Maryland State Department of Education
Consolidated State Application Accountability Workbook

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

U. S. Department of Education
Office of Elementary and Secondary Education
Washington, D.C. 20202

Instructions for Completing Consolidated State Application Accountability Workbook

By January 31, 2003, States must complete and submit to the Department this Consolidated State Application Accountability Workbook. We understand that some of the critical elements for the key principles may still be under consideration and may not yet be final State policy by the January 31 due date. States that do not have final approval for some of these elements or that have not finalized a decision on these elements by January 31 should, when completing the Workbook, indicate the status of each element which is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the Consolidated State Application Accountability Workbook.

Transmittal Instructions

To expedite the receipt of this Consolidated State Application Accountability Workbook, please send your submission via the Internet as a .doc file, pdf file, rtf or .txt file or provide the URL for the site where your submission is posted on the Internet. Send electronic submissions to conapp@ed.gov.

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

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Room 3W300
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PART I: Summary of Required Elements for State Accountability Systems

Instructions

The following chart is an overview of States' implementation of the critical elements required for approval of their State accountability systems. States must provide detailed implementation information for each of these elements in Part II of this Consolidated State Application Accountability Workbook.

For each of the elements listed in the following chart, States should indicate the current implementation status in their State using the following legend:

F: State has a final policy, approved by all the required entities in the State (e.g., State Board of Education, State Legislature), for implementing this element in its accountability system.

P: State has a proposed policy for implementing this element in its accountability system, but must still receive approval by required entities in the State (e.g., State Board of Education, State Legislature).

W: State is still working on formulating a policy to implement this element in its accountability system.

Summary of Implementation Status for Required Elements of State Accountability Systems

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

STATUS Legend:

F – Final state policy; **P** – Proposed policy, awaiting State approval; **W** – Working to formulate policy

Principle 5: Subgroup Accountability

F	5.1	The accountability system *includes all the required student subgroups*.
F	5.2	The accountability system holds *schools and LEAs accountable for the progress of student subgroups*.
F	5.3	The accountability system includes *students with disabilities*.
F	5.4	The accountability system includes *limited English proficient students*.
F	5.5	The State has determined the minimum number of students sufficient to yield statistically reliable information for each purpose for which disaggregated data are used.
F	5.6	The State has strategies to protect the privacy of individual students in reporting achievement results and in determining whether schools and LEAs are making adequate yearly progress on the basis of disaggregated subgroups.

Principle 6: Based on Academic Assessments

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

Principle 7: Additional Indicators

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

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

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

Principle 9: System Validity and Reliability

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

Principle 10: Participation Rate

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

STATUS Legend:

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

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

Instructions

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

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

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
1.1 How does the State Accountability System include every public school and LEA in the State?	Every public school and LEA is required to make adequate yearly progress and is included in the State Accountability System. State has a definition of "public school" and "LEA" for AYP accountability purposes. • The State Accountability System produces AYP decisions for all public schools, including public schools with variant grade configurations (e.g., K-12), public schools that serve special populations (e.g., alternative public schools, juvenile institutions, state public schools for the blind) and public charter schools. It also holds accountable public schools with no grades assessed (e.g., K-2).	A public school or LEA is not required to make adequate yearly progress and is not included in the State Accountability System. State policy systematically excludes certain public schools and/or LEAs.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 1.1

Under the 1994 reauthorization of the Elementary and Secondary Education Act, Maryland has maintained an accountability system that includes all public schools and LEAs. Maryland's accountability system complies with provisions in the No Child Left Behind Act of 2001 and includes the Maryland School Assessment (MSA) that produces individual scores in reading and mathematics in grades 3-8, and end-of-course high school assessments in algebra/data analysis and English 2. Beginning in 2008 Maryland administered a science assessment in grades three and five. The Maryland High School Assessment in biology is used to satisfy the NCLB requirement for a high school level test in science. The results of the science assessment will not be used for making AYP determinations. Beginning with the 2006-07 school year and continuing through the 2009-10 school year, high school students may substitute appropriate scores on Maryland State Department of Education (MSDE)-approved Advanced Placement or International Baccalaureate examinations for high school assessments under an agreement with USDE.

The definition of "public school," as defined in Accountability Regulations, 13A.01.04.02, complies with NCLB requirements. Under this regulation, the definition includes all alternative public schools, juvenile institutions, and the Maryland School for the Deaf and the Maryland School for the Blind. Alternative programs are held accountable for students enrolled in the alternative program from September 30 through the dates of testing. Those students who enroll in the alternative program after September 30 are accounted for at the LEA level and the state level.

The Accountability Regulations were adopted at the meeting of the State Board of Education on June 24-25, 2003, effective July 1, 2003.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment C, MD School Performance Program, Accountability Data 2008

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 1.2

All schools and local school systems have been rated in the past according to the same criteria under the 1994 reauthorization of the Elementary and Secondary Education Act. Maryland will continue in the future to hold all public schools and LEAs to the same criteria when making AYP determinations. Accountability Regulations (Attachment B) detail regulatory revisions that provide for the tracking of Adequate Yearly Progress (AYP) for all schools and school systems. The accountability system includes the Maryland School Assessments (MSA), administered in March 2003 for the first time, the algebra/data analysis and English 2 high school assessments (or MSDE-approved Advanced Placement or International Baccalaureate assessments as detailed in Question 1.1), attendance, and graduation rates.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards

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

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

Question 1.3

Maryland uses its assessments in reading and mathematics, the Maryland School Assessments (MSA) in grades 3-8 to measure the performance of schools and school systems. The State uses the English 2 end-of-course High School Assessment to measure reading performance and the end-of-course algebra/data analysis high school assessment to measure high school mathematics performance. (High school students may substitute MSDE-approved Advanced Placement or International Baccalaureate assessments for the high school assessments as indicated on the table below. See Question 1.1.) The State set proficiency levels for mathematics and reading in the summer of 2003 (grades 3, 5, and 8) and summer of 2004 (grades 4, 6, and 7). Proficiency levels for English 2 and algebra/data analysis were set in 2005. The proficiency levels include basic, proficient and advanced performance levels to conform with NCLB requirements. Maryland assigns a proficient score to students who score a 3, 4, or 5 on an Advanced Placement exam or a 5, 6, or 7 on an International Baccalaureate exam. In 2008, Maryland began administering a science assessment in grades three and five and using the Maryland HSA in biology as the NCLB-required science test at the high school level. Proficiency scores for science were set in January 2008. Science is not used in AYP determinations.

Table of Substitute Assessments

Maryland High School Assessment	**Advanced Placement Test Substitute with 3-5 Score**	**International Baccalaureate Test Substitute with 5-7 Score**	**Effective Year as NCLB Substitute for Accountability**
Algebra/Data Analysis	• Calculus AB • Calculus BC • Statistics	• Mathematical Studies SL • Mathematics SL • Mathematics HL	Beginning 2006
English 2	• English Language • English Literature	• English A1	Beginning 2006
Biology	• Biology	• Biology SL • Biology HL	Beginning 2008

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?	State provides decisions about adequate yearly progress in time for LEAs to implement the required provisions before the beginning of the next academic year. State allows enough time to notify parents about public school choice or supplemental educational service options, time for parents to make an informed decision, and time to implement public school choice and supplemental educational services.	Timeline does not provide sufficient time for LEAs to fulfill their responsibilities before the beginning of the next academic year.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 1.4

Maryland School Assessments (MSA) are administered annually in March. Proficiency levels were adopted by the State Board of Education on July 22, 2003. The algebra/data analysis and the English 2 end-of-course assessments are administered annually in January and May and fulfill the high school mathematics and reading requirements. The State also set proficiency levels for high school assessments in the summer of 2003 and reports scores to schools and school systems by early August. AYP computations for MSA and the end-of-course assessments are made in June-August so that schools failing to make progress can be identified and school systems notified. School systems are expected to examine their results and begin the appeals process while simultaneously assembling their plans and notifying parents of their rights to access school choice and special services options as appropriate. Parent notification will take no later than early August.

Algebra/data analysis and English 2 results are scored immediately after the January and May administrations, with the release of scores to schools occurring beginning in June and before the start of the next school year annually. Graduation rate and attendance data will be collected and reported within the same schedule to facilitate the timely release of data and the identification of schools eligible for program improvement requirements.

Evidence:

- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment D, Memo to local school systems regarding parent notification

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 1.5

Maryland has published state, system, and school report cards since 1991. The State Report Card is made available to the public and to school staffs via multiple formats as soon as the data are available. The principal mechanism for disseminating results is the Maryland Report Card (www.mdreportcard.org). All results for all NCLB accountability measures for the state, school systems, and schools are posted on the state website and are updated as new data become available. The website disaggregates all data in accordance with NCLB requirements. Results from testing each spring are released first on the website and in subsequent weeks via print report cards that are issued by the state and the school systems. The printed state report card includes key NCLB-required data as well as background information on the performance of the state and for each local school system. Local school systems are required to issue results to parents for both student performance and for the school and system as the school year following testing opens. The Department makes camera-ready report cards available in the following languages: Chinese, French, Korean, Spanish, and Vietnamese.

The publication of the report card meets all NCLB timeline requirements. The website includes the requested information on disaggregated data about percent of students not participating in the statewide assessment system. The report card also includes the required information on the professional qualifications of teachers.

Evidence:

- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment C, Maryland School Performance Program, Accountability Data 2008
- Attachment E, Maryland School Performance Report 2009
  www.mdreportcard.org : Maryland School Performance Website

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 1.6

Maryland has included rewards and sanctions as a part of its accountability program, dating back to 1994 for sanctions in the form of a stepped approach to reconstitution, and to 1996 for rewards in the form of financial awards to improving schools based on AYP. Both the sanctions and rewards have been revised to comport with NCLB requirements. A unitary accountability system applies to all schools. The rewards program is currently in state law (5-208). The most current revision is included in a March 30-31, 2004 memorandum from Dr. Grasmick to the State Board of Education, and approved by the State Board. A workgroup involving parents, local school system officials, and MSDE staff worked together to revise the plan to fully comply with No Child Left Behind requirements as outlined in section 1116 of NCLB to improve schools and LEAs.

Evidence:

- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment F, Education Article § 5-208
- Attachment G, Memorandum to State Board of Education, March 30-31, 2004

[2] The state must provide rewards and sanctions for all public schools and LEAs for making adequate yearly progress, except that the State is not required to hold schools and LEAs not receiving Title I funds to the requirements of section 1116 of NCLB [§200.12(b)(40)].

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

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
2.1 How does the State Accountability System include all students in the State?	All students in the State are included in the State Accountability System. The definitions of "public school" and "LEA" account for all students enrolled in the public school district, regardless of program or type of public school.	Public school students exist in the State for whom the State Accountability System makes no provision.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

Question 2.1

Public school regulations apply to all public school students, all public schools, all local public school systems in Maryland, and alternative education programs and schools operated by local school systems (juvenile institutions, nonpublic special education schools, the Maryland School for the Blind, the Maryland School for the Deaf, and The SEED School of Maryland), which public school students are attending. Public school student means a student enrolled in a local public school system and attending a public school, an alternative education program or alternative school operated by a local school system, a juvenile institution, a nonpublic special education school, the Maryland School for the Blind, the Maryland School for the Deaf, or The SEED School of Maryland. Data from public school students attending for less than a full academic year (alternative education programs operated by local school systems, juvenile institutions, nonpublic special education schools, the Maryland School for the Deaf, or the Maryland School for the Blind) shall be included in the performance reports of the sending LEA. Data from public school students attending for a full academic year alternative schools operated by local school systems, juvenile institutions, nonpublic special education schools, the Maryland School for the Deaf, the Maryland School for the Blind, or The SEED School of Maryland shall be included in the performance reports of the attending school.

The largest portion of Maryland students will be required to take the Maryland School Assessments at grades 3-8 in reading and mathematics and the English 2 and algebra/data analysis end-of-course high school assessments. High school students may substitute MSDE-approved Advanced Placement or International Baccalaureate examinations for high school assessments (see Question 1.1). Other Maryland students take the Alt-MSA, an alternative assessment to the MSA for students with severe cognitive disabilities who are not able to participate in MSA even with accommodations.

Beginning in 2007-2008, Maryland included the proficient scores from the modified assessments in calculating AYP and capped the scores at 2% of the total tested population. The modified assessments are based on modified achievement standards aligned with the State's content standards. In June 2008, the modified assessment was given for the first time to high school students. Grades 6-8 took the modified assessment for the first time in 2009. Grades 3-5 took the modified assessment for the first time in 2010. An appeal process was in place until 2010 when modified assessments were available for all eligible students. The appeal process considered the impact that the planned modified assessments would have had on AYP. Details of the interim process are contained in the June 14, 2005 letter and attachment to USDE.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment H, Letter to Ray Simon, Assistant Secretary, May 31, 2005
- Attachment I, Letter and Attachment to Ray Simon, Assistant Secretary, June 14, 2005

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

Question 2.2

For the purposes of identifying students in AYP decisions, a student enrolled in the school by September 30 and attending that school through the dates of testing is considered enrolled for a full academic year and will be tested and included in school level data as it relates to AYP decisions. A student enrolled in the same district from September 30 through the dates of testing will be considered enrolled in the district for the full academic year and included when determining if the district has made AYP. A student who attends more than one school within a district during the academic year while enrolled in the district for the full academic year is not included in determining school-specific AYP but is included when determining district-level AYP. The statewide AYP calculation includes all students enrolled in the state from September 30 through the dates of testing, including students who have been enrolled in multiple districts within the state.

For the end-of-course algebra/data analysis and English 2 assessments, the full academic year criteria must be adapted to be consistent with the four ways schools may offer the the courses: fall semester, spring semester, summer term, and full year. The principle is that students must be continuously enrolled for the duration of the course. Thus,

- Students taking the course during the fall semester must be continuously enrolled from the September 30 enrollment count through January testing.
- Students taking the course during the spring semester must be continuously enrolled no later than the 5th day of that semester through May testing.
- Students taking the course during the summer term must be continuously enrolled from the second school day of the course through August testing.
- Students taking the course during a 180-day term must be continuously enrolled from the September 30 enrollment count through May testing.

Maryland will report participation and scores for MSDE-approved substitute tests (Advanced Placement and International Baccalaureate) for the year in which the high school student takes the AP or IB exam. Students who opt to substitute AP or IB exams will be included in both the denominator (enrolled) and the numerator (tested) for the participation rate for the year in which the student takes the exam.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment C, Maryland School Performance Program, Accountability Data 2008

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
2.3 How does the State Accountability System determine which students have attended the same public school and/or LEA for a full academic year?	State holds public schools accountable for students who were enrolled at the same public school for a full academic year. State holds LEAs accountable for students who transfer during the full academic year from one public school within the district to another public school within the district.	State definition requires students to attend the same public school for more than a full academic year to be included in public school accountability. State definition requires students to attend school in the same district for more than a full academic year to be included in district accountability. State holds public schools accountable for students who have not attended the same public school for a full academic year.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 2.3
Schools are held accountable for students continuously enrolled from the beginning of the academic year, September 30, to the time of testing.

LEAs are held accountable for students enrolled in that LEA from September 30 through the testing dates. This includes students who transfer from one public school within the district to another public school within the district.

Maryland's Accountability System tracks student enrollment and withdrawal at the school and district level to ensure appropriate school-specific and district-specific accountability for purposes of measuring adequate yearly progress of students enrolled for the full academic year.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment C, Maryland School Performance Program, Accountability Data 2008

PRINCIPLE 3. State definition of AYP is based on expectations for growth in student achievement that is continuous and substantial, such that all students are proficient in reading/language arts and mathematics no later than 2013-2014.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
3.1 How does the State's definition of adequate yearly progress require all students to be proficient in reading/language arts and mathematics by the 2013-2014 academic year?	The State has a timeline for ensuring that all students will meet or exceed the State's proficient level of academic achievement in reading/language arts[3] and mathematics, not later than 2013-2014.	State definition does not require all students to achieve proficiency by 2013-2014. State extends the timeline past the 2013-2014 academic year.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

[3] If the state has separate assessments to cover its language arts standards (e.g., reading and writing), the State must create a method to include scores from all the relevant assessments.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
Question 3.1 Maryland's definition of AYP meets the requirements of NCLB by ensuring that all students achieve proficiency in reading and mathematics by the 2013-14 school year. Starting points, intermediate goals, and annual measurable objectives were set separately for reading and mathematics at each tested grade level according to NCLB specifications. In 2005, Maryland changed from administering a reading 10 assessment to administering an English 2 end-of-course high school assessment to measure reading at the grade 10 level. Performance standards and starting points for English 2 were set in 2005. The mathematics assessment in grade band 10 through 12 is based on Maryland's end-of-course algebra/data analysis test. Students may take algebra/data analysis as early as middle school and as late as grade 12. A few students may take the English 2 end-of-course assessment in middle school. AYP in high school math and reading will be based on the performance of students at all grade levels who take the end-of-course algebra/data analysis exam and the English 2 exam, respectively, (or an MSDE-approved AP or IB exam) and who are enrolled for the full academic year. For AYP purposes, high school student scores will be included at school, system, and state levels; the scores of students who take the end-of-course assessments in middle school will be incorporated into each high school's AYP computation. Beginning spring 2006, Maryland included the following two elements in the algebra/data analysis and English 2 results for AYP: • Assessment results for all students who take the algebra/data analysis and English 2 assessments at the high school level in grades 9 through 12 in the current test administration. • Assessment results from the previous years' algebra/data analysis and English 2 assessment administrations for all current ninth graders who took the assessment at the middle school level. Beginning in 2008, Maryland used a status model and to report results for high school students on the basis of the student's highest score achieved on the NCLB-required assessments for algebra/data analysis and English regardless of the grade in which the student took the test. In 2008, scores were reported as of the end of grade 11; in 2009 and subsequent years, scores are reported as of the end of grade 12. This policy ensures that high schools are held accountable for the performance of high school students in algebra/data analysis and English 2, regardless of when the students took the assessments for the first time. High schools, school systems, and the State are held accountable for student progress towards annual proficiency targets with an end goal of 100% proficiency by 2013-14. **Evidence**: • Attachment A, Implementation Procedures for AYP Determinations • Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
3.2 How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?	For a public school and LEA to make adequate yearly progress, each student subgroup must meet or exceed the State annual measurable objectives, each student subgroup must have at least a 95% participation rate in the statewide assessments, and the school must meet the State's requirement for other academic indicators. However, if in any particular year the student subgroup does not meet those annual measurable objectives, the public school or LEA may be considered to have made AYP, if the percentage of students in that group who did not meet or exceed the proficient level of academic achievement on the State assessments for that year decreased by 10% of that percentage from the preceding public school year; that group made progress on one or more of the State's academic indicators; and that group had at least 95% participation rate on the statewide assessment.	State uses different method for calculating how public schools and LEAs make AYP.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 3.2
The decision-making procedure involves multiple steps:

1. Determine if at least 95% of students in the subgroup, school, LEA, and the state participated in the statewide assessments. Procedures for determining participation are addressed in the response to Question 10.1. If participation criteria are met, proceed as follows:

2. Determine if the percent proficient values for all students in a school, LEA, or the state meet or exceed the annual measurable objectives separately for reading, mathematics, and the other indicator.

3. Determine which subgroups have 5 or more members and are therefore applicable for the determinations below. Maryland began using an N of 30 for graduation rate for the all students group in 2010 and anticipates using an N of 30 for disaggregated subgroups in determining AYP in 2011-2012.
   - Determine if the percent proficient values in the applicable subgroups meet or exceed the annual measurable objectives separately for reading, mathematics, and the other indicator.
   - For each subgroup in which the percent proficient value is significantly less than the annual measurable objective for reading and/or mathematics, apply the safe harbor provision: determine if the subgroup met the annual measurable objective on the other indicator(s). If the subgroup does, determine if the percentage of students below proficient decreased by 10% from the previous year.

Schools, LEAs, and the state will meet their annual measurable objective if, in the aggregate, the percent of students performing at the proficient level is not significantly below the annual measurable objective in reading or mathematics and if the percent proficient of each subgroup in reading and mathematics is not significantly below the annual measurable objective or meets the safe harbor criteria and if the 95% participation rate is met in the aggregate and for each subgroup.

If a school system or the state fails to meet AYP for the Annual Measurable Objective for two consecutive years in the same reported area (reading, mathematics, and the other academic measure in each of the three grade bands – elementary, middle and high school -- in either the "all students" group or one of the subgroups, the system or state shall be identified as in need of improvement.

Evidence:
- Attachment A, Implementation Procedures for AYP Determinations

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
3.2a What is the State's starting point for calculating Adequate Yearly Progress?	Using data from the 2001-2002 school year, the State established separate starting points in reading/language arts and mathematics for measuring the percentage of students meeting or exceeding the State's proficient level of academic achievement. Each starting point is based, at a minimum, on the higher of the following percentages of students at the proficient level: (1) the percentage in the State of proficient students in the lowest-achieving student subgroup; or, (2) the percentage of proficient students in a public school at the 20th percentile of the State's total enrollment among all schools ranked by the percentage of students at the proficient level. A State may use these procedures to establish separate starting points by grade span; however, the starting point must be the same for all like schools (e.g., one same starting point for all elementary schools, one same starting point for all middle schools…).	The State Accountability System uses a different method for calculating the starting point (or baseline data).

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 3.2a

Grades 3, 5, 8 and 10 reading and mathematics: The MSA was administered for first time in school year 2002-2003. Achievement levels were set in July 2003. Prior to 2002-2003 Maryland did not administer a reading assessment in grade band 10 through 12. The end-of-course algebra/data analysis assessment replaced the geometry assessment used as the mathematics measure for grade band 10 through 12. The algebra/data analysis assessment, a graduation requirement for all students, was administered to all students enrolled in the appropriate course in school year 2005-2006. Performance standards for grades 4, 6, and 7 in reading and math were set July 2004 and included in AYP calculations in 2005. In 2005, Maryland changed from a grade 10 reading assessment for AYP calculation to administering an English 2 end-of-course assessment. Performance standards and starting points for the algebra/data analysis and English 2 assessments were set in 2005 and included in calculations of AYP for 2006.

Attendance is the other academic measure for elementary and middle schools. For purposes of AYP, subgroups, schools, LEAs and the state are expected to achieve a proficiency level of at least 94% at the end of school year 2013-2014. A separate starting point has been set at each grade level for grades 1-12. Graduation rate is the other academic measure for high schools.

Maryland set annual targets from 2003 to 2014 in a stepped format, with increasing intermediate targets in years 2005, 2008, and 2011. The Graduation requirement is met if the annual target is met or the graduation rate improves from the previous year (See Question 7.1.). Schools, systems, and the State will be accountable for reaching an ultimate graduation rate by school year 2013-2014. In 2011 Maryland will use a cohort graduation rate for the all students group. Standards for 2011 were set by the State Board of Education in March 2011 using data from 2010 and a method similar to the one described below. Standards will be revisited for 2012 as Maryland moves to including disaggregated subgroups in the calculation of graduation rate for AYP.

Maryland set separate starting points for each unique grade structure by averaging starting points across grades for each AYP element – reading, mathematics, attendance, and/or graduation rate as appropriate.

The starting points for academic assessments and attendance rate were determined by:

- Computing the percent proficient for each subgroup separately for each measure.
- Ranking the schools from lowest to highest separately for each measure at each grade level. Identifying the performance (percent proficient or attendance rate) for the school at the 20th percentile in terms of enrollment separately for reading, mathematics, and attendance at each grade level.
- Selecting the higher of the two as the starting point (SP).

These computations yielded separate starting points for each grade level and measure. The grade level starting points were used to compute starting points in each of the following: reading, mathematics, and attendance rate and/or graduation rate as appropriate for each school. Starting points for schools with grade structures including two or more assessed grades were computed by taking the weighted average of the grade specific starting points for reading and mathematics separately and the unweighted average of the grade specific attendance across all grades and/or graduation rate as appropriate.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04, Public School Standards

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
3.2b What are the State's annual measurable Objectives for determining adequate yearly progress?	State has annual measurable objectives that are consistent with a state's intermediate goals and that identify for each year a minimum percentage of students who must meet or exceed the proficient level of academic achievement on the State's academic assessments. The State's annual measurable objectives ensure that all students meet or exceed the State's proficient level of academic achievement within the timeline. The State's annual measurable objectives are the same throughout the State for each public school, each LEA, and each subgroup of students.	The State Accountability System uses another method for calculating annual measurable objectives. The State Accountability System does not include annual measurable objectives.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 3.2b

Compute the annual targets so that 100% of students achieve proficiency in reading and mathematics by 2013-2014. By applying the general formula below separately for all grades involved in AYP calculations, we will establish the expectations for growth.

$$ATi \equiv SP + \left\{ (Yi - 2002) \left[\frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

Where: *ATi* is the annual target for a given year between 2003 and 2014.
SP is the starting point for any grade and content combination.
Yi is the year between 2003 and 2014 for which the annual target is to be computed.

Application of the above methodology ensured that at the end of school year 2013-2014 all students must achieve proficiency.

Annual yearly targets were set relative to the intermediate goals using the following methodology:

Annual measurable objectives for determining AYP were set as equal increments based on the difference between adjacent intermediate goals for all intermediate goals except for the 2004-2005 intermediate goal. During the implementation period for our assessment system, annual measurable objective will increase at a non-linear rate between 2002 and 2005 to allow schools and LEAs time to adjust their instructional strategies to the new standards and assessments. This annual measurable objectives will be determined as follows:

For 2002-2003 subgroups, schools, LEAs, and the state were expected to at least maintain 2001-2002 performance levels. The annual measurable objective was equal to the starting point.

For 2003-2004 the annual measurable objective was one third of the difference between the starting point and the 2004-2005 intermediate goal.

$$AMO_{2004} = SP + \left[\frac{(IG_{2005} - SP)}{3} \right]$$

For 2004-2005, 2007-2008, and 2010-2011, the annual measurable objectives will be the intermediate goals.

$$AMO_{2005} = IG_{2005}$$

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04, Public School Standards

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 3.2c

Intermediate goals were set for school years 2004-2005, 2007-2008, 2010-2011, and 2013-2014 based on formula 1 resulting in equal growth expectations over the 12-year period.

- Intermediate Goal 2004-2005:

$$IG_{2005} \equiv SP + \left\{ 3 \left[\frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

- Intermediate Goal 2007-2008:

$$IG_{2008} \equiv SP + \left\{ 6 \left[\frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

- Intermediate Goal 2010-2011:

$$IG_{2011} \equiv SP + \left\{ 9 \left[\frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

- **Final Goal 2013-2014**

$$FG_{2014} \equiv SP + \left\{ 12 \left[\frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

$$FG_{2014} \equiv 100$$

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations

PRINCIPLE 4. State makes annual decisions about the achievement of all public schools and LEAs.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
4.1 How does the State Accountability System make an annual determination of whether each public school and LEA in the State made AYP?	AYP decisions for each public school and LEA are made annually.[4]	AYP decisions for public schools and LEAs are not made annually.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 4.1

AYP decisions are made annually for schools, LEAs, and the State. These decisions are integrated into Maryland's annual performance reporting system. Annual reports are issued for each school, each school district, and for the state as whole.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards

[4] Decisions may be based upon several years of data and data may be averaged across grades within a public school [§1111(b)(2)(J)].

PRINCIPLE 5. All public schools and LEAs are held accountable for the achievement of individual subgroups.

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 5.1
All schools have the potential of 23 data elements for AYP as summarized below. Schools and systems are required to test all students within subgroups.

Data Elements:

- % Reading Proficient: All students, Hispanic/Latino, American Indian or Alaskan Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, White, Two or more races, FARMS, Special Education, LEP
- % Mathematics Proficient: All students, Hispanic/Latino, American Indian or Alaskan Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, White, Two or more races, FARMS, Special Education, LEP
- Other measure: Attendance or Graduation Rate depending on the grade level

Consistent with NCLB, a school, LEA, or state is said to make adequate yearly progress under the following conditions:

1. The percentage of students in the aggregate meets or exceeds the annual measurable objective for the other academic indicators (attendance and/or graduation rate).

2. The percentage of students in the aggregate achieving at the proficient level separately for reading and mathematics meets or exceeds the annual measurable objectives.

3. The participation rate for the academic assessments in reading and mathematics, set separately both in the aggregate and for each subgroup, is 95% or greater.

4. The percentage of students in each subgroup achieving at the proficient level separately for reading and mathematics meets or exceeds the annual measurable objective. Or, for any subgroup failing to meet the annual measurable objective, the percentage of students achieving below the proficient level decreases by 10% provided that the subgroup meets or exceeds the annual measurable objective for the applicable other academic indicator of attendance or graduation rate (safe harbor).

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
5.2 How are public schools and LEAs held accountable for the progress of student subgroups in the determination of adequate yearly progress?	Public schools and LEAs are held accountable for student subgroup achievement: economically disadvantaged, major ethnic and racial groups, students with disabilities, and limited English proficient students.	State does not include student subgroups in its State Accountability System.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 5.2

The performance of students in all subgroups on the academic assessments, attendance and graduation rate are tracked separately. The percent proficient, attendance rate, and graduation rate are aggregated by subgroup at the school, LEA, and state levels for determining AYP.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
5.3 How are students with disabilities included in the State's definition of adequate yearly progress?	All students with disabilities participate in statewide assessments: general assessments with or without accommodations or an alternate assessment based on grade level standards for the grade in which students are enrolled. State demonstrates that students with disabilities are fully included in the State Accountability System.	The State Accountability System or State policy excludes students with disabilities from participating in the statewide assessments. State cannot demonstrate that alternate assessments measure grade-level standards for the grade in which students are enrolled.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

Question 5.3

All students with disabilities are tested. Students pursuing a course of study based on Maryland content standards participate in Maryland School Assessments and end-of-course algebra/data analysis and English 2 exams. Students pursuing an alternate course of study based on their IEP participate in Maryland's alternate assessment, Alt-MSA. In June 2008, Maryland implemented the modified high school assessments for students with disabilities. The modified MSA was administered for the first time in 2009. The proficient scores from the modified assessments will be capped at 2% of the total tested population. Participation rates and performance levels of students with disabilities on MSA, Alt-MSA, and the modified assessments are included in AYP determinations. Maryland's alternate achievement standards and modified achievement standards are aligned with the State's academic content standards.

Maryland fully intends to revise or add policies in accordance with any new U.S. Department of Education guidance on the development of alternative and modified assessments. Furthermore, while Maryland's current assessment for students with severely challenging disabilities (Alt-MSA) was reported in the 2002 Maryland School Performance Report as an aggregated score, the Alt-MSA has been revised and was administered for the first time in the spring of 2003 in a new form that produced separate mathematics and reading scores as required by NCLB Section 200.6. Students taking this assessment are counted according to the following criteria:

- Not more than 1% of students at the LEA and state level will be classified as achieving at the proficient or advanced level according to Alt-MSA performance standards. These scores will be combined with the results from the MSA and the modified assessments for determining AYP at the school, LEA, and state levels.
- Students in excess of the allowable 1%, by definition, will be classified as performing at the basic level and their scores combined with the results from the MSA for determining AYP at the school, LEA and state levels.
- If the LEA or the State exceeds the 1% threshold of proficient or advanced performers on the alternative assessment, then a process for redistributing non-proficient scores will be applied to determine which student scores will be converted to "basic" and attributed back to the school, LEA and/or the State for the purposes of calculating AYP. The methodology of assigning basic scores to students exceeding the 1% cap is based on the Statewide Student Identifier, a 10-digit number assigned randomly to each student entering Maryland schools.
    - Step 1: Determine at the LEA level for the alternative assessment, the number of students, if any, that exceed the 1% cap and need to be converted to "basic."
    - Step 2: List all student scores that are proficient or advanced on the alternative assessment within the LEA by the Statewide Student Identifier. Identify the cutoff point in the list as the number of students which must be converted to "basic" (Step 1) and distribute the scores above the cut-off point back to their own schools. If the conversion of student scores in any particular school has no net effect on the AYP status for the school, the conversions in that school will be finalized. If the distribution of the basic score causes the receiving school to move from making AYP to not making AYP, then replace that student ID with the next student on the list until all of the required number of scores have been converted and assigned as basic. It is anticipated that a limited number of schools will be impacted by this process. If a school district has no more available schools, then the original assignments will remain. This process will ensure that no school is unfairly classified as not making AYP as a result of being assigned a "basic" score.

Students taking the modified assessments will be counted according to the following criteria:

- Not more than 2% of students at the LEA and state level will be classified as achieving at the proficient or advanced level according to modified assessment performance standards. These scores will be combined with the results from the MSA and Alt-MSA for determining AYP at the school, LEA, and state levels.
- Students in excess of the allowable 2%, by definition, will be classified as performing at the basic level and their scores will be combined with the results from the MSA and Alt-MSA for determining AYP at the school, LEA and state levels.
- If the LEA or the State exceeds the 2% threshold of proficient or advanced performers on the alternative assessment, then a procedure for redistributing non-proficient scores will be applied to determine which student scores will be converted to "basic" and attributed back to the school, LEA and/or the State for calculating AYP using a process similar to the process described above for the 1% of students taking the Alt-MSA.

In 2009-10, Maryland continued to offer an appeals process for high school students who last took the HSAs in January 2008 or earlier. This appeals process was discontinued following the 2009-10 school year, as modified assessments became available for all eligible students.

Regardless of whether a student's score counts toward AYP, all students taking the alternate assessment will count as test takers for the 95% participation requirement.

- Att A, Implementation Procedures for AYP Determinations
- Att B, Title 13A Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Att E, Maryland School Performance Report 2009 at www.mdreportcard.org
- Att H, Letter to Ray Simon, May 31, 2005
- Att I, Letter and attachment to Ray Simon, June 14, 2005

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 5.4

Students who have been identified for participation in a language instruction educational program are tested for their knowledge of English using the Language Assessment Scales (LAS) Links. Students are tested not later than 30 days after the beginning of the school year. Students who enroll in school after the first 30 days must be tested within two weeks of the child being placed in a language instruction educational program. Student results on the proficiency test are evaluated, and the student is designated as: (1) Low Beginning; (2) High Beginning; (3) Low Intermediate; (4) High Intermediate; or (5) Advanced. Students identified as (1) Low Beginning have no or very minimal English Language proficiency.

LEP Reading MSA Requirement

- Students in their first year of enrollment in U.S. schools can use the LAS Links rather than the MSA reading assessment or English 2 to meet AYP participation requirements. These students would not be included in Adequate Yearly Progress (AYP) calculations for the reading MSA. All other LEP students must take the MSA and their scores will be included in the calculation of AYP.

LEP Math MSA Requirement

- All LEP students, regardless of enrollment date, must take the math MSA or the algebra/data analysis assessment. However, the scores of students enrolled for less than one full calendar year will not be included in the calculation for AYP. Students participating in the math MSA or the algebra/data analysis assessment are eligible to receive appropriate accommodations as determined in their LEP Plan.

Inclusion of Exited LEP and Exited Special Education Students in Adequate Yearly Progress (AYP) Calculations

- Students who have exited LEP services will have their scores on MSA reading (or English 2) and math (or algebra/data analysis) assessments included (with the identified LEP subgroup) in LEP Adequate Yearly Progress (AYP) calculations for the two years following their exit from active services.

- Students who have exited special education services will have their scores on MSA reading (or English 2) and math (or algebra/data analysis) assessments included (with the identified special education subgroup) in special education Adequate Yearly Progress (AYP) calculations for the two years following their exit from active services.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment E, Maryland School Performance Report 2009
- Attachment J, Maryland Accommodations Manual, Maryland Assessment Programs

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 5.5

Maryland will use a minimum subgroup size of 5 and use statistical significance tests to ensure that AYP determinations are fair and accurate for subgroups of varying sizes. For graduation rate, Maryland uses an N of 30 for accountability for the all students group and will use an N of 30 for disaggregated subgroups.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations

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

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
5.6 How does the State Accountability System protect the privacy of students when reporting results and when determining AYP?	Definition does not reveal personally identifiable information.[6]	Definition reveals personally identifiable information.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 5.6

Maryland has used a minimum group size of 5 for subgroup and school reporting since 1992 to protect the privacy of students. Maryland does not report the results of any subgroup smaller than 5 in number. In those cases where the number of students in a cell on the report card is less than 5, an asterisk is placed and the report is footnoted accordingly.

Evidence:

- Attachment E, Maryland School Performance Report 2009

[6] The Family Education Rights and Privacy Act (FERPA) prohibits an LEA that receives Federal funds from releasing, without the prior written consent of a student's parents, any personally identifiable information contained in a student's education record.

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

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
6.1 How is the State's definition of adequate yearly progress based primarily on academic assessments?	Formula for AYP shows that decisions are based primarily on assessments.[7] Plan clearly identifies which assessments are included in accountability.	Formula for AYP shows that decisions are based primarily on non-academic indicators or indicators other than the State assessments.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 6.1

Maryland's accountability system is primarily based on reading and mathematics assessments in grades 3-8 and end-of-course assessments in English 2 and algebra/data analysis. In elementary and middle schools the only other component for AYP determinations is attendance. In 2008, Maryland administered State assessments in science at grades five and eight and at the high school level. The results of the science assessments are not used in making adequate yearly progress determinations. In high schools, the only other component is graduation rate. At the minimum, schools where all subgroups have fewer than 5 members, two-thirds of the AYP calculations are based on academic assessments (reading and mathematics). At the maximum, schools where all subgroups have more than 5 members, 22 of the 23 components for AYP calculations are based on academic assessments. Only K-12 schools will have 24 components by including both graduation rate and attendance.

AYP data components include the following:

- % Reading Proficient: All students, Hispanic/Latino, American Indian or Alaskan Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, White, Two or more races, FARMS, Special Education, LEP
- % Mathematics Proficient: All students, Hispanic/Latino, American Indian or Alaskan Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, White, Two or more races, FARMS, Special Education, LEP
- Other measure: Attendance and/or Graduation Rate depending on the grade level.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards

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

PRINCIPLE 7. State definition of AYP includes graduation rates for public High schools and an additional indicator selected by the State for public Middle and public Elementary schools (such as attendance rates).

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
7.1 What is the State definition for the public high school graduation rate?	State definition of graduation rate: • Calculates the percentage of students, measured from the beginning of the school year, who graduate from public high school with a regular diploma (not including a GED or any other diploma not fully aligned with the state's academic standards) in the standard number of years; or, • Uses another more accurate definition that has been approved by the Secretary; and • Must avoid counting a dropout as a transfer. Graduation rate is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause[8] to make AYP.	State definition of public high school graduation rate does not meet these criteria.

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

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

Question 7.1

2003-2010

Graduation rate is the other academic measure for high schools. We will use the National Center for Education Statistics synthetic graduation rate formula.

$$GR_i \equiv \frac{G_i}{G_i + D_i + D_{(i-1)} + D_{(i-2)} + D_{(i-3)}}$$

Where: GR_i is the graduation rate for a given year (i) between 2002 and 2014

G_i is the number of students achieving a regular high school diploma (excluding special education certificates, GED.s, and other non-standard diplomas) for year i.

D_I is the number of dropouts in grade 12 for year i.

$D_{(i-1)}$ is the number of dropouts in grade 11 for the first previous year (I-1).

$D_{(i-2)}$ is the number of dropouts in grade 10 for the second previous year (i-2).

$D_{(i-3)}$ is the number of dropouts in grade 9 for the third previous year (I-3).

Maryland has established a graduation rate starting point for 2003 of 81% and a final graduation rate target of 90%. This graduation rate requirement, consistent with NCLB, holds schools to reasonable targets each year, while encouraging progress towards an ultimate goal of a 90% graduation rate in 2014.

The Starting Point:
Maryland sets the starting point for graduation rate in 2003 by ranking all schools by graduation rate and counting student enrollment, beginning in the lowest ranking school, until the 20th percentile (20% of total students enrolled) is reached. The graduation rate for the school in which the 20th percentile in enrollment falls is the starting point for graduation rate.

Measuring Progress:
Maryland set annual targets from 2003 to 2014 in a stepped format, with increasing intermediate targets in years 2005, 2008, and 2011. For 2010, the graduation requirement is met if

- the annual target is met, or
- if the average of the graduation rates for 2008, 2009, and 2010 equals or exceeds the 2010 graduation rate target, or
- if the school achieves the 2010 growth target determined mathematically according to the distance the 2010 rate is from the 2014 goal divided by the number of years left to achieve the goal. Growth targets are recalculated annually. Schools, systems, and the State will be accountable for satisfaction of an ultimate graduation rate of 90% by school year 2014.

Maryland will use an N of 30 for determining the graduation rate for the all students group for 2010.

(continued)

2011

In 2011, Maryland will use a cohort graduation rate for AYP calculations for the "all students" group only for the State, school systems, and schools.

Definitions:

Four-year adjusted cohort graduation rate:

As required by 34 C.F.R. §200.19(b)(1)(i)-(iv), Maryland defines the four-year adjusted cohort graduation rate as the number of students who graduate in four years with a regular high school diploma divided by the number of students who form the adjusted cohort for the graduating class. Students entering the grade 9 for the first time form a cohort that is subsequently adjusted by adding any students who transfer into the cohort later during grade 9 and the next three years and subtracting any students who transfer out, emigrate to another country, or die during that same period.

For schools with grade configurations other than the traditional 9-12, the definition is adjusted accordingly. For schools with fewer than four grades (10-12 or 11-12), the adjusted cohort graduation rate is modified to reflect the number of grades for the school. Three-year or two-year adjusted cohort graduation rates are used. For schools with a grade 12 that have more than four grades (e.g. K-12 or 7-12), the four-year graduation rate is calculated as it is for high schools with only four grades, by taking the number of first-time grade 9 students who graduate in four years with a regular high school diploma divided by the number of students who form the adjusted cohort for the graduating class.

The following definitions are used for counting students:

Regular High School Diploma: The standard high school diploma awarded to students in Maryland is fully aligned with the Maryland academic content standards and does not include a GED credential, certificate of attendance, or any alternative award. The term "regular high school diploma" also includes a "higher diploma" that is awarded to students who complete requirements above and beyond what is required for a regular diploma.

Dropout: Students leaving school not otherwise classified as completers or transfers (see transfers out) prior to completion.
Transfers in: From other schools, LEAs, States, or Countries.
Transfers out: To other schools, LEAs, States, or Countries requires documentation.
Death: Self-explanatory.

Calculations: The adjusted cohort graduation rate (GR) is calculated according to formula 1 below.

$$GR = \frac{\sum_{i=1}^{n} G_i}{C_1 + \sum_{i=1}^{n} (I_i - O_i - D_i)}$$

Where: i = year and n = number of years the cohort is tracked – 4 or 5

C_1 = Number of students entering 9th grade for the first time in year 1
G_i = Number of students awarded a regular diploma in year i
I_i = Number of students transferring into a school in year i
O_i = Number of students transferring out with documentation in year i
D_i = Number of students who died in year i

The four-year rate is calculated by setting *n* to the value of 4.

$$GR_4 = \frac{\sum_{t=1}^{4} G_t}{C_1 + \sum_{t=1}^{4}(I_t - O_t - D_t)}$$

Extended-year adjusted cohort graduation rate: Students tracked for five years after first entry into grade 9 comprise the cohort for calculating the five-year adjusted cohort graduation rate.

$$GR_5 = \frac{\sum_{t=1}^{5} G_t}{C_1 + \sum_{t=1}^{5}(I_t - O_t - D_t)}$$

Lagged rates to include summer graduates: Lagged rates including summer graduates during the fourth year involve adjusting the cohort for summer student events. Students awarded regular high school diplomas are added to the numerator (G_s). Students transferring in (I_s) are added to the denominator. Students transferring out with documentation (O_s) or are deceased (D_s) are subtracted from the denominator.

$$GR_{4L} = \frac{(\sum_{t=1}^{4} G_t) + G_s}{C_1 + [\sum_{t=1}^{4}(I_t - O_t - D_t)] + I_s - O_s - D_s}$$

The 2011 AMO for the cohort graduation rate will be used for one year only and will apply to the all students group only. In 2012, as required by federal rules, AYP will be based on graduation rates for disaggregated subgroups by race and special services as well as the all students group. The subgroups are: Hispanic/Latino, American Indian or Alaskan Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, White, and Two or More Races as well as three special services subgroups: Free and Reduced Priced Meals (FARMS), Special Education, and Limited English Proficiency (LEP). In order for the 2011 AYP determinations to be applied appropriately, a standards-setting process was conducted to project AMOs and goals through 2020. The State Board of Education approved the cohort graduation standards for 2011 in March 2011 and plans to revisit cohort graduation rate standards in fall 2011 for 2012 when federal law requires that the graduation rate be disaggregated and included in AYP calculations. The State Board of Education also set a standard for the cohort dropout rate for the 2010 graduating class for the very limited number of high schools unable to produce adequate data to support a cohort graduation statistic.

Standards for the aggregated graduation rate for 2011 were set using graduation data from 2009 and a process involving key stakeholders, the recommendation of the State Superintendent of Schools, and approval by the Maryland State Board of Education. Maryland will use a minimum group size of 30 students (N of 30) for graduation rate in determining AYP for the all students group for 2011.

For 2011, the graduation requirement can be met by one of the following methodologies:

- A calculation is first made to determine if the 2010 AMO is met for the four-year adjusted cohort graduation rate. If unable to meet this AMO, a calculation is made to determine if the 2011 AMO is met for the five-year adjusted cohort graduation rate. If unable to meet this AMO, a calculation is made to determine if growth in the cohort graduation rate has occurred over the previous year. The 2011 four-year cohort growth target is determined by a calculation method similar to the one used, and approved by USDE, in 2010 using the NCES or leaver graduation rate. A school meets the growth target if the school achieves the 2011 growth target determined mathematically according to the distance the 2011 rate is from the 2020 goal of 95% divided by the number of years left to achieve

the goal. Growth targets are recalculated annually. Schools, systems, and the State will be accountable for satisfaction of an ultimate graduation rate of 95% by school year 2020.

Standards setting for 2011 involved the determination of the following:

Overall Graduation Rate For All Students: 95%		
	Cohort Graduation Rate	**Target Set**
2010	4-year cohort rate for 2010 graduating class*	81.5%
2011	5-year cohort rate for 2011 graduation class	84.4%

* This will be a lagged rate and will include the summer 2010 graduates.

The interim AYP targets for graduation rate for 2011 through 2020 for the cohort graduation rates are as follow:

2011-2020 Annual Targets for
Cohort Graduation Rate AYP Determinations for the All Students Group

Overall Graduation Rate For All Students: 95%										
Measure	**2011***	**2012**	**2013**	**2014***	**2015**	**2016**	**2017***	**2018**	**2019**	**2020 Goal***
4-Yr. Cohort Graduation Rate	81.5	81.5	81.5	86.0	86.0	86.0	90.5	90.5	90.5	95.0
5-Yr. Cohort Graduation Rate	84.4	84.4	84.4	88.6	88.6	88.6	92.8	92.8	92.8	95.0

*Federal rules permit stepwise increases in 2011 and 2014, with Maryland extending the stepwise progression through 2017 and 2020.

The above targets will be effective for the 2011 AYP determinations only, with an additional standards-setting procedure to be conducted in fall 2011 to determine annual targets for 2012 through 2020. The additional standards-setting procedure is necessary because federal law requires that the graduation rate be disaggregated and included in AYP calculations beginning in 2012. The annual targets for 2012 through 2020 were necessary technical components of the 2011 standards-setting process to assure a satisfactory 2011 target.

In 2011, Maryland will report the four-year cohort graduation rate in the aggregate and disaggregated by subgroups as required by federal law. The 2011 report will include the results of assessments for the 2010-11 school year and the graduation rate based on the four-year cohort rate for the class of 2010.

2012

Maryland will calculate AYP for the 2012 cohort graduation rate on the basis of disaggregated subgroups by race/ethnicity, using the seven race/ethnicity subgroups required by federal law, and three special services subgroups: FARMS, special education, and LEP. Standards for 2012 will be set in late fall of 2011 for the all students groups, the seven race/ethnicity subgroups, and the three special services subgroups. Standards and supporting documentation will be submitted to USDE for review following approval by the Maryland State Board of Education. Maryland anticipates using a minimum group size of 30 students (N of 30) for graduation rate for the all students group and disaggregated subgroups in determining AYP.

For 2012, the graduation requirement can be met by applying a three-step process as follows to each of the subgroups and the all students group:

A calculation is first made to determine if the 2011 AMO is met for the four-year adjusted cohort graduation rate. If unable to meet this AMO, a calculation is made to determine if the 2012 AMO is met for the five-year adjusted cohort graduation rate. If unable to meet this AMO, a calculation is made to determine if growth in the cohort graduation rate has occurred over the previous year. The 2012 one-year growth is determined by a calculation method comparing cohort results of 2010 with results of 2011. This methodology is described above under Measuring Progress for 2010. Maryland will apply this three-step process to the all students group and to each subgroup. If by the end of the three-step process, the all students group and all the subgroups have met the target, then the graduation rate target will be fully met.

The standards-setting process will determine the following:

	Cohort Graduation Rate	**Standard Set**
2011	4-year cohort rate for 2011 graduation class*	TBD
2012	5-year cohort rate for 2012 graduation class	TBD
2020	2020 Goal	TBD

*This will be a lagged rate and will include the summer 2011 graduates.

For 2012, Maryland will report the Leaver Rate, the Four-Year Cohort Rate, the Five-Year Cohort Rate, all in aggregated and disaggregated form.

Evidence: Attachment A, Implementation Procedures for AYP Determinations

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
7.2 What is the State's additional academic indicator for public elementary schools for the definition of AYP? For public middle schools for the definition of AYP?	State defines the additional academic indicators, e.g., additional State or locally administered assessments not included in the State assessment system, grade-to-grade retention rates or attendance rates.[9] An additional academic indicator is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause to make AYP.	State has not defined an additional academic indicator for elementary and middle schools.

[9] NCLB only lists these indicators as examples.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 7.2

Average daily attendance rate is the other academic indicator for both elementary and middle schools. This indicator has been a component of Maryland's accountability system since 1989. Subgroups within schools, schools, LEAs, and the state are expected to achieve a 94% to meet our satisfactory standard. Maryland used an attendance rate goal of 90% for the 2009-2010 school year only in response to excessive absences because of H1N1 or flu-like illnesses. For purposes of AYP this standard represents the goal for 2013-2014. Intermediate goals and annual objectives are calculated based on a linear progression from the starting point to the achievement of 94% for all students. The attendance rate is met if the annual target is met or the attendance improves from the previous year by at least one tenth of one percent. Schools, systems, and the State will be accountable for satisfaction of an ultimate attendance rate of 94% by school year 2013-2014.

The Attendance rate reflects the percentage of students present in school for at least half the average school day during the school year.

a) Attendance Rate Elementary – The percent average daily attendance of elementary students (grades 1 through 5), including ungraded special education students under age 11. Summer school is excluded.

b) Middle - The percent average daily attendance of middle school students (grades 6 through 8), including ungraded special education students age 11 through 13. Summer school is excluded.

The average daily attendance for a given year is based on the aggregate number of enrolled students who are present in school each day of the September to June school year. The percent average daily attendance is calculated by dividing the aggregate number of students in attendance by the aggregate number of students in membership for the September to June school year.

For reporting purposes, attendance and absence are counted in ½ day units. A student is counted as present for ½ day if in attendance any part of the school day. A student is counted as absent for ½ day if absent any part of the school day. Students in attendance for more than half a day are counted as present for a full day. Students absent for more than half day are counted as absent for a full day. Students are counted present only if actually at school or if at another place at a school activity sponsored by the school and supervised by a member of the school staff.

The following definitions are the minimum standards for attendance as defined by the State Board of Education. Local Boards of Education may set more stringent standards.

A student is counted present only if actually at school or present at another place at a school activity that is sponsored by the school and is personally supervised by a member or members of the school staff. This may include authorized independent study, work-study programs, field trips, athletic events, contests, music festivals, student conventions, instruction for homebound students, and similar activities when officially authorized under policies of the local school board. It does not include making up school work at home, or activities supervised or sponsored by private groups or individuals. Excused (lawful) and unexcused (unlawful) absences are both counted as absences.

Attendance rate is computed by dividing the aggregate number of days attending by the aggregate days of membership.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 7.3

Yes. Attendance, dropout, and high school completion have been elements of Maryland's accountability system since 1989. The data are collected from LEAs at the student level, edited for accuracy, and tested against historical trends. LEAs are required to correct inaccuracies and investigate outliers. Ultimately, questionable data results can trigger a formal investigation based on our test security and data reporting regulation.

For graduation rate calculation, Maryland will measure on-time graduation beginning in 2011 when a statewide longitudinal data system is fully implemented to provide a four-year graduation rate.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment C, Maryland School Performance Program, Accountability Data 2008

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

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 8.1

Yes. 1993-2002 MSPAP was used for accountability, producing school, system, and state results in reading, mathematics, etc. (see website). Beginning in 2003, MSA was given in reading and mathematics, grades 3, 5, 8, 10. Beginning in 2004, MSA was given in reading and mathematics in grades 3-8 and 10

Maryland has developed reading assessments separately for grades 3-8 and mathematics assessments in grades 3-8. The grade 10 reading measure is the State's English 2 High School Assessment, an end-of-course test that is required for graduation. The mathematics measure is the end-of-course algebra/data analysis assessment, also required for graduation. These assessments are based on Maryland's reading and mathematics content standards. High school students may substitute MSDE-approved AP or IB examinations for high school assessments (see Question 1.1). There are nine measures of progress in reading (each subgroup and the aggregate), and nine measures of progress in mathematics (each subgroup and the aggregate). Reading and mathematics are measured separately across grade levels in each subgroup and in the aggregate for AYP determinations.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- www.mdreportcard.org

[10] If the state has more than one assessment to cover its language arts standards, the State must create a method for including scores from all the relevant assessments.

PRINCIPLE 9. State Accountability System is statistically valid and reliable.

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 9.1

Statistical procedures are used in all tests of AYP determinations to ensure that decisions take into account inherent measurement error present in all accountability systems. The statistical approach adjusts for accuracy of decisions by holding constant the probability of making a classification error over the range of the number of students in a group. It does so by adjusting the width of the confidence interval as a function of n and the expected variability of scores (σ) within the subgroup, school, LEA, and state. Fairness is ensured by holding the probability of a type I error constant for all subgroups, schools, LEAs, and the state. The procedure, a one sample Z test, uses a standard approach for testing the significance of differences between a sample and a known population parameter. The AYP target of percent proficient is the known population parameter of a binomial distribution, *P*. The observed percent proficient value represents *p* of a sample drawn from the population. The binomial distribution is normal and therefore the difference between the observed percent proficient and the AYP target (*p*-*P*) can be transformed to Z.

$$Z \equiv \frac{p - P}{\sqrt{\frac{P*(1-P)}{n}}}$$

Where: *P*= percent proficient AYP target
p= observed percent proficient in a subgroup
n= number of students in a subgroup, school, LEA, or the state.

The null hypothesis for each test is $Ho: p \geq P$. The alternative hypothesis is $HA: p < P$. It is a directional hypothesis and is tested with a one tailed test since we are only interested in knowing if the observed percent proficient (*p*) is significantly less than the AYP target (*P*). The critical value of Z can be readily established by setting the acceptable alpha – the probability of making a type I error at the commonly accepted value for a Type I error is 0.05. One refinement is required to hold alpha at a constant 0.05 for each test of *Ho* given that the number of subgroups and hence the number of statistical tests may vary among schools depending on the number of subgroups with five or more members present. For schools with all subgroups – 5 race/ethnicity, LEP, special education, and FARMS – nine statistical tests are required for each content area (8 subgroups plus all students) to determine if the school and the 8 subgroups met the AYP target. Testing mathematics and reading separately doubles the number of required tests to 18. It is common practice that when more than one statistical test is performed to classify a school as meeting or not meeting the AYP criteria to use a correction factor to control the fact that with each test the probability making a Type I error in any one test increases. The correction for is made by dividing the selected alpha (0.05) by the number of tests that need to be performed for a single school (Bonferroni adjustment). Thus, for a school with all subgroups alpha for each test is 0.0026 (0.05/19).

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
9.2 What is the State's process for making valid AYP determinations?	State has established a process for public schools and LEAs to appeal an accountability decision.	State does not have a system for handling appeals of accountability decisions.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

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

Question 9.2

The performance of all schools is statistically tested against the AYP targets unique to grade structure of the school. If the null hypothesis is rejected at the school level, the school will be said to have failed to meet its AYP target. The performance of subgroups also will be statistically tested against the AYP target. If the null hypothesis is rejected, safe harbor statistical tests will be performed. If the null hypothesis is rejected, the subgroup and hence the school will be said to have failed to meet its AYP target. Each subgroup will be tested each year and failure of any subgroup to meet its AYP or safe harbor target will be said to have failed to meet AYP.

Before identifying a local school or school system for improvement, the State shall provide an opportunity to review the data on which the proposed identification is based and give the local school system an opportunity to provide supporting evidence if it believes the identification is in error for statistically substantive reasons.

For 2005 through 2009, Maryland modified the existing process for appealing AYP and School Improvement status decisions based on the data for each of these years. The process considered the impact the planned modified assessment would have had on AYP and School Improvement status if a modified assessment had been administered. School systems could appeal the status for an individual school if that school did not achieve AYP in special education subgroups only. The process allowed such appeals on the basis of the performance of special education students only and only when the student's IEP indicates the student could have achieved a proficient score on a modified assessment. Supporting documentation was required from the school's IEP team. In Spring 2008, the modified assessments were given for the first time to high school students. Students in grades 3-5 took the modified assessments for the first time in 2010. All eligible students were able to take the modified assessments in the 2009-2010 school year and the appeal process was discontinued.

Students are omitted from the participation rate calculation when such students cannot take the State assessment during the entire testing window, including the make-up dates, because of a significant medical emergency. School systems will maintain appropriate documentation that such students have been determined by a medical practitioner to be incapacitated to the extent they are unable to participate in the appropriate State assessment. Medical emergency excuses will be incorporated into the post-test file data collection system.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations
- Attachment B, Title 13A State Board of Education, Subtitle 01 State School Administration, Chapter 04 Public School Standards
- Attachment K, Maryland Adequate Yearly Progress Appeals Manual 2008

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

[11] Several events may occur which necessitate such a plan. For example, (1) the State may need to include additional assessments in grades 3-8 by 2005-2006; (2) the State may revise content and/or academic achievement standards; (3) the State may need to recalculate the starting point with the addition of new assessments; or (4) the State may need to incorporate the graduation rate or other indicators into its State Accountability System. These events may require new calculations of validity and reliability.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 9.3

By using grade specific starting points, 2005 student performance in grades 4, 6, and 7 and English 2 was readily incorporated into Maryland's definition of AYP and was included in AYP calculations in 2005. Algebra/data analysis was included in AYP calculations in 2006. Algebra/data analysis replaced the geometry end-of-course high school assessment. Schools are held accountable for the grades they serve by computing their performance using the weighted average of the performance at each grade. Starting points, and hence AYP targets, were recomputed when the new assessments were first administered. Similar procedures will be followed when additional test changes occur before 2014.

Newly created schools are held to the same annual measurable objectives as all schools with the same grade structure, and thus, in the first year of operation, subgroup and school level AYP decisions will be based on comparisons of the school and subgroup performance levels with the statewide annual measurable objectives. For safe harbor determinations, student level data from the students' previous school will be used to determine if the number of students performing below the proficient level decreased by at least 10%.

Maryland reviews its procedures every five years or as necessary to ensure that the accountability system continues to address the needs of all students. Content standards, assessments, proficiency levels, intermediate goals, and annual objectives are reviewed and, if necessary, appropriate adjustments made.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations

PRINCIPLE 10. In order for a public school or LEA to make AYP, the State ensures that it assessed at least 95% of the students enrolled in each subgroup.

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 10.1

Maryland uses the full academic year criteria as the basis for defining the pool of students at the subgroup, school, LEA, and state level required to be included in the calculation for AYP. All students enrolled on the testing date are required to participate in the assessments for AYP. Schools are held accountable for students continuously enrolled and who attend the same school from the beginning of the academic year to the time of testing. LEAs are held accountable for students who are continuously enrolled in the LEA from the beginning of the academic year to the time of testing but who transfer between schools within the LEA. The state is held accountable for students who are continuously enrolled but who transfer between LEAs within the state from the beginning of the academic year to the time of testing. Maryland's accountability system tracks student enrollment and withdrawals at the school and district level to ensure appropriate school-specific and district-specific accountability for purposes of measuring adequate yearly progress of students enrolled for the full academic year.

Maryland takes a two-pronged approach to ensure and check for the 95% participation rate for schools and LEAs in state assessments.

1. **Performance.** When calculating the performance level for a subgroup, school, LEA, or the state, all students meeting the full academic year criteria will be included.
2. **Participation.** The participation rate will be computed for each subgroup, and in the aggregate, for each of the reading and mathematics assessments by dividing the number of students present in each testing group by the number of enrolled students in that group. The participation rate will be calculated for each subgroup and for the aggregate separately in each of reading and mathematics assessments where a group includes at least:
    a. 30 students for schools with one grade tested,
    b. 60 students for schools with two or more grades tested, or
    c. 60 students for LEAs.

    Groups not meeting the minimum criteria listed above will not be checked for participation rate. Students whose test scores are invalid are not included in the calculation of participation.

This procedure should ensure that subgroups are appropriately included in the participation check while protecting schools and LEAs from the effects of the absences of a few students in very small subgroups. This two-pronged approach provides incentives for the inclusion of students in testing along with a fair measure of participation with an appropriate minimum "n."

Maryland will use a uniform averaging procedure over a 3-year period to determine AYP for a school and/or subgroup. The procedure will use data from the previous two years and the current year. If the average meets or exceeds 95%, the school will make AYP. Students will be omitted from the participation rate calculation when such students cannot take the State assessment during the entire testing window, including the make-up dates, because of a significant medical emergency. School systems will maintain appropriate documentation that such students have been determined by a medical practitioner to be incapacitated to the extent they are unable to participate in the appropriate State assessment.

Students with disabilities pursuing a course of study based on the Maryland content standards must participate in the MSA or algebra/data analysis or English 2 assessments with appropriate accommodations. Their scores are included in AYP calculations for the school in which the student is enrolled as well as for the school system and the state according to the full academic year criteria. Students with disabilities pursuing a course of study based on alternative content standards specified in their IEPs are required to take the Alt-MSA. The number of these students is capped at 1%. Their scores are included in AYP calculations for the school in which the student is enrolled as well as for the school system and the state according to the full academic year criteria.

In June 2008, Maryland implemented the high school modified assessments for students with disabilities. In the 2008-2009 school year, Maryland implemented the modified assessments for students with disabilities in grades 6-8. In 2009-2010, Maryland implemented the modified assessments for students with disabilities in grades 3-5. The proficient scores from the modified assessments are capped at 2% of the total tested population. Participation rates and performance levels of students with disabilities on MSA, Alt-MSA, and modified assessments are included in AYP determinations.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
10.2 What is the State's policy for determining when the 95% assessed requirement should be applied?	State has a policy that implements the regulation regarding the use of 95% allowance when the group is statistically significant according to State rules.	State does not have a procedure for making this determination.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Question 10.2

Maryland takes a two-pronged approach to ensure and check for the 95% participation rate for schools and LEAs in state assessments.

1. **Performance.** When calculating the performance level for a school or LEA, all enrolled students will be included.
2. **Participation.** The participation rate will be computed for each subgroup, and in the aggregate, for each of the reading and mathematics assessments by dividing the number of students present in each testing group by the number of enrolled students in that group. The participation rate will be calculated for each subgroup and for the aggregate separately in each of reading and mathematics assessments where a group includes at least:
    1. 30 students for schools with one grade tested,
    2. 60 students for schools with two or more grades tested, or
    3. 60 students for LEAs.

    Groups not meeting the minimum criteria listed above will not be checked for participation rate.

This procedure should ensure that subgroups are appropriately included in the participation check while protecting schools and LEAs from the effects of the absences of a few students in very small subgroups. This two-pronged approach provides incentives for the inclusion of students in testing along with a fair measure of participation with an appropriate minimum "n."

Maryland will use a uniform averaging procedure over a 3-year period to determine AYP for a school and/or subgroup. The procedure will use data from the previous two years and the current year. If the average meets or exceeds 95%, the school will make AYP. Students will be omitted from the participation rate calculation when such students cannot take the State assessment during the entire testing window, including the make-up dates, because of a significant medical emergency. School systems will maintain appropriate documentation that such students have been determined by a medical practitioner to be incapacitated to the extent they are unable to participate in the appropriate State assessment.

See 10.1, page 50, for further explanation of participation policy.

Evidence:

- Attachment A, Implementation Procedures for AYP Determinations

Table of Appendices

Appendix H Letter to Assistant Secretary Ray Simon, June 14, 2005
http://www.msde.state.md.us/usde/pdf/H/Document_H.pdf

Appendix I Letter and Attachment to Assistant Secretary Ray Simon June 14, 2005
http://www.msde.state.md.us/usde/pdf/I/LttoUSDE61405AttI.pdf

Appendix J Maryland Accommodations Manual, February 15, 2008
http://www.msde.state.md.us/usde/pdf/J/MAM_2008.pdf

Appendix K Maryland Adequate Yearly Progress Appeals Manual For Elementary, Middle, and High Schools 2008
http://www.msde.state.md.us/usde/pdf/K/AYP%20Appeals%20Manual%202008.pdf