables.
- School districts closed for seven or more days due to Hurricane Rita and located in a county designated by the Federal Emergency Management Agency (FEMA) as a disaster area that qualifies for public assistance evaluated separately:
 - Districts and their campuses that Meet AYP will receive their earned designation.
 - Districts and their campuses that miss AYP will receive a 2006 AYP status of Not Evaluated.

Districts and Campuses Evaluated

Hurricane Katrina/Rita Flexibility Waiver: The May 23, 2006, USDE flexibility waiver allowed Texas to accommodate districts and campuses that serve students displaced by Hurricane Katrina or Rita and to address school districts and charters that were forced to suspend classes for an extended period of time due to Hurricane Rita. Texas must create a Hurricane Katrina/Rita student group that includes all students enrolled in districts, campuses, and charters who were displaced by Hurricane Katrina or Rita. Students included in this group will not appear in any other student group category. This separate student group will be evaluated for participation in order to determine whether the district or campus Meets AYP; however, the performance results will not be evaluated. Both the performance and participation results of the Hurricane Katrina/Rita student group will be reported on campus, district, and state level AYP data tables.

A list of all districts, campuses and charters that Miss AYP due solely to the Hurricane Katrina/Rita student group will be provided to the USDE for review on August 1, 2006. The USDE will provide guidance on the 2006 AYP status, the 2006-07 School Improvement Program (SIP) status and implementation of SIP sanctions for this group of districts, campuses, and charters.

Districts and campuses that were affected by Hurricane Rita and forced to suspend classes for an extended period of time are evaluated under a special Hurricane Rita Provision. Districts identified in this group that miss AYP will receive a 2006 AYP status of Not Evaluated.

Districts

Regular foundation school program (FSP) districts and special statutory districts are evaluated for AYP. State-administered school districts are not evaluated for AYP. State-administered districts include Texas School for the Blind and Visually Impaired, Texas School for the Deaf, Texas Youth Commission, and Windham School District. Beginning in 2005, charter operators are evaluated for AYP based on aggregate results for the campuses operated by the charter. Districts with no students enrolled in Grades 3–8 and 10 are not evaluated for AYP.

Campuses

All Title I and non-Title I public school campuses, alternative education campuses, and open-enrollment charter schools are evaluated for AYP with the following exceptions:

New Campuses: New campuses and new open-enrollment charter schools are not evaluated for AYP the first year they report fall enrollment. These campuses will be incorporated automatically the second year they report fall enrollment.

Campuses that Close Mid-Year: Campuses that close before the Texas Assessment of Knowledge and Skills (TAKS) testing date are not evaluated for AYP. Performance measures for which data exist on campuses that close are included in the district AYP evaluation. Campuses that close after the end of the school year are evaluated for AYP for that school year.

Juvenile Justice Alternative Education Program (JJAEP) and Disciplinary Alternative Education Program (DAEP) Campuses: State statute and statutory intent prohibit the attribution of student performance results to JJAEPs and DAEPs. Attendance and performance data for students served in JJAEPs and DAEPs are attributed back to the home campuses.

PK/K Campuses: Campuses that do not serve students in grades higher than kindergarten are not evaluated for AYP.

Short-Term Campuses: Campuses that serve students in the grades evaluated for AYP (Grades 3–8 and 10) but have no students in attendance for the full academic year are not evaluated for AYP. This includes alternative education campuses (AECs) with short-term placements where students are not served for the full academic year at the AEC.

Charter Campuses with No Students in Grades 3–8 and 10: Open-enrollment charter schools that do not serve students enrolled in Grades 3–8 or 10 are not evaluated for AYP.

Districts and Campuses with Students Enrolled in Grades 3-8 or 10 but have No Test Results: Districts and campuses with students enrolled in Grades 3-8 or 10 but have no test results in the accountability subset are not evaluated for AYP.

2006 AYP Status

Following is an overview of the 2006 AYP indicators. Additional information about each AYP measure is provided in *Section III*. A sample AYP calculation is provided in *Appendix D*.

Districts, campuses, and the state are evaluated on three indicators for AYP: Reading/English Language Arts, Mathematics, and one other indicator. Exhibit 1 summarizes the indicators. For Reading/English Language Arts and Mathematics (Grades 3–8 and 10, summed across grades), for all students and each student group that meets minimum size requirements, districts and campuses must meet the performance standard or performance improvement, and the participation standard. The performance standard is based on test results for students enrolled for the full academic year. The participation standard is based on participation in the assessment program of all students enrolled on the day of testing.

In addition to Reading/English Language Arts and Mathematics, districts and campuses are required to meet the AYP standard on one other indicator—either Graduation Rate or Attendance Rate. The other indicator evaluated for a district or campus is based on the grades offered. *Appendix E* shows the grade ranges included in each campus type.

- Graduation Rate is the other indicator for high schools, combined elementary/secondary campuses offering Grade 12, and districts offering Grade 12.
- Attendance Rate is the other indicator for elementary schools, middle/junior high schools, combined elementary/secondary schools not offering Grade 12, and districts not offering Grade 12.

Districts and campuses must meet the Graduation Rate or Attendance Rate standard *or* show any improvement from the prior year for all students.

Improvement on the Other Indicator is also part of performance improvement for the Reading/English Language Arts and Mathematics performance measures. If any student group (or all students) does not meet the performance standard for

Reading/English Language Arts or Mathematics, that student group must show both: 1) a 10 percent decrease in the percent counted as not proficient from the prior year **and** 2) any improvement on the other indicator. Although student groups are not required to meet the Graduation Rate or Attendance Rate standard, they *may* be required to show improvement on the Graduation Rate or Attendance Rate to meet the performance improvement standard.

A district or campus may be evaluated on as few as 2 or as many as 29 measures to determine 2006 AYP Status. See Section III for a discussion of the relationships between indicators and measures.

2006 AYP Status Labels

Each district and campus is assigned one of the following 2006 AYP Status labels:

Meets AYP: Designates a district or campus that meets AYP standards on all indicators for which it is evaluated.

Missed AYP – [reason]: Designates a district or campus that does not meet AYP standards on one or more indicator components and which of those components were not met.

Not Evaluated: Designates a district or campus not evaluated for AYP for one of the following reasons:

- the campus is new;
- the campus does not serve students in grades above kindergarten;
- the campus closed mid-year;
- the campus does not have students in attendance for the full academic year;
- Juvenile Justice Alternative Education Program (JJAEP) and Disciplinary Alternative Education Program (DAEP) campuses;
- unusual circumstances (district with no students in grades tested; campus test answer documents lost in shipping); or
- the charter campus does not have students enrolled in the grades tested.

Not Evaluated – Hurricane Rita Provision: For the 2005-06 academic year only, school districts that were closed for seven or more days due to Hurricane Rita and are located in a county designated by FEMA as a disaster area that qualifies for public assistance will be evaluated under a special Hurricane Rita provision. Districts and campuses in this group that miss AYP will receive a 2006 AYP status of Not Evaluated.

The final 2006 State Accountability Ratings for the standard and Alternative Education Accountability (AEA) procedures will be reported along with the final 2006 AYP Status for each campus and district . See the 2006 State Accountability Manual on the Internet at <http://www.tea.state.tx.us/perfreport/account/2006/manual/index.html> for definitions of the ratings. The status label for each campus and district AYP report will be one of the following combinations of State Rating and AYP Status:

Standard Procedures

- *Exemplary, Meets AYP*
- *Exemplary, Missed AYP – [reason]*
- *Exemplary, Not Evaluated*

- *Recognized, Meets AYP*
- *Recognized, Missed AYP – [reason]*
- *Recognized, Not Evaluated*

- *Academically Acceptable, Meets AYP*
- *Academically Acceptable, Missed AYP – [reason]*
- *Academically Acceptable, Not Evaluated*

- *Academically Unacceptable, Meets AYP*
- *Academically Unacceptable, Missed AYP – [reason]*
- *Academically Unacceptable, Not Evaluated*

- *Not Rated-Other, Meets AYP*
- *Not Rated-Other, Missed AYP – [reason]*
- *Not Rated-Other, Not Evaluated*

- *Not Rated-Data Integrity Issues, Meets AYP*
- *Not Rated-Data Integrity Issues, Missed AYP – [reason]*
- *Not Rated-Data Integrity Issues, Not Evaluated*

AEA Procedures

- *AEA: Academically Acceptable, Meets AYP*
- *AEA: Academically Acceptable, Missed AYP – [reason]*
- *AEA: Academically Acceptable, Not Evaluated*

- *AEA: Academically Unacceptable, Meets AYP*
- *AEA: Academically Unacceptable, Missed AYP – [reason]*
- *AEA: Academically Unacceptable, Not Evaluated*

- *AEA: Not Rated-Other, Meets AYP*
- *AEA: Not Rated-Other, Missed AYP – [reason]*
- *AEA: Not Rated-Other, Not Evaluated*

Exhibit 1: 2006 AYP Indicators

<p>Reading/English Language Arts 2005–06 tests (TAKS, SDAA II, LDAA, and RPTE in Grades 3–8 & 10) All students and each student group that meets minimum size requirements: African American Hispanic White Economically Disadvantaged Special Education Limited English Proficient</p>	<p>Performance Standard: 53% % counted as proficient on test* for students enrolled the full academic year subject to the federal 3% cap</p>	<p>Performance Improvement: 10% decrease in percent not proficient on test* and any improvement on the other measure (Graduation Rate <i>or</i> Attendance Rate)</p>
	<p>Participation Standard: 95% Participation in the assessment program for students enrolled on the date of testing</p>	<p>Average Participation Rate: 95% participation based on combined 2004-05 and 2005-06 assessment data</p>
<p>Mathematics 2005–06 tests (TAKS, SDAA II, LDAA, and LAT in Grades 3–8 & 10) All students and each student group that meets minimum size requirements (see above)</p>	<p>Performance Standard: 42% % counted as proficient on test* for students enrolled the full academic year subject to the federal 3% cap</p>	<p>Performance Improvement: 10% decrease in percent not proficient on test* and any improvement on the other measure (Graduation Rate <i>or</i> Attendance Rate)</p>
	<p>Participation Standard: 95% Participation in the assessment program for students enrolled on the date of testing</p>	<p>Average Participation Rate: 95% participation based on combined 2004-05 and 2005-06 assessment data</p>
<p>Other Indicator** All students Graduation Rate Class of 2005 Attendance Rate 2004–05</p>	<p>Graduation Rate Standard: 70.0% or any improvement Graduation Rate for high schools, combined elementary/secondary schools offering Grade 12, and districts offering Grade 12</p>	<p>Attendance Rate Standard: 90.0% or any improvement Attendance Rate for elementary schools, middle/junior high schools, combined elementary/secondary schools not offering Grade 12, and districts not offering Grade 12</p>

* Student passing standard on TAKS at panel recommendation. No more than 3% of students in the district’s participation denominator can be counted as proficient based on meeting ARD expectations on 1) SDAA II for students tested below enrolled grade level or 2) LDAA. Results for the RPTE are counted based on number of years in U.S. schools.

** Student groups are not required to meet the Graduation Rate or Attendance Rate standards; however, they may be required to show improvement on the Graduation Rate or Attendance Rate as part of performance improvement for Reading/English Language Arts or Mathematics.

Section III: Indicators, Components, Measures, and Standards

Data used to determine the 2006 AYP Status is organized into indicators, components, measures, and standards. Exhibit 2 provides a summary of the relationships among AYP indicators, components, measures, and standards.

Indicators

There are three areas that serve as indicators on which a district or campus may be evaluated for AYP: Reading/English Language Arts, Mathematics, and one of the Other Indicators (either Graduation Rate or Attendance Rate). Missing AYP on the same indicator two years in a row triggers Title I School Improvement requirements, and once a district or campus is in Title I School Improvement requirements, it must meet AYP on the indicator that triggered School Improvement for two years in a row to get out of School Improvement requirements.

Assessments used for Reading/English Language Arts and Mathematics Indicators

TAKS

Assessment results evaluated are the Reading/English Language Arts and Mathematics administration of the Texas Assessment of Knowledge and Skills (TAKS) for students in Grades 3–8 and 10. This includes TAKS results for both the English and Spanish versions of the test. Student performance at or above the *Met Standard* level adopted by the State Board of Education (SBOE) for the 2005–06 school year is evaluated. For 2006, the student passing standard is the panel recommendation (PR) for students in grades 3-8 and 10.

Explanation of Panel Recommendation. In November of 2002 the State Board of Education (SBOE) adopted two performance standards for the TAKS: *Met Standard* which was set at a scale score of 2100, and *Commended Performance* which was set at a scale score of 2400. Because the new TAKS was much more challenging than its predecessor, the Texas Assessment of Academic Skills (TAAS), the SBOE adopted a transition plan to phase in the *Met Standard* performance level over several years.

The transition plan has used the standard error of measurement (SEM) to phase in the panel's recommended passing standards over the past three years. For 2003 the standard was set at 2 SEM below PR. For 2004, for grades 3 through 10, the passing standard was set at 1 SEM below PR. The passing standards for 2005 and beyond for grades 3 through 10 are set at Panel Recommendation. This standard, a scale score of 2100, will be the standard from this year forward or until such time as the SBOE changes it.

Grade 3 Reading and Grade 5 Reading and Mathematics

Current federal regulations implementing *No Child Left Behind* (NCLB) permit both the first and second administration of the TAKS Grade 3 Reading, Grade 5 Reading and Grade 5 Mathematics tests to be included in the AYP calculation for performance and participation.

State-Developed Alternative Assessment II (SDAA II) and Locally Determined Alternate Assessments (LDAA)

The Individuals with Disabilities Education Act (IDEA) mandates the inclusion of students who receive special education services in statewide assessment and accountability systems. Similarly, NCLB legislation requires inclusion of assessment results for students with disabilities for the calculation of AYP. Assessment results of both the State-Developed Alternative Assessment II (SDAA II) and Locally Determined Alternate Assessments (LDAA) are included in the calculation of AYP. The SDAA II is designed to help ensure that students with disabilities for whom this assessment is appropriate are making progress in the Texas Essential Knowledge and Skills (TEKS) curriculum. The LDAAs measure the learning of a student receiving special education services who is not receiving instruction in TEKS curriculum or, if based on the TEKS curriculum, the student requires testing accommodations that would invalidate the results of both TAKS and SDAA II. The ARD committee determines a student's eligibility to receive special education services and must choose the assessment that matches the educational needs of each individual student receiving special education services as required by the *Admission, Review, and Dismissal (ARD) Committee Decision-Making Process for the Texas Assessment Program* reference manual.

Reading Proficiency Tests in English (RPTE)

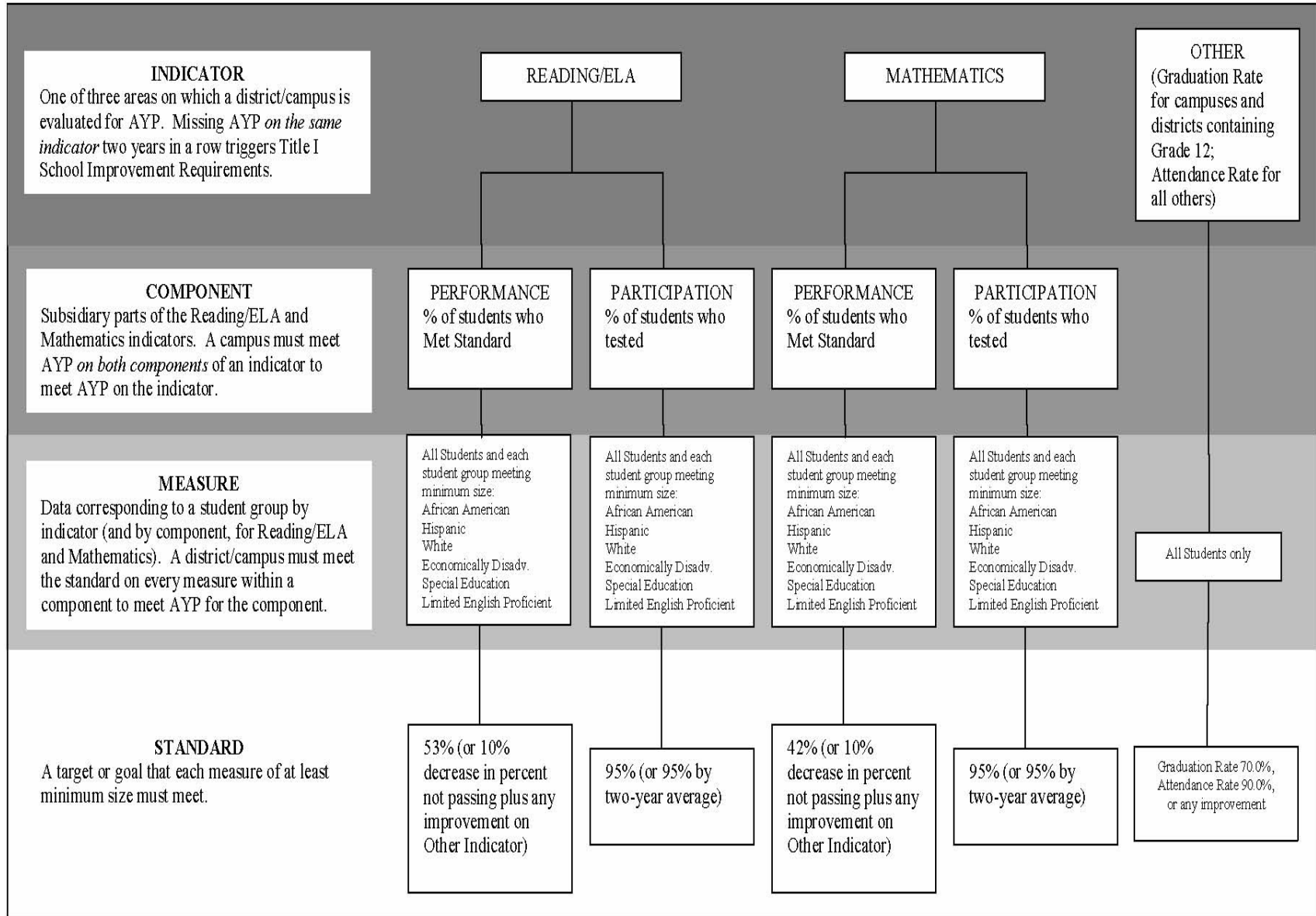
NCLB legislation requires that states assess all LEP students in Reading/English Language Arts for the calculation of AYP. Reading Proficiency Tests in English (RPTE) results of recent immigrants in Grades 3 – 8 and 10 who qualify for a LEP exemption in Reading/English Language Arts from TAKS or SDAA II are included in the AYP Reading indicator. The RPTE and the Texas Observation Protocols (TOP) together comprise the Texas English Language Proficiency Assessment System (TELPAS). Both components are designed to assess the progress that limited English proficient (LEP) students make in learning the English language. Only the RPTE assessment results are included in the AYP Reading indicator. The Language Proficiency Assessment Committee (LPAC) determines whether the student is limited English proficient (LEP), recommends the appropriate educational program for each LEP student, and are required to make assessment decisions on an individual student basis in accordance with the procedures outlined in the *LPAC Decision-Making Process for the Texas Assessment Program* manual.

Linguistically Accommodated Testing (LAT) for Mathematics

NCLB legislation requires that states assess all LEP students in Mathematics for the calculation of AYP. Linguistically Accommodated Testing (LAT) was implemented in the spring of 2005 for recent immigrants who were LEP-exempt in

mathematics and enrolled in Grades 3–8 and 10. The LAT process enables recent immigrants who qualify for a LEP exemption under state statute to participate in the TAKS Mathematics assessments. The Language Proficiency Assessment Committee (LPAC) determines whether the student is limited English proficient (LEP), recommends the appropriate educational program for each LEP student, and is required to make assessment decisions on an individual student basis in accordance with the procedures outlined in the *LPAC Decision-Making Process for the Texas Assessment Program* manual. LAT results are included in the calculation of both the performance and participation rates for AYP. Because of the very small number of LEP-exempt recent immigrant students served by special education, the LAT process is not available for the State-Developed Alternative Assessment (SDAA II).

Exhibit 2: Relationships Among AYP Indicators, Components, Measures, and Standards



Components of the Reading/English Language Arts and Mathematics Indicators

The Reading/English Language Arts and Mathematics indicators are each comprised of two components: performance and participation. Districts and campuses must meet *both* the performance (or performance improvement) *and* participation components for Reading/English Language Arts and Mathematics. If a district or campus misses the performance component on an indicator in one year and the next year meets the performance component but misses the participation component on the same indicator, the district or campus would be considered to have missed AYP for that indicator two years in a row, potentially triggering Title I School Improvement requirements for the district or campus. The opposite also holds: the district/campus could miss participation on an indicator the first year and meet participation but miss performance the next year for the same indicator, and the district/campus would be considered to have missed AYP for that indicator two years in a row.

Performance and participation components of the Reading/English Language Arts and Mathematics indicators are determined from the same set of assessment information for each school district.

Students Tested on More than One Assessment

In some cases, students may take both the SDAA II and TAKS, or both the RPTE and TAKS assessments. In these cases, assessment results are combined for each student by subject area to determine which assessment result will be used for AYP calculations. The assessment included in the subject area AYP calculation is selected based on the following hierarchy:

- TAKS
- SDAA II
- LDAA
- RPTE or LAT

For example, a student may take the RPTE and TAKS Reading assessments, and both may be appropriately coded scored documents. The scored TAKS assessment results are used in the AYP Reading calculation for this student. The RPTE results are not used.

There are situations where a student may take the 3rd grade TAKS Reading assessment during the February administration and then after determination by the ARD committee, take the SDAA II for reading during the April administration. The scored TAKS results are selected as the single assessment result used for the AYP Reading calculation. The SDAA II results are not used.

The single assessment identified for each student is used for both participation and performance components for that subject area. For example, if a student takes and fails the 5th grade TAKS Math assessment, then takes and passes SDAA II Math, the student's TAKS test administration will take precedence over SDAA II for both participation and performance components for Math. The following describes the AYP evaluations for each component.

Performance

In order to meet AYP, all districts and campuses must meet the performance components of the Reading/English Language Arts and Mathematics indicators either by meeting the performance standard for percent proficient or meeting performance improvement for all students and each student group meeting minimum size requirements on the following tests:

TAKS

The student passing standard used for the 2006 AYP calculation is the panel recommendation (PR) for students in grades 3-8 and 10. Results are evaluated for all students and each student group meeting minimum size requirements.

Grade 3 Reading

Grade 3 Reading performance is the cumulative percent passing calculated by combining the February and April administrations of the TAKS.

Grade 5 Reading and Mathematics

Grade 5 Reading performance is the cumulative percent passing calculated by combining the February and April administrations of the TAKS, and Grade 5 Mathematics performance is the cumulative percent passing calculated by combining the April and May administrations of the TAKS.

RPTE

Assessment results for the Reading Proficiency Tests in English (RPTE) are included in the performance component for recent immigrant students who have been in U.S. schools longer than one year and exempted from the TAKS Reading/English Language Arts test by the LPAC. RPTE results for students not tested on TAKS, SDAA II, and LDAA are included in the performance component. RPTE results are not considered for students tested and appropriately coded on TAKS, SDAA II, or LDAA.

RPTE Proficiency

RPTE results included in the calculation are then evaluated based on the number of years the student has been in U.S. schools. Results for students in their first year in U.S. schools are not included in the performance measure calculation

based on flexibility considerations provided by the USDE in February 20, 2004 (see Flexibility in Assessing New Limited English Proficient Students link at: <http://www.ed.gov/policy/gen/guid/secletter/040220.html>). For students in their second year in U.S. schools, first-time testers who score *Intermediate* or higher or previous testers who score at least one level higher than the previous year are counted as proficient. For students in their third year or more in U.S. schools, only students scoring *Advanced* or *Advanced High* will be counted as proficient.

Linguistically Accommodated Testing (LAT) for Mathematics

Districts were given instructions and training for providing LAT administrations to all recent immigrant LEP students who were exempted from the TAKS Mathematics assessment by the LPAC. The TAKS Mathematics tests were administered to these students with appropriate linguistic accommodations. Results for LAT testers who have been in U.S. schools longer than one year are included in the AYP performance calculations. LAT testers who have been in U.S. schools for one year or less are not included in the performance measure.

SDAA II and LDAA: Federal 3% cap

Assessment results on the State-Developed Alternative Assessment II (SDAA II) and Locally Determined Alternate Assessments (LDAA) for students with disabilities are also included in 2006 AYP calculations. SDAA II includes results for grades 3-8 and 10. SDAA II results are not considered for students tested on TAKS. LDAA results are not considered for students tested on TAKS or SDAA II.

- Results for students tested on SDAA II *at enrolled grade level* are evaluated; students who meet admission, review and dismissal (ARD) committee expectations are counted as proficient.
- Results for students tested on SDAA II *below enrolled grade level* are evaluated. Students who meet ARD expectations are counted as proficient, subject to the federal 3% cap (see below).
- Results for students tested on LDAA who meet ARD expectations are counted as proficient, subject to the federal 3% cap.

Federal 3% cap on SDAA II (Tested Below Enrolled Grade Level) and LDAA Results Counted as Proficient: As in previous years, a federal cap on proficient results from alternative assessments is required in the 2006 AYP process. In November, 2005, the USDE approved a 3% cap for the calculation of the 2006 AYP results. Students counted as proficient for the performance calculation who either meet ARD expectations on SDAA II and were tested below enrolled grade level, or meet ARD expectations on LDAA may together comprise only 3% of the number of students enrolled in the district at the time of testing determined by the district's participation denominator for the subject area. The participation denominator can be found in the participation section (Total Students in All Students column; see Appendix C) of the school district AYP data table (note that Reading/English Language Arts and Mathematics may have different participation denominators).

TEA will process SDAA II and LDAA results by determining first how many proficient scores can be included in the performance rates for each district. Proficient scores will be included based on the priorities shown below. Proficient scores that remain after the district cap is reached will be counted as non-proficient *for AYP determination purposes only*. If the number of proficient scores in a school district is less than the cap, the cap has no effect.

In order to comply with the federal regulation that allows proficient scores for students with the most significant cognitive disabilities, SDAA II and LDAA results counted as proficient within the district are sorted and prioritized. Proficient scores will be counted under the 3% cap for 2006. The following priority for the 2006 AYP results remains as it was in 2005. As in 2005, the percent of correct answers is sorted from lowest to highest score.

- Students who were enrolled the full academic year in the same campus
 - LDAA functional test
 - LDAA Texas Essential Knowledge and Skills (TEKS)-based test
 - SDAA II tested ten instructional levels below enrolled grade level by percent of correct answers
 - SDAA II tested nine instructional levels below enrolled grade level, etc.
 - SDAA II tested one instructional level below enrolled grade level by percent of correct answers
- Students who were enrolled the full academic year in the same district but not the same campus
 - LDAA functional test
 - LDAA Texas Essential Knowledge and Skills (TEKS)-based test
 - SDAA II tested ten instructional levels below enrolled grade level by percent of correct answers
 - SDAA II tested nine instructional levels below enrolled grade level, etc.
 - SDAA II tested one instructional level below enrolled grade level by percent of correct answers
- Students who were not enrolled in the same district for the full academic year

Please note that, for SDAA II test takers, TEA does not consider Achievement Level in determining whether the student will be counted as proficient for AYP. SDAA II results are sorted for the cap calculation without reflecting Achievement Level I, II, or III. Proficiency is based on meeting the expectations determined by the student's ARD committee.

Federal regulations (34 CFR 200.13 *et seq.*) require TEA to calculate the federal cap on district data and specifically direct state agencies not to calculate a cap on individual campus data. However, it should be noted that these same regulations also require students counted as "exceeding the cap" under the federal cap rule at the district-level AYP to also be counted as "exceeders" for campus-level AYP. These regulations are intended to prevent schools with higher disabled student

populations from being disproportionately penalized by the cap while also maintaining consistency between campus and district AYP with respect to how disabled students are counted.

It should be emphasized that the federal cap relates to counting students as proficient for AYP purposes only and ***does not*** provide direction to ARD committees regarding how students with disabilities should be assessed. For students with disabilities receiving special education services, state policies and procedures related to assessment decision-making are detailed in the TEA publication titled *Admission, Review, and Dismissal (ARD) Committee Decision-Making Process for the Texas Assessment Program*. **It is important that local school districts ensure that appropriate assessments are selected and administered to students with disabilities.**

Calculating Performance Measures

The Reading/English Language Arts and Mathematics performance measures are defined as the percent of students counted as proficient. The measure is calculated as the number of students counted as proficient (as described above for each test) divided by the total number of students tested, by subject. All calculations are rounded to the nearest whole percent.

Performance Full Academic Year

Only students enrolled in the district or on the campus for the full academic year are included in the performance measure. RPTE assessment results for students in their first year in U.S. schools are excluded from the performance measure calculation. Foreign exchange students assessed on TAKS or SDAA II are not excluded from the performance measure.

Districts: Test results are included in the district-level measure for students enrolled in the district on the PEIMS fall enrollment snapshot date. For 2005-06, the snapshot date was October 28, 2005.

Campuses: Test results are included in the campus-level measure for students enrolled on the campus on the PEIMS fall enrollment snapshot date.

Performance Student Groups Evaluated

In addition to all students, performance measures are calculated for the African American, Hispanic, White, economically disadvantaged, special education, and LEP student groups. Student information coded on the test answer documents is used to assign students to groups. Student groups are reported as a percentage of all students, rounded to the nearest whole percent.

Hurricane Katrina/Rita Student Group: For 2005-06 only, school districts coded test answer documents to identify students displaced by Hurricane Katrina/Rita. The Katrina-Rita Indicator (KRI) code collected on the TAKS English, TAKS Spanish,

SDAA II, or TELPAS documents identifies each student by use of Column A of the agency use field. Any value that indicates the student is a displaced student ('2,' '3,' '4,' or '5') identifies the student for the Hurricane Katrina/Rita student group.

If a student is identified as a displaced student on the test documents for either Reading/English Language Arts or Mathematics, the student is included in the Hurricane Katrina/Rita displaced student group for both subjects. These students will not be included in any other student group. The performance results of the Hurricane Katrina/Rita student group will be reported on campus, district, and state level AYP data tables; however, the results will not be evaluated to determine whether the district or campus Meets AYP.

Special Education: If a student is tested on SDAA II or LDAA for either Reading/English Language Arts or Mathematics, the student is included in the special education student group for both subjects. If a student is identified as a special education student on any test document for either Reading/English Language Arts or Mathematics, the student is included in the special education student group for both subjects.

LEP: If a student is identified as a current year LEP student on the TAKS English, TAKS Spanish, or SDAA II test documents for either Reading/English Language Arts or Mathematics, the student is included in the LEP group for both subjects. If the student is tested on RPTE, the student is included in the LEP student group for both subjects. If the student is not tested on RPTE, and the LEP field is blank on the TAKS English, TAKS Spanish, and SDAA II answer documents, the student is assumed to be non-LEP.

In addition, students remain in the LEP student group for two years after they enter a regular, all-English instructional program. For all students included in the AYP Reading/English Language Arts and Mathematics performance measures for 2006, performance is included in the LEP student group if the student has been identified as a current or monitored LEP student and has been appropriately coded on the assessment answer document. Students are coded as either a currently identified LEP student ("C"), or the student has met the criteria for bilingual/ESL program exit, is no longer classified as LEP in PEIMS and is in the first or second year of monitoring as required by statute ("M1" or "M2").

Minimum Size Requirements: For student groups to be included in the AYP performance calculation, a district or campus must have:

- Test results for 50 or more students in the student group (summed across Grades 3–8 and 10) for the subject, and the student group must comprise at least 10 percent of all test takers in the subject, ***or***

- Test results for 200 or more students in the student group, even if that group represents less than 10 percent of all test takers in the subject.

For the LEP student group, minimum size is evaluated based on students identified as LEP in 2005–06 only. If the LEP student group meets the minimum size requirement based on current-year identification, the performance evaluated will include additional students who were identified as LEP in the prior two years as described above.

Performance Standards

For each district and campus, performance measures for all students and each student group meeting the minimum size requirement for students enrolled the full academic year must meet the following performance standards for Reading/English Language Arts and Mathematics.

- Reading/English Language Arts: **53** percent of students counted as proficient
- Mathematics: **42** percent of students counted as proficient

Performance Improvement (“Safe Harbor”)

For Reading/English Language Arts and Mathematics, performance measures for all students and each student group must meet *either* the performance standard *or* performance improvement. For measures that meet the performance standard, it is not necessary for these measures to also meet performance improvement. For this reason, performance improvement is considered a “safe harbor” for measures that do not meet the performance standard. The safe harbor requires that measures show gains on the criterion on which they do not meet the standard (Reading/English Language Arts or Mathematics) *and* improvement on the other measure applicable for their district, campus, or student group.

Calculating Performance Improvement: Performance improvement for the measure is met if there is:

- a 10 percent decrease from the prior year in percentage of students counted as not proficient in the subject (Reading/English Language Arts or Mathematics), *and*
- at least one-tenth of a percent (0.1) improvement for the group on the Graduation Rate or Attendance Rate.

The performance improvement calculation requires that the actual change must be equal to or greater than the minimum Required Improvement needed to reach a standard of 100 percent over a ten-year period. In this case, the methodology may be illustrated as the following:

$$\begin{array}{c}
 \textit{Actual Change} \\
 \text{[performance in 2006]} - \text{[performance in 2005]} \geq \frac{\textit{AYP Required Improvement}}{10} \\
 \text{[standard of 100 \%]} - \text{[performance in 2005]}
 \end{array}$$

Minimum Size Requirements: Performance improvement is calculated even if the measure does not meet the minimum size requirement the prior year. Performance improvement is not calculated if there are no prior-year test results for the measure. If performance improvement cannot be calculated due to lack of prior-year results, the campus or district cannot use safe harbor to meet the performance requirement and receives an AYP status of *Missed AYP* for that criterion.

Improvement on the Graduation Rate or Attendance Rate is calculated at the student group level for the purpose of applying performance improvement only. If the measure does not meet the minimum size requirement for the Graduation Rate or Attendance Rate for both the current year and the prior year, improvement for the other criterion is not evaluated. In this situation, the district or campus is not required to show improvement on the other criterion to meet performance improvement for the measure. If the measure meets the minimum size requirements for both the current year and prior year, an improvement of at least 0.1 in the Graduation Rate or Attendance Rate is required.

Participation

In addition to meeting the performance components of the Reading/English Language Arts and Mathematics Indicators, districts and campuses must also meet the participation components of those indicators. As stated earlier, the performance and participation components are determined from the same set of assessment information for each school district. Likewise, the single assessment result determined for each student is used on both the performance and participation components for that subject area.

Calculating Participation Measures

Districts are required to submit test answer documents for every student enrolled in the grades tested on the test date. Students who were administered a make-up test within the testing window are included in the participation rate calculation. The answer documents are coded to show which test is administered to each student and whether the test is scored. Students are counted as participants (numerator of the participation rate) if they were tested on any of the following assessments. Participants also include students who were tested but the test answer document was not scored for other reasons.

- TAKS;
- SDAA II for special education students exempted from TAKS by the ARD committee;
- LDAA for special education students exempted from TAKS and SDAA II by the ARD committee;
- RPTE for LEP students exempted from TAKS or SDAA II by the LPAC; or
- LAT for LEP students exempted from TAKS by the LPAC.

The participation measures are calculated as the number of students participating divided by the number of students enrolled on the test date. Counts are summed across grades for Grades 3–8 and 10 for each subject (Reading/English Language Arts and Mathematics). Participation measures are calculated for all students and each student group. All calculations are rounded to the nearest whole percent.

Participation Count of Students Enrolled at the Time of Testing

Participation measures are based on all students enrolled at the time of testing defined as the total number of assessment documents submitted by each school district (denominator of the participation rate). The calculation is *not* limited to students enrolled for the full academic year. Participation counts include students with answer documents submitted from the first and second administrations of TAKS Grade 3 Reading, TAKS Grade 5 Reading, and TAKS Grade 5 Mathematics.

Identification of Participants

For students tested on LDAA, the SDAA II answer document must indicate that the student was assessed on LDAA in order to be included as a participant. If all columns in the LDAA DATA section of the SDAA II answer document are blank, the student will not be included in the participation numerator.

Students LEP exempt from the Mathematics TAKS are considered participants if their Mathematics TAKS answer document indicates testing with linguistic accommodations. In order to be included in the participation numerator, column C of the LAT INFO section of the TAKS answer document must not indicate that the student was absent. In addition, if all columns in the LAT INFO section are blank, the student will not be included in the participation numerator. Students LEP Exempt from Mathematics SDAA II assessment are not considered participants and are not included in the participation numerator.

Students coded as absent on the TAKS, SDAA II, or RPTE answer document are not counted as participants and are therefore not included in the participation numerator.

LEP students who arrived in the United States for the first time during the second semester of the current school year and do not take the RPTE are coded on the RPTE answer document (“N”). These students are considered participants and are included in the participation numerator.

Participation Student Groups Evaluated

In addition to all students, the student groups for which AYP participation measures are calculated are African American, Hispanic, White, economically disadvantaged, special education, and LEP students. Student information coded on the test answer documents is used to assign students to groups. Student groups are presented as a percentage of all students on AYP data tables and the percentages are rounded to the nearest whole percent.

Hurricane Katrina/Rita Student Group: For 2005-06 only, students identified in the Hurricane Katrina/Rita displaced student group are evaluated for Participation to determine whether the district or campus Meets AYP. Districts and campuses must meet the 95% participation standard for students in this student group. AYP results will be provided to the USDE for each district and campus that does not meet AYP due solely to the Hurricane Katrina/Rita displaced student group in participation. The USDE will provide guidance on the 2006 AYP status and the 2006-07 SIP status for these districts and campuses.

Students identified in this student group include those designated by the Katrina-Rita Indicator (KRI) code on the TAKS, SDAA II, or TELPAS answer documents in Column A of the agency use field. Any value that indicates the student is a displaced student (‘2,’ ‘3,’ ‘4,’ or ‘5’) identifies the student for the Hurricane Katrina/Rita student group. Students identified as displaced students on the test documents for either Reading/English Language Arts or Mathematics are included in the Hurricane Katrina/Rita displaced student group for both subjects. These students will not be included in any other student group.

Special Education: If a student is tested on SDAA II or LDAA for either Reading/English Language Arts or Mathematics, the student is included in the special education student group for both subjects. If a student is identified as a special education student on any test document for either Reading/English Language Arts or Mathematics, the student is included in the special education student group for both subjects.

LEP: Only students identified as LEP in 2005-06 are included in the LEP group for participation. If a student is identified as a current year LEP student on the TAKS English, TAKS Spanish, or SDAA II test documents for either Reading/English Language Arts or Mathematics, the student is included in the LEP group for both subjects. If the student is tested on RPTE,

the student is included in the LEP student group for both subjects. If the student is not tested on RPTE, and the LEP field is blank on the TAKS English, TAKS Spanish, and SDAA II answer documents, the student is assumed to be non-LEP.

Minimum Size Requirements: For the participation measure to be included in the AYP calculation at the all students level, the district or campus must have at least 40 students enrolled at the time of testing. Districts and campuses with fewer than 40 students enrolled at the time of testing are not required to meet the participation rate measures.

For student groups' participation measures to be evaluated for AYP, a district or campus must have:

- 50 or more students in the group enrolled on the test date (summed across Grades 3–8 and 10) for the subject, and the student group must comprise at least 10 percent of all students enrolled on the test date; *or*
- 200 or more students in the group enrolled on the test date, even if that group represents less than 10 percent of all students enrolled on the test date.

Participation Standard

For each district and campus, measures meeting the minimum size requirement for students enrolled on the test date must have **95** percent of students participating for Reading/English Language Arts and Mathematics.

Average Participation Rate

For each district and campus, measures meeting minimum size requirements for students enrolled on the test date that do not meet the 95 percent standard participation will be re-evaluated using the aggregate participation results for two years. Reading/English Language Arts and Mathematics participation results for 2005-06 will be combined with the 2004-05 participation results.

Students identified as Hurricane Katrina/Rita displaced students will be identified on the 2005-06 assessment results for the first time and will therefore not have any prior year information. An average participation rate for the Hurricane Katrina/Rita student group cannot be calculated and will not be available as an alternative to meeting the 95% participation standard.

The Other Indicator

In addition to Reading/English Language Arts and Mathematics, each district and campus is required to meet AYP standards on one other indicator—Graduation Rate or Attendance Rate. The other indicator evaluated for a district or campus is based on the grades offered. See *Section II* for additional information on determination of which other indicator is used.

Graduation Rate

The high school Graduation Rate is the *graduates* component of the longitudinal completion/student status rate. For more information about the longitudinal completion/student status rate calculation, see *Secondary School Completion and Dropouts in Texas Public Schools 2003–04* at http://www.tea.state.tx.us/research/pdfs/dropcomp_2003-04.pdf. Due to the timing of the availability of data, the completion/student status rate is a prior-year measure. For example, the Graduation Rate evaluated as part of the 2006 AYP calculations is the rate for the Class of 2005.

Graduation Rate Standard

The Graduation Rate is defined as the percent of students entering ninth grade and classified as graduates four years later. The standard is **70.0** percent of students classified as graduates. Districts and campuses are required to meet the 70.0 percent standard at the all students level only. Student group Graduation Rates are not evaluated against the 70.0 percent standard.

Graduation Rate Improvement Standard

For districts and campuses not meeting the Graduation Rate standard at the all students level, the AYP criteria for Graduation Rate is met if there is improvement from the prior year on the Graduation Rate. The district or campus shows improvement on the Graduation Rate if the Class of 2005 Graduation Rate is higher than the Class of 2004 Graduation Rate at the all students level. Graduation Rates are rounded to one decimal place before improvement is calculated. Therefore, 0.1 is the minimum improvement required. Districts and campuses that meet the 70.0% Graduation Rate standard are not required to show improvement.

Graduation Rate Minimum Size Requirement

All Students: For the Graduation Rate to be evaluated in the AYP calculation at the all students level, the district or campus must have at least 40 students in the completion/student status rate class. Districts and campuses with fewer than 40 students in the completion/student status rate class are not required to meet the Graduation Rate measures. If a district or campus meets the minimum size requirement for the Graduation Rate for the current year, improvement from the prior year is calculated even if the district or campus does not meet the minimum size requirement on the Graduation Rate for the prior year. Improvement is not calculated if the district or campus does not have a Graduation Rate for the prior year. If Graduation Rate Improvement cannot be calculated due to lack of prior year results, the district or campus cannot use the improvement standard to meet the Other Indicator requirement and receives an AYP status of Missed AYP for that criterion.

Performance Improvement (Safe Harbor)

For Reading/English Language Arts and Mathematics performance improvement, the district or campus is not required to show improvement on the Graduation Rate unless minimum size requirements are met for both the current year and prior year.

Student Groups: Districts and campuses are not required to meet the Graduation Rate standard for student groups. Graduation Rates for student groups are only included in the AYP calculation in the event they are evaluated as part of performance improvement. Where student groups are reported as a percentage of all students for Graduation Rate, the percentages are rounded to the whole percent. For a student group Graduation Rate to be included in the AYP improvement calculation, a district or campus must have:

- 50 or more students in the student group in the completion/student status rate class, and the student group must comprise at least 10 percent of all students in the completion/student status rate class; *or*
- 200 or more students in the student group in the completion/student status rate class, even if that group represents less than 10 percent of all students in the completion/student status rate class.

Attendance Rate

The Attendance Rate is based on attendance of all students in Grades 1 through 12 for the entire school year. Due to the timing of the availability of data, the Attendance Rate is a prior-year measure. For example, the Attendance Rate evaluated as part of the 2006 AYP calculation is the 2004–05 Attendance Rate. The Attendance Rate is calculated as follows:

$$\frac{\text{Total number of days students were present in 2004–05}}{\text{Total number of days students were in membership in 2004–05}} \times 100$$

The primary source of student group identification for the Attendance Rate is the demographic record submitted with the PEIMS attendance record. Student race/ethnicity is reported for each student as part of the attendance data submission. Students are included in the special education student group if they have special education attendance reported for any six-week reporting period. Students are included in the LEP student group if they are identified as LEP for any six-week reporting period. Students are included in the economically disadvantaged student group if they have a matching fall enrollment record coded as economically disadvantaged.

Attendance Rate Standard

The standard for Attendance Rate is an average attendance rate of **90.0** percent. Districts and campuses are required to meet the 90.0 percent standard at the all students level only. Student group Attendance Rates are not evaluated against the 90.0 percent standard.

Attendance Rate Improvement Standard

For districts and campuses that do not meet the Attendance Rate standard at the all students level, the AYP requirements for Attendance Rate are met if there is improvement from the prior year on the Attendance Rate. The district or campus shows improvement on the Attendance Rate if the 2004–05 Attendance Rate is higher than the 2003–04 Attendance Rate at the all students level. Attendance rates are rounded to one decimal place before improvement is calculated. Therefore, 0.1 is the minimum improvement required. Improvement on the Attendance Rate is not required for districts and campuses that meet the 90.0% standard.

Attendance Rate Minimum Size Requirement

The minimum size requirements for Attendance Rates are based on total days in membership rather than individual student counts.

All Students: For the Attendance Rate to be evaluated in the AYP calculation at the all students level, the district or campus must have at least 7,200 total days in membership (40 students x 180 school days). Districts and campuses with fewer than 7,200 total days in membership are not required to meet the Attendance Rate standard. If a district or campus meets the minimum size requirement for the Attendance Rate for the current year, improvement from the prior year is calculated even if the district or campus does not meet the minimum size requirement on the Attendance Rate for the prior year. Improvement is not calculated if the district or campus does not have an Attendance Rate for the prior year. If Attendance Rate Improvement cannot be calculated due to lack of prior year results, the district or campus cannot use the improvement standard to meet the Other Indicator requirement and receives an AYP status of Missed AYP for that criterion.

Performance Improvement (Safe Harbor)

For Reading/English Language Arts and Mathematics performance improvement, the district or campus is not required to show improvement on the Attendance Rate for all students unless minimum size requirements are met for both the current year and prior year.

Student Groups: Districts and campuses are not required to meet the Attendance Rate standard for student groups. Attendance Rates for student groups are only included in the AYP calculation in the event they are evaluated as part of performance improvement. Where student groups are reported as a percentage of all students for Attendance Rate, the percentages are rounded to the nearest whole percent. For a student group Attendance Rate to be included in the AYP improvement calculation, a district or campus must have:

- 9,000 or more total days in membership (50 students x 180 school days), and the student group must comprise at least 10 percent of total days in membership for all students; *or*
- 36,000 or more total days in membership (200 students x 180 school days), even if the group represents less than 10 percent of total days in membership for all students.

Rounding

The rules for rounding measures that were applied in 2005 will also apply in 2006.

Performance

Performance-related measures are rounded to the nearest whole percent. For example, a school obtaining a 46.5% on Reading/English Language Arts will have their performance rounded up to 47%. On the other hand, another school obtaining a 46.4% on the same measure will have their performance rounded down to 46%. It is the rounded performance number that is compared to performance standards.

Performance improvement calculations are performed *after* rounding each year's performance. For example, a school obtaining 32.4% on a Mathematics Performance measure in 2006 and 28.5% on the same measure in 2005 would achieve a performance improvement of 3% (32% in 2006 minus 29% in 2005; note that if the subtraction was performed before the rounding, we would get $32.4 - 28.5 = 3.9\%$, which rounds to a performance improvement of 4%).

Participation

As with performance, participation-related measures are rounded to the nearest whole percent. For example, a school obtaining a 94.5% on Mathematics participation will have their participation rounded up to 95%, while another school obtaining a 94.4% on the same measure will have their participation rounded down to 94%. The participation measure is compared to the participation standard after rounding.

The average participation is calculated based on the total number of students in the combined results of both years. The total number of students participating is divided by the total number of students in the participation measure for both 2004-05 and 2005-06 combined. The resulting rate is rounded to the nearest whole percent.

Other Indicator

Unlike performance and participation, measures related to the Other Indicator are rounded to the nearest one-tenth of a percent. For example, a high school with a Graduation Rate of 69.95% would have their other criterion rounded up to 70.0%, while another high school with a Graduation Rate of 69.94% would have their other criterion rounded down to 69.9%. The other criterion is compared to the standard after rounding. Also note that improvement calculations for performance improvement determinations are made after rounding. For example, an elementary school obtaining a 90.95% Attendance Rate in 2006 and having a 90.94% Attendance Rate in 2005 would achieve an Attendance Rate improvement of 0.1% (91.0% minus 90.9%; note that if the subtraction was performed before rounding, we would get $90.95 - 90.94 = 0.01\%$, which rounds to an improvement of 0.0%).

Student Groups

Student group percentages are rounded to the nearest whole percent for all measures.

Small Districts and Campuses

Performance

Small districts and campuses, those with fewer than 50 total students tested in Grades 3–8 and 10, are evaluated based on their own assessment results to the greatest extent possible. Small districts and campuses are evaluated first against the same standards (performance standard or performance improvement) as larger districts and campuses. If a small district or campus meets AYP under either the performance standard or performance improvement, the district or campus is rated as *Meets AYP* and no further special analyses are employed. On the other hand, if a small district or campus misses AYP under both the performance standard and performance improvement, additional special analyses are employed.

Confidence Intervals

Districts and campuses with at least 10, but fewer than 50, total students tested in either Reading/English Language Arts or Mathematics are evaluated based on the all students performance measure of the district or campus for the subject using confidence intervals. Confidence intervals allow AYP to be met within a statistical margin of error that is determined by the number of students evaluated in the small district or campus. A confidence interval is an estimated range of performance that includes the district's/campus' observed performance rate plus an allowance for sampling error. Thus, districts and

campuses who are eligible for this analysis can meet the performance standard if their observed performance plus the allowance for sampling error is enough to meet or exceed the performance standard.

Uniform Averaging

Districts and campuses that did not meet AYP using confidence intervals will be evaluated using uniform averaging. Uniform averaging involves combining a district's or campus' 2005-06 AYP results with its 2004-05 AYP results and determining AYP status using data aggregated over the two years.

Pairing

Campuses with fewer than 10 assessments that did not meet AYP under uniform averaging (see above) are evaluated based on the all students performance results of an assigned pairing relationship for the subject. Campuses that have a pairing relationship established with another campus or the district for state accountability ratings will use that pairing relationship for AYP. Results at the all students level will be applied to the paired campus. Campuses that do not have such a pairing relationship will have their district's performance (again, at the all students level) applied to the campus. If the district or campus with which it is paired is not evaluated, the paired campus receives a 2006 AYP Status of *Not Evaluated*.

Districts and Campuses with Fewer than 5 Assessments

Districts and campuses with fewer than 5 assessments that did not meet AYP will be reviewed on a case-by-case basis.

Participation

Districts and campuses with fewer than 40 total students enrolled in the grades evaluated for AYP (summed across Grades 3–8 and 10) on the test date are not required to meet the test participation standard. The AYP status for these districts and campuses is based on meeting the performance standards for the Reading/English Language Arts and Mathematics measures and for the Graduation Rate or Attendance Rate measures if minimum size requirements for those measures are met.

Districts and campuses with at least 40 total students enrolled in Grades 3–8 and 10 on the test date are required to meet the participation standard.

Other Indicators

Small districts and campuses are required to meet AYP for the Other Indicator (Graduation Rate or Attendance Rate) if they meet the minimum size requirement for the all students measure. Districts and campuses not meeting the minimum size requirement for the all students measure are not evaluated on the Other Indicator. AYP Status for these campuses is based on the Reading/English Language Arts and Mathematics Indicators.

Hurricane Rita Provision

The USDE flexibility waiver allows Texas to apply a special Hurricane Rita Provision to districts and their campuses that were forced to suspend classes for an extended period of time due to Hurricane Rita. Districts eligible for the Hurricane Rita Provision are defined to be both:

- Districts located in a county designated by Federal Emergency Management Agency (FEMA) as a disaster area that qualifies for public assistance due to Hurricane Rita; and,
- Districts that were closed for **seven** or more instructional days between September 21, 2005 and November 3, 2005.

ESC Directors in Regions 4, 5, 6, 7, and 8 were asked to provide information on school district closure and re-opening dates due to Hurricane Rita. A final list of districts eligible for the Hurricane Rita Provision is available on the AYP website at: <http://www.tea.state.tx.us/ayp/2006/hurricane.html>. If a district is identified under this provision, all of its campuses are also identified. Districts and campuses in this group that miss AYP will receive a 2006 AYP status of Not Evaluated. Any district or campus not identified as eligible for this provision may appeal under the regular AYP appeals process.

Districts and Campuses with No Students in Grades Evaluated For AYP

Districts

Districts with no students in grades evaluated for AYP (Grades 3–8 and 10) receive a 2006 AYP Status of *Not Evaluated*.

Campuses

Performance

Campuses with students in Grades 1–12 but no students in the grades evaluated for AYP (Grades 3–8 and 10) are evaluated based on the all students performance results of an assigned pairing relationship for the subject. Campuses that have a pairing relationship established with another campus or the district for state accountability ratings will use that pairing relationship for AYP. Campuses that do not have a state accountability pairing relationship will have their district's performance results applied to the campus. For campuses that are paired, only the all students performance results are shared. If the district or campus with which it is paired meets the performance standard or performance improvement at the all students level, the paired campus is considered to have met the performance standard for the subject. If the district or campus with which it is paired is not evaluated, the paired campus receives a 2006 AYP Status of *Not Evaluated*.

Participation

Campuses with no students in Grades 3–8 and 10 are not required to meet the AYP participation standard for 2006.

Other Indicators

Campuses with no students in Grades 3–8 and 10 are required to meet AYP for the Other Indicator (Graduation Rate or Attendance Rate) if they meet the minimum size requirement for the all students measure. Campuses not meeting the minimum size requirement for the all students measure are not evaluated on the Other Indicator. AYP Status for these campuses is based on the Reading/English Language Arts and Mathematics Indicators.

Section IV: Exceptions

Federal regulations issued in December, 2003 (34 CFR 200.13 *et seq.*) requiring TEA to apply a cap to proficient alternative assessment results also allow each state to permit an exception to school districts that may exceed this cap. In 2006, exceptions will be processed in two stages: before the preliminary AYP Status release and during the appeals window.

Exception Applications via Residential Facilities TEASE Application (“RF Tracker”)

Districts with residential treatment facilities (including group foster homes that serve students with disabilities) in their attendance zones must register those facilities with the Division of Program Monitoring and Interventions residential facilities data collection application (called “RF Tracker”) on the agency’s secure website (TEASE; see Section VI). RF Tracker was available to districts to complete this registration from mid-April through mid-June, 2006. A district who registered facilities on RF Tracker is automatically assumed to be applying for an exception to the 3% cap for AYP purposes. No separate exception application needs to be filled out for districts registered through RF Tracker.

Exception and Recapture Process Prior to Preliminary Release

Before preliminary release of AYP information on August 15, exceptions will be processed for districts who registered facilities through RF Tracker and the results of the exceptions will be applied to the preliminary AYP results.

Districts registered in RF Tracker will be initially granted exceptions to the 3% cap. The district’s cap will be increased by the number of students who meet all of the following criteria:

- took SDAA II,
- tested below enrolled grade level,
- met ARD expectations, and
- have PEIMS data indicating that the student lived in either a residential treatment facility or a group foster home.

Note, however, that by federal regulation the state as a whole cannot exceed the 3% cap under any circumstances. Therefore, once each qualifying district’s cap is increased, the total number of students under the cap across the state will be compared to the state’s participation denominator for each subject. If it is determined that the state exceeds the 3% cap, an exception recapture process will be initiated.

Federal Cap Recapture

As with the original process for each school district, the statewide participation denominator for each subject area is used to determine the 3% cap on proficient results. To determine if recapture is necessary, students identified within each district level cap across the state will be placed in the same sort order used in the initial cap calculation.

The priority for 2006 district level assessment results is as follows (based on percent of correct answers sorted from lowest to highest score):

- Students who were enrolled the full academic year in the same campus
 - LDAA functional test
 - LDAA Texas Essential Knowledge and Skills (TEKS)-based test
 - SDAA II tested ten instructional levels below enrolled grade level by percent of correct answers
 - SDAA II tested nine instructional levels below enrolled grade level, etc.
 - SDAA II tested one instructional level below enrolled grade level by percent of correct answers
- Students who were enrolled the full academic year in the same district but not the same campus
 - LDAA functional test
 - LDAA Texas Essential Knowledge and Skills (TEKS)-based test
 - SDAA II tested ten instructional levels below enrolled grade level by percent of correct answers
 - SDAA II tested nine instructional levels below enrolled grade level, etc.
 - SDAA II tested one instructional level below enrolled grade level by percent of correct answers
- Students who were not enrolled in the same district for the full academic year

Proficient results that exceed the statewide 3% cap will be counted as non-proficient in all AYP calculations for campus, district and state level results. If the number of proficient scores in the state is less than the statewide cap, all results within the district cap remain unchanged. The recapture process guarantees that the state will not exceed the 3% cap on proficient results.

Other Circumstance Exceptions

USDE regulations allow exceptions to the federal cap for circumstances other than students served at Residential Treatment facilities. However, other exceptions are limited by federal regulations to address unique circumstances where a district or campus serves a disproportionate number of students with significant cognitive disabilities. Districts who did not qualify for an exception prior to preliminary release will be allowed to apply for an exception based on other circumstances during the appeals window. Requests for other circumstance exception should be done in an appeal letter (see Section V). Districts appealing for other reasons can include the exception request along with the letter detailing their other appeals. Districts should

be sure to include the rationale for the exception request and any documentation necessary to support the request. As with exceptions processed prior to the appeals window, a recapture process may be employed to ensure that the state as a whole does not exceed the 3% cap.

Approval of Exception Does Not Necessarily Change AYP Status

Note that an approved exception for a district or campus who missed AYP solely due to the 3% cap may not result in that district or campus meeting AYP. The federal cap recapture process conducted in the event that the state exceeds the 3% federal cap may not allow enough students to be counted as proficient even after the exception is applied. Appeals are not considered solely on the basis that the district's exception was approved.

Section V: Appeals

Superintendents (or the equivalent for charter operators) are provided the opportunity to appeal data used to determine 2006 AYP Status under a limited set of circumstances and within a defined time limit. Calculation of the AYP performance measures will be based on USDE decisions that require TEA to combine results across the various testing platforms, count certain “proficient” scores as “not proficient” scores, and combine results across grades 3-8 and 10. Results for grades 9 and 11 are excluded because standards had to be set in 2002 before grades 9 and 11 were tested.

Calendar

Once the AYP data are available to districts on August 15, 2006, TEA will begin accepting appeals. Confidential unmasked data tables will be available to all campuses and districts on August 15 through the TEASE secure website. Superintendents may submit a letter of request for appeal to the commissioner of education through Wednesday, September 20, 2006. All letters must be postmarked no later than September 20, 2006. For districts and campuses that could be subject to Title I School Improvement Requirements, some additional information is provided below.

Districts and Campuses Subject to Title I School Improvement Requirements

Campuses that were subject to final School Improvement requirements in 2005-06 and will remain subject to School Improvement requirements in 2006-07 due to the 2006 AYP results must continue to implement those requirements. If a campus is identified as subject to improvement requirements in the August 15 release for the first time, they must begin implementing requirements (including school choice provisions) immediately. As outlined in the approved Texas AYP Plan, school districts must notify parents about school choice options by August 25, 2006. Even if a campus appeal is processed favorably and the appeal is granted, the campus must allow all requests for school choice, including transportation, to continue through the end of the school year. Please see Appendix B: Title I School Improvement for more information about the 2005-06 School Improvement requirements for districts and campuses with approved school start date waivers.

General Considerations for Appeals

Appeals Are Not a Data Correction Opportunity!

Appeals should be based upon a data or calculation error attributable to TEA, regional education service centers (ESCs), or the test contractor for the student assessment program. However, problems due to district errors on PEIMS data submissions or on test answer documents are considered on a case-by-case basis.

Allowable Appeals

Appeals are allowed for all districts and campuses.

- Appeals are not considered for any indicators, components, or measures on which the district or campus does not miss AYP. For example, an appeal to reevaluate campus Reading/English Language Arts Performance or Participation is not considered for a campus that does not miss AYP for Reading/English Language Arts. These appeals are considered invalid.
- Appeals **are** allowed in circumstances that would result in the district or campus continuing to miss AYP for 2006. For example, an appeal to reevaluate campus Reading/English Language Arts Performance is considered for a campus that does not meet AYP for both Reading/English Language Arts Performance and Mathematics Performance, even though this appeal alone would not result in the campus meeting AYP for 2006. These appeals are allowed because even though granting them results in the district or campus continuing to miss AYP, they *would* potentially have an effect on the Title I School Improvement requirements.

Determination of AYP Status

AYP appeals for each indicator are determined independently. Appeals to one indicator will not negatively affect another indicator meeting AYP standards. For example, students included as participants based on an appeal will not be considered in calculating performance rates.

Guidelines by Indicator for Appeals

The following guidelines describe the circumstances under which AYP data may be appealed and the documentation required in support of the appeal. Appeals applications submitted under these guidelines are not guaranteed to be granted. Each appeal will be evaluated based on the documentation provided and other information available at TEA.

Reading/English Language Arts and Mathematics

If a problem is identified with data received from the test contractor, the assessment data may be appealed. An appeal of these measures should reflect a serious problem such as a missing grade level or campus. Coding errors on TAKS, SDAA II, LDAA, LAT, or RPTE will be considered on a case-by-case basis.

- If the district has requested that the writing portion of the Reading/English Language Arts test be re-scored, the outcome of the re-score and a copy of the dated request to the test contractor should be provided with the appeal.
- If other serious problems are involved in the appeal, copies of correspondence with the test contractor should be provided with the appeal.

Participation

Extreme Medical Emergencies

If the district or any campus did not meet the 95% standard for the Participation Component of the Reading or Mathematics Indicators because of students who were not tested due to extreme medical emergencies, the appeal must include documentation (such as a note signed by a doctor or parent) showing that the student was unable to participate in the assessment at any time during the testing window due to medical reasons. NOTE: State assessment policy requires testing of medically fragile students who receive instruction in homebound or hospital settings unless they are unable to participate in the assessment at any time during the testing window.

Graduation Rate

In June, each school district is provided with a list of all students in their class of 2005 completion cohort that will include the final status of each student in that cohort. Only students shown on this list may be appealed for Graduation Rate. For the Graduation Rate, only students with a final status of “graduate” are counted in the numerator of the rate calculation. The denominator of the rate calculation is the sum of the students with a final status of “graduate,” “continue in school,” “GED,” or “dropout.” Note that the list also included members of the cohort who left Texas public schools and students with identification errors. Only students shown in these lists may be appealed for the graduation rate indicator.

Appeals to count continuing students or GED recipients as graduates will not be considered.

Accuracy of leaver data submitted to TEA by the district is a factor considered in evaluation of the merits of Graduation Rate appeals.

- If the district or any campus did not meet the 70.0% graduation rate standard because of students with disabilities shown with a final status of “continue in school” whose individualized education programs (IEPs), an IEP containing needed transition services, or individual transition plans (ITP) developed before September 1, 2003 show 5-year (or longer) graduation plans, the appeal should include documentation showing the graduation plans. These students will then be excluded from the Graduation Rate calculation.
- If the district or any campus did not meet the 70.0% graduation rate standard because of recent immigrant students in U.S. schools for one year or less with limited English proficiency (LEP), the appeal should include

documentation showing the students' recent immigrant LEP status. These students will then be excluded from the Graduation Rate calculation.

Graduation Rate Appeals from Alternative Education Campuses

There are some additional considerations for alternative education campuses (AEC) and appeals related to Graduation Rate.

- A superintendent may request the calculation of Graduation Rate for an alternative education campus using an alternative methodology that excludes the following students:
 - Students who received a GED certificate,
 - Continuing students, or
 - Continuing students who transferred to campus in the fall following their expected graduation date.

- A superintendent may request that the Graduation Rate not be evaluated if the AEC did not have students enrolled in Grade 12 in the 2005-06 school year.

Current Year Attendance

As described in *Section III*, the 2006 AYP Status is based on 2004–05 Attendance Rates for districts and campuses that have Attendance Rates as their other indicator. Districts can appeal to have 2006 AYP Status reevaluated using 2005–06 Attendance Rates for districts and campuses not meeting one or more of the 2006 AYP measures due to Attendance Rates. Eligible districts and campuses include the following:

- those that do not initially meet the Attendance Rate standard or improvement on the Attendance Rate for all students; and

- those that do not initially meet the AYP performance criteria for Reading/English Language Arts and/or Mathematics for all students or any student group because they do not show the required level of improvement on the Attendance Rate required as part of the performance improvement standard, even though a 10% decrease in percent of students not meeting the performance standard is achieved.

Note that in previous years, the appeals process was conducted late enough in the year that AYP staff could use attendance data submitted in PEIMS submission 3 to conduct appeals based on current year attendance. Because in 2006 appeals will occur before 2005-06 attendance rates can be calculated from PEIMS submission 3, districts will be required to supply the current year attendance data with their appeals. A notarized copy of 2005-06 attendance rates must be submitted as part of the appeal. Copies of each of the six-weeks totals as well as the yearly total must be included.

Attendance Rate for all students (90.0% standard) will be reevaluated using 2005–06 attendance data provided by the district. Improvement on the Attendance Rate for all students and student groups will be reevaluated using 2005–06 Attendance Rates compared to 2004–05 Attendance Rates. If attendance measures are reevaluated using current year attendance data, all measures based on attendance will be reevaluated. A district or campus cannot meet some 2006 AYP criteria using 2004–05 Attendance Rates and meet other criteria using 2005–06 Attendance Rates.

Special Circumstance Appeals

Hurricane Katrina/Rita Indicator

The assessment results of students displaced due to either Hurricane Katrina or Hurricane Rita were coded by district test administrators on the TAKS, SDAA II, or TELPAS answer documents through the Katrina-Rita Indicator (KRI) code. Appeals to the AYP status results due to problems with KRI coding will be evaluated on a case-by-case basis. Requests to change a student's KRI value will be evaluated against prior year attendance information to help confirm or refute the initial code value reported. Requests to include results of students properly coded as KRI in the performance calculations are unfavorable for appeal.

Districts Closed by Hurricane Rita

Education Service Center (ESC) staff in five targeted regions of the state assisted in the identification of school districts eligible for the AYP hurricane provision. A district impacted by Hurricane Rita, yet not identified may appeal to be afforded the same considerations as the identified districts if there are unique circumstances that warrant additional review.

Other Circumstance Exceptions

As stated in Section IV, requests for other circumstance exceptions should be made in an appeal letter. However, other circumstance exceptions are limited by federal regulations to address unique circumstances where a district or campus serves a disproportionate number of students with significant cognitive disabilities. Districts should be sure to check the TEASE Accountability website after preliminary release to see whether other circumstance exceptions will be allowed.

There will not be a special form for applying for other circumstance exceptions – simply follow the guidelines below for writing the appeal letter, including your exception request and any related documentation where you deem appropriate. Districts should craft their appeal letters for an *exception* to the 3% cap so that it is clear which portions relate to other appeals they may be requesting.

Regional Day School Program for the Deaf

Students served at Regional Day School Programs for the Deaf (RDSPD) are not identified as exceptions to the federal cap based on specific federal regulation requirements (34 CFR 200.13 *et seq.*). TEA recognizes that the existence of an RDSPD within school district boundaries requires districts to provide educational services for higher numbers of students with auditory or other special education disabilities. Appeals to the AYP status results due to the performance of students served by a RDSPD will be considered and evaluated based on the PEIMS student disability and instructional arrangement information. Student identifying information must be provided for this type of appeal.

Title I Targeted Assistance Campuses

All students were included in the calculations for Title I campuses with targeted assistance programs. Districts can appeal to have the 2006 AYP status of any targeted assistance campuses recalculated based on the results of only Title I students if test answer documents in both Reading/English Language Arts and Mathematics were submitted for at least 50 Title I students on the targeted assistance campus.

Grades 9 and 11 TAKS

The AYP Reading and Mathematics indicators are based on test results for Grades 3–8 and 10. Campuses with no students in Grades 3-11 are evaluated on the test results for the campus with which they are paired for state accountability ratings. Campuses with no students in Grades 3–8 or 10 that are not paired for state accountability ratings are evaluated for 2006 AYP Status based on the test results of the district at the all students level. If a campus with no students in Grades 3–8 or 10 that has students tested in Grades 9 or 11 does not meet AYP on the Performance components of the Reading or Mathematics indicators, the district may appeal to have the campus evaluated based on its own test results. The Reading/English Language Arts and Mathematics indicators are evaluated for all students and for each student group meeting the minimum size requirement based on all campus test results in Grades 9 and 11. The Other Indicator is also evaluated if the campus meets the minimum size requirement for all students.

Districts Annexed by Order of the Commissioner

In the case where a district has been ordered to annex with another district, the preliminary AYP status will be determined by including all students from both school districts in compliance with USDE requirements to include all students in AYP

calculations. The preliminary status and data table will be available for the annexing district only, and no AYP results will be reported for the school district annexed and no longer in operation. The annexing district may appeal to have the students from the annexed district excluded in the final results.

How to Submit an Appeal Application

Districts and campuses must submit written appeals on official district letterhead and under the signature of the district superintendent. See instructions that follow for submitting appeals. For any district or campus, only one opportunity to appeal is permitted on any single measure.

Superintendents must prepare a written request (see Exhibit 3 for an example of an acceptable appeal) addressed to the commissioner of education that includes:

- A statement that the letter is an appeal for the 2006 AYP results;
- The 2006 AYP Request Form must be included with the letter for appeals applications. Exhibit 4 provides an example of the required form that will be available to districts on the TEASE website (see Section VI).
- Specification in the letter of the district and each campus for which the appeal is being submitted (including county-district-campus numbers for each campus). It is not necessary to have a separate letter for the district and each campus. However, it should not be assumed that a letter appealing the status of a district will also apply to any campuses within that district or vice versa, even if the district has only one campus.
- For the district and each campus, list ALL indicators, components, or measures for which the district/campus is being appealed. It is not necessary to have a separate letter for each indicator being appealed.
- For each indicator, component, or measure being appealed, the appeal must specify the perceived error (or reason why it is being appealed). If applicable, the reason the perceived error is attributable to the TEA, a regional ESC, or the test contractor for the student assessment program and the reason the perceived error resulted in the district and/or campuses not meeting the AYP standard for the measure must be included.
- The superintendent must certify that all information included in the letter is true and correct to the best of the superintendent's knowledge and belief.

It is insufficient to claim data are in error without providing information with which the appeal can be evaluated. When student-level information is in question, supporting information must be provided for review, i.e., a list of the students in

question by name and identification number. Lists of students included in the AYP participation and performance measures will be available on the TEASE website at the time the AYP data tables are made available to school districts on August 15.

Appeal letters and all supporting documentation should be shipped to the following address:

Your ISD Your address City, TX zip	<i>stamp</i>
Division of Performance Reporting Texas Education Agency 1701 North Congress Avenue Austin, TX 78701-1494	
<u>Attn: AYP Appeal</u>	

All letters of appeal postmarked after the September 20th deadline will not be considered. TEA does not acknowledge receipt of any letters. Superintendents are encouraged to obtain delivery confirmation services from their courier and to retain confirmation of delivery until final 2006 AYP Status is released. Superintendents are encouraged to double-check that they have included all relevant supporting information with their letter prior to shipment. Exhibit 5 provides a suggested order for packing AYP letters for shipment.

TEA will not contact districts to acquire missing documentation or to discuss information provided in their request for appeal or exception. Appeals are evaluated on the circumstances described in their request on the basis of information provided by the district and research conducted by staff to validate the circumstances described.

How an Appeal Application Is Processed by the Agency

All appeals will be resolved by mid-December and the results will be reflected in the final 2006 AYP Status. If the district or campus receives a final 2006 AYP Status of Meets AYP based on their request, the status will be annotated with a comment. Prior to the release of final 2006 AYP Status, superintendents will be sent a letter from the commissioner notifying them of the results (see Exhibit 6 below). The notification letter will also be made available on the TEASE Accountability website.

The details of the request are entered into a database for tracking purposes and researchers evaluate the request using relevant agency data sources to validate the statements made to the extent possible. The agency examines all relevant data, not just the results for any students specifically named in the correspondence.

- Guidelines to be used to evaluate AYP appeals are developed by an independent panel that provides external oversight to the appeals process.
- Staff conduct research and prepare a recommendation that is forwarded to the commissioner.
- The commissioner of education makes a final decision.
- The superintendent is notified in writing of the commissioner’s decision and the rationale upon which the decision was made. The decision of the commissioner is final and is not subject to further negotiation.
- Data are never modified, even when the AYP results are changed.

Relationship Between AYP and PBMAS

AYP staff will consider indicators from the Performance-Based Monitoring Analysis System (PBMAS) when making findings on AYP appeals, as well as other district data submitted through PEIMS or the state assessment contractor.

Exhibit 3: Sample AYP Request Letter

September 1, 2006

Shirley J. Neeley
 Commissioner of Education
 Texas Education Agency
 1701 North Congress Avenue
 Austin, TX 78701-1494

Dear Commissioner Neeley,

This letter is to appeal the 2006 AYP status for the Sample Independent School District and campuses named below.

District/Campus	Indicators Appealed	Reason
Sample ISD (999999)	Reading and Math Performance	LEP students should not have been evaluated due to coding errors
Sample H S (999999001)	Math Participation	Absences on test dates due to medical emergencies
Sample J H (999999041)	Math Participation	Mathematics students with linguistically accommodated tests for whom no LAT information was provided on answer sheets
Sample Elementary School (999999101)	Attendance Rate	Campus would like to be evaluated on current year's attendance rate

By my signature below, I certify that all information included in this appeal is true and correct to the best of my knowledge and belief.

Sincerely,
 [signature]
 John Q. Educator
 Superintendent
 Sample Independent School District

Documentation Attached

This is an example of an acceptable letter. Districts are welcome to go into as much detail or length as they need to explain their appeals. At a minimum, the letter should include the information below.

Statement that this is an appeal of 2006 AYP Status.

Specification of which district/campuses are being appealed, for which indicators/components/measures, and why.

Certification that all information is true and correct to the best of superintendent's knowledge.

Superintendent must sign!

Exhibit 4: Sample AYP Request Form

Texas Education Agency

2006 AYP Request Form

District: SAMPLE ISD

DIRECTIONS: Below is a list of the district and all campuses for which an appeal is possible.

- 1) For each district or campus, find the indicator(s) you wish to appeal and circle the word "Appeal."
- 2) Dashes (-----) for an indicator means it either Meets AYP or was Not Evaluated and an appeal will not be accepted.

It should not be assumed that appealing the district will apply to any campuses, or vice versa. Please contact the Division of Performance Reporting at (512) 463-9704 with questions.

District or Campus Number	District or Campus Name	Reading Performance	Mathematics Performance	Reading Participation	Mathematics Participation	Graduation Rate	Attendance Rate
999999	Sample ISD	Circle to Appeal	Circle to Appeal	-----	-----	-----	-----
999999001	Sample HS	-----	-----	-----	Circle to Appeal	-----	-----
999999041	Sample JH	-----	-----	-----	-----	-----	-----
999999101	Sample Elementary School	Circle to Appeal	-----	Circle to Appeal	-----	-----	Circle to Appeal

Exhibit 5: Suggested Packing Order for Appeal Request

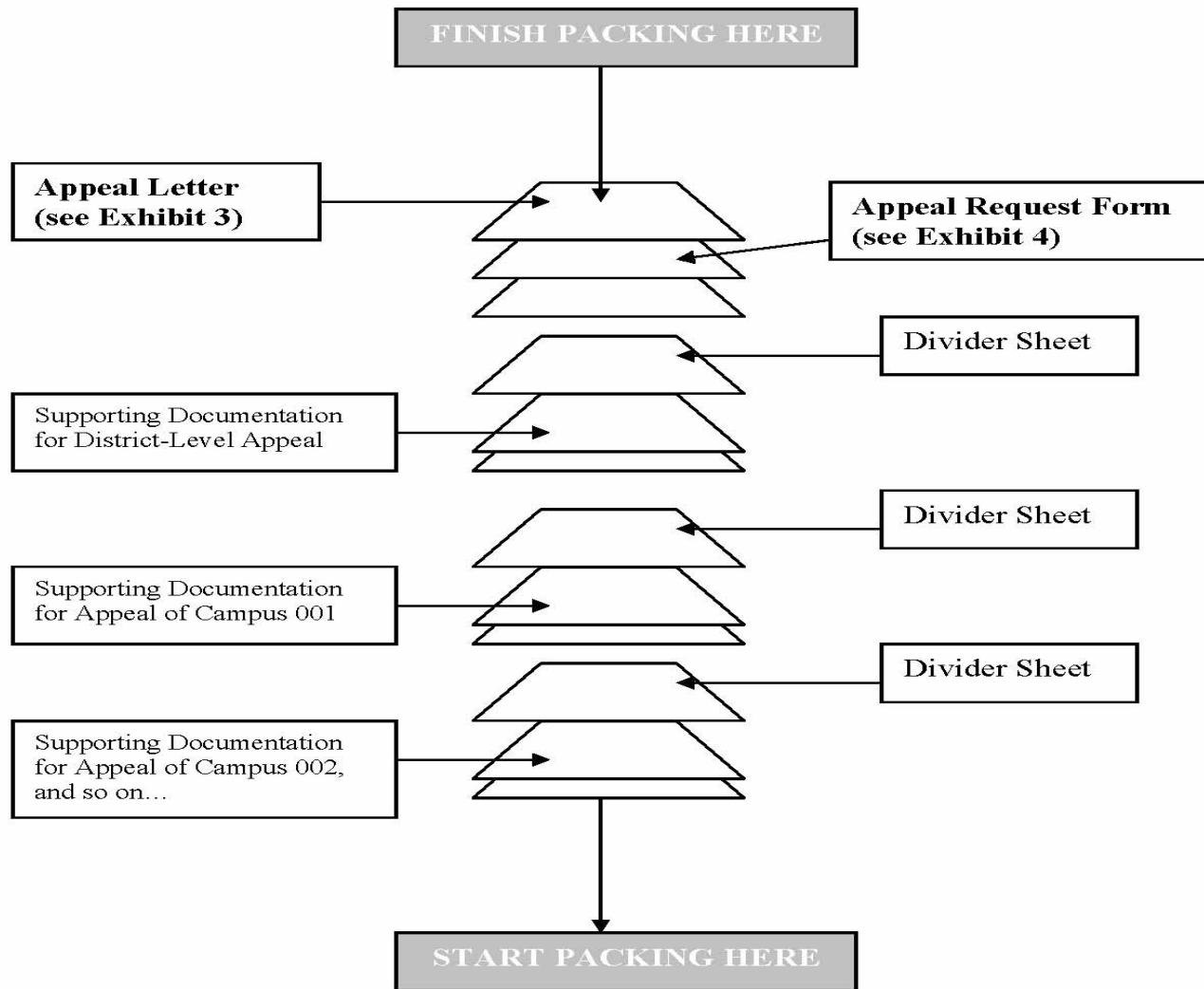


Exhibit 6: Sample AYP Decision Notification Letter

November 17, 2006

Mr. John Q. Educator, Superintendent
Sample ISD
1001 Sample Road
Sampleville, Texas 77777

Dear Mr. Educator:

Thank you for your letter regarding preliminary 2006 Adequate Yearly Progress (AYP) results. For each campus referenced in your letter, we have reviewed the supporting documentation you provided, examined other relevant data available at the Texas Education Agency, and conducted research related to the circumstances described in your letter. A summary of our findings is shown below.

DISTRICT/CAMPUS NUMBER	NAME	RESULT OF REQUEST
999999	Sample ISD	Meets AYP
999999001	Sample H S	Missed AYP
999999041	Sample J H	Meets AYP
999999101	Sample Elementary School	Missed AYP

Sample ISD (999999)

Your school district's appeal for reading and mathematics performance due to miscoding of LEP students has been approved. The AYP results for Reading Performance and Mathematics Performance have been changed. The 2006 AYP status for Sample ISD is *Meets AYP*.

Sample H S (999999001)

Your appeal for mathematics has been denied since it did not include documentation for a sufficient number of students in order to meet the AYP participation standards in the appealed student group. The appeal for Mathematics Participation was denied. The 2006 AYP status for Sample H S is *Missed AYP*.

Sample J H (999999041)

Your appeal for Mathematics Participation was not considered because Sample J H met AYP on this measure. The 2006 AYP status for Sample J H is *Meets AYP*.

Sample Elementary School (999999101)

Your appeal for Attendance Rate based upon current year data has been approved. The AYP results for Attendance Rate have been changed. The 2006 AYP status for Sample Elementary School is *Missed AYP*. Please note that the following measure(s) will be removed from the reasons Sample Elementary School missed AYP: Attendance Rate.

Although my decisions are final, any clarifying questions regarding this notification may be directed to the Division of Performance Reporting at (512) 463-9704.

Sincerely,
Shirley J. Neeley