

OFFICE OF CHIEF ACCOUNTABILITY OFFICER
Summary of State Board of Education Agenda Items
Consent Agenda
June 21, 2018

OFFICE OF DISTRICT AND SCHOOL PERFORMANCE

- F. Approval to revise the *Mississippi Public School Accountability Standards, 2018*, specifically, the business rules of the *Mississippi Statewide Accountability System* including Section 9: *Acceleration*, Section 15: *English Learners (EL)*, and Section 25: *College & Career Readiness Indicator*

(Has cleared the Administrative Procedures Act process with public comments)

Background Information: The *Mississippi Every Student Succeeds Act (ESSA)* Consolidated State Plan was approved by the ED on March 29, 2018. In order to obtain final approval, it was necessary to initiate two changes to the *Mississippi Public School Accountability Standards, 2017*. Mississippi must include a measure of EL progress toward proficiency in the *Mississippi Statewide Accountability System*, and each component of the system must include all students. Currently, there is an exclusion of students with Significant Cognitive Disabilities (SCD) in the Acceleration component and the College and Career Readiness component that must to be removed. The following changes are necessary to ensure the *Mississippi Statewide Accountability Systems'* compliance with Federal requirements related to ESSA regulations:

Revise Section 9, *Acceleration*

Eliminate the Significant Cognitive Disabilities (SCD) exclusion in Section 9.4.2 to comply with ESSA.

Revise Section 15, *English Learners (EL)*

Modify Section 15 English Learners (EL) to include a measure of progress toward proficiency, beginning school year 2018 - 2019. Sections 15.2, 15.3 and 15.4 were added.

Revise Section 25, *College & Career Readiness*

Eliminate the Significant Cognitive Disabilities (SCD) exclusion in Section 25.9 and 25.10 to comply with ESSA.

The Accountability Task Force (ATF) met via teleconference January 16, 2018 to establish a recommendation for inclusion of EL performance measures based on feedback from ED regarding the *Mississippi Every Student Succeeds Act (ESSA)* Consolidated State Plan. On March 26, 2018, the ATF was notified of a Federal requirement to remove the SCD exclusion from the Acceleration and College and Career Readiness components of the *Mississippi Statewide Accountability System*. The Technical Advisory Committee (TAC) met and discussed the changes

proposed by the MDE and ATF on April 4 - 5, 2018, and the Commission on School Accreditation (CSA) met April 12, 2018 and approved the final recommendations.

On April 19, 2018, the State Board of Education granted approval to begin the APA process to revise the *Mississippi Public School Accountability Standards, 2017*, specifically, the business rules of the *Mississippi Statewide Accountability System* including Section 9: *Acceleration*, Section 15: *English Learners (EL)*, and Section 25: *College & Career Readiness Indicator*. The public comment period was open through May 25, 2018, and five (5) responses were received. No changes are recommended based on the public comments received.

This item references Goals 1, 2, 3 and 4 of the *Mississippi Board of Education 2016-2020 Strategic Plan*.

Recommendation: Approval

Back-up material attached

Mississippi Statewide Accountability System: Business Rules

1. *Assignment of Grade Classifications*

- 1.1 Standards for student, school, and school district performance will be increased when student proficiency is at a seventy-five percent (75%) and/or when sixty-five percent (65%) of schools and/or districts are earning a grade of "B" or higher, in order to raise the standard on performance after targets are met. (Miss. Code Ann. § 37-17-6)
- 1.2 Grades for schools (and districts) with no 12th grade (elementary/middle schools) will be determined based on the following cut-points effective with the 2016 – 2017 school year:

| | | | | |
|------------|----------|----------|-------------|------------|
| | | A | ≥ | 442 |
| 377 | ≤ | B | < | 442 |
| 328 | ≤ | C | < | 377 |
| 269 | ≤ | D | < | 328 |
| | | F | < | 269 |

- 1.3 Grades for schools with a 12th grade will be determined based on the following cut-points effective with the 2016 - 2017 school year:

| | | | | |
|------------|----------|----------|-------------|------------|
| | | A | ≥ | 787 |
| 679 | ≤ | B | < | 787 |
| 612 | ≤ | C | < | 679 |
| 547 | ≤ | D | < | 612 |
| | | F | < | 547 |

- 1.4 Grades for districts will be determined based on the following cut-points effective with the 2016 – 2017 school year:

| | | | | |
|------------|----------|----------|-------------|------------|
| | | A | ≥ | 668 |
| 599 | ≤ | B | < | 668 |
| 536 | ≤ | C | < | 599 |
| 489 | ≤ | D | < | 536 |
| | | F | < | 489 |

- 1.5 Assignment of district grades will be calculated by treating the district as one (1) large school based on the same grading assignments used for schools.
- 1.6 Cut-points for schools/districts will be reviewed following the implementation of a new assessment.

2. *Full Academic Year (FAY)*

- 2.1 In order for a student to meet Full Academic Year (FAY) and be included in the proficiency and growth calculations, he/she must have been enrolled (regardless of attendance) for at least 75% (≥ 75%) of the days from September 1 (of school year) to the first day of testing. This date will be published yearly by the MDE and will be the same for all schools, students, and assessments. For schools on a traditional school calendar, the date will be in the spring.
Note: 74.5% will not be rounded up to 75%.

- 2.1.1 Enrollment is defined as enrollment at the school/district level except for students in 4x4 block scheduled courses.
- 2.2 For students in 4x4 block scheduled courses, FAY for the Fall semester will be calculated from September 1 of the school year to the first day of Fall primary test administration. The specific date will be published yearly by MDE. FAY for the Spring semester will be calculated from February 1 to the first day of Spring testing, the same day as schools using a traditional school calendar. These dates will be published yearly by MDE.
- 2.3 The beginning and ending dates will be included in the calculations. Calculations will be based on calendar days, not instructional days. Weekends and holidays will be included in the calculations.
- 2.4 If a student meets FAY at a school other than the school where he/she is enrolled at the time of testing, his/her scores will count at the school where he/she met FAY.
- 2.5 This definition of FAY will not be applied to students for previous years where a previous definition of FAY was applied. In the event that no FAY was calculated for a student in a previous year, this method will be applied.
- 2.6 FAY will be calculated at the school level as well as at the district level. Therefore, it is possible for a student who transfers within a district to meet FAY for a district and be included in the calculations for the grade assignment for the district but not be included in the calculations for a school. Scores of all students will be included in the state level calculations regardless of FAY status.
- 2.7 If a student enrolls and withdraws in the same or different school on the same day, the student will be considered as having been enrolled for one (1) day in the receiving school.
- 2.8 (Deleted) Rule 2.9 supersedes.
- 2.9 If FAY cannot be calculated or discerned because of incorrect MSIS coding, the student will be forced to meet FAY at the school/district if the movement of the student appears to be within the same school/district.
- 2.10 If a student drops out of school and re-enrolls within the same school year, the re-entry date of the student will be included as the next enrollment date for the student.

3. N-Count Minimums

- 3.1 School Totals
 - 3.1.1 In order for a school to earn a grade, the school must have a minimum of ten (10) valid test scores in each of the required components. Schools that do not have the minimum of ten (10) valid test scores for each of the components but meet the 95% minimum participation requirements, the available data will be reported but the school will not receive a grade. If a school does not meet the minimum of ten (10) valid test scores requirement because they do not meet the 95% minimum participation requirement, the school will receive a grade based on the available data for each component. (See Sections 22 and 24 for exceptions to this rule.)
- 3.2 Lowest Performing Students Subgroup N-Count Minimums
 - 3.2.1 This subgroup must have a minimum of ten (10) valid test scores. If there are less than ten (<10) students in the Lowest Performing Students subgroup, the subgroup will consist of All students except for the students scoring at the highest achievement level. If this calculation still results in a number less than ten (<10), then ALL students will be included in the calculation of the Lowest Performing Students subgroup.
 - 3.2.2 At the grade-level, a minimum of four (4) students with valid scale scores are required to identify the Lowest Performing Students. If a grade has less than four (<4) students with valid scale scores for the subject, there will be no students identified as being in the Lowest Performing Students for that grade level for that subject.

Note: See Section 7 for more information on the Lowest Performing Students subgroup.

4. Participation Rates

- 4.1 If a school/district does not meet the 95% minimum participation rate, the school/district will automatically be dropped a letter grade. Although subgroup participation rates will be reported, this penalty will apply to the overall participation rate only. (A 94.5% participation rate will not be rounded to 95%.)
- 4.2 Elementary schools with no assessments (K, 1, and 2) will not be assigned a participation rate. Therefore, these schools will not be impacted by the participation rate minimum requirements.
- 4.3 Students may be removed from the denominator of testing participation calculations if he/she meets the criteria set forth by the Office of Student Assessment as having a Significant Medical Emergency which made participation in the state testing impossible. For details regarding the definition of Significant Medical Emergency and the process of requesting a student be removed from the calculations, please contact the Office of Student Assessment.
- 4.4 High School participation rates will be calculated based on the Senior Snapshot. Data from all statewide high school level end-of-course assessments required for graduation will be used in the participation calculations.
 - 4.4.1 For the 2013-2014 school year, the Senior Snapshot process used for calculating participation rates in high school level end-of-course assessments will remain consistent with previous years. Beginning with the 2014-2015 school year, U.S. History will be included in the participation rate calculations. (Refer to rule 4.5 for additional clarification.)
- 4.5 Students with significant cognitive disabilities (SCD) with no U.S. History assessment scores will be removed from the denominator for the participation rate calculation for U.S. History.
- 4.6 If and when the ACT assessment becomes a state required assessment, it will be included in the participation rate calculations. (See Section 25.)
- 4.7 If a student is expelled but is still enrolled in MSIS for the school/district during the testing window, he/she will be included in the denominator. If the student does not test, the student will count as "not tested."

5. Proficiency

- 5.1 Proficiency will be determined by the percentage of students who achieve a performance/proficiency of Proficient and above. No additional credit will be given for students scoring in a performance/proficiency level above proficient (e.g., "Advanced"). No partial credit will be given for students scoring in any performance level below proficient.
 - 5.1.1 For proficiency components worth fifty (50) points, the weighted percentage of students proficient will be multiplied times 0.5 to determine the points applied to the component.
 - 5.1.2 The science proficiency component for schools with a 12th grade will be based on all science assessments administered at that school. Therefore, for schools with a 12th grade that also have a 5th and/or 8th grade, the science component for that school will still be worth fifty (50) points.
- 5.2 Assessments included in the proficiency calculations will consist of all federally-required statewide assessments in Reading/Language Arts/English, Mathematics and Science, and any additional high school level end-of-course assessments required for graduation. This includes all Alternate Assessments based on Alternate Achievement Standards (AA-AAS) for SCD students. (This rule will need to be reviewed with the implementation of any new statewide assessments.)

6. Growth

- 6.1 Growth is determined by whether or not a student increases in performance/proficiency levels from one (1) year to the next based on the following criteria:
- An increase of ANY performance/proficiency level
 - Staying at Proficient from one (1) year to the next
 - An increase within the lowest three (3) performance/proficiency levels that crosses over the mid-point of the level. (Example: Bottom half of Basic to top half of Basic)

Following the implementation of new assessments, a linking/equating process will be used to establish comparable scales across the new and old assessments and to determine the criteria for meeting growth as defined above.

- 6.2 Additional weight in the numerator is given for the following increases:
- Staying at Advanced from one (1) year to the next will be given a weight = 1.25.
 - Any increase of two (2) or more performance/proficiency levels will be given a weight = 1.25.
 - Any increase to the highest performance/proficiency level will be given a weight = 1.25.

Note: Because additional weight is given, it is mathematically possible for a school or district's growth value to be greater than 100 points for any/all of the four (4) growth components.

- 6.3 Any decrease in performance/proficiency levels = 0.

- 6.4 The lowest three (3) performance/proficiency levels will be split into half at the mid-point of the range. In the event that the range is an odd number and cannot be split into two (2) equal halves, the lower half of the performance/proficiency level will be one (1) point larger than the upper half. (Example: If the range of the performance/proficiency level is thirteen (13) scale score points, the bottom half of the range will be seven (7) scale score points and the upper half of the range will be six (6) scale score points.)

The splitting of the lowest three (3) performance/proficiency levels into half at the mid-point range is not intended to create three (3) new separate performance/proficiency levels. Therefore, students who move from the bottom half of the lowest performance/proficiency level to the bottom half of the second lowest performance/proficiency level will not be given additional weight for increasing two (2) performance/proficiency levels. That student will be considered to have increased one (1) performance/proficiency level.

Note: Rules regarding the splitting of the lowest three (3) performance/proficiency levels are subject to review and change with the implementation of any new assessments.

- 6.5 Assessments used for calculation of growth will include:
- Grade-level (3-8) assessments in English Language Arts;
 - Grade-level (3-8) assessments in Mathematics;
 - High School level assessments in English Language Arts;
 - High School level assessments in Mathematics;
 - Alternate Assessments (3-8 and High School) in English Language Arts; and
 - Alternate Assessments (3-8 and High School) in Mathematics.

Note: Growth will not be calculated for Science or U.S. History.

- 6.6 Students taking Algebra I in 7th or 8th grade are required by Federal regulation to also take the grade-level assessment in mathematics. Therefore, these students will have two (2) growth calculations: grade-level to grade-level and grade-level to Algebra I. The grade-level to grade-level growth calculation will be applied to the current school. The grade-level to Algebra I growth calculation will be banked until the student's 10th grade year.
- 6.7 To calculate growth for the High Schools for Math-All Students, Math-Lowest Performing Students, Reading-All Students and Reading-Lowest Performing Students, the 8th grade grade-level assessments will be used as the baseline. The exceptions to this are as follows:

- If a student takes Algebra I during his/her 8th grade year, his/her 7th grade grade-level assessments will be used as the baseline and banked until the student is in the 10th grade.
 - If a student takes Algebra I in the 7th grade, his/her 6th grade grade-level math assessment will be used as the baseline and banked until the student is in the 10th grade.
- 6.8 If a student does not have the previous year's grade-level assessment, the student will be excluded from the growth calculation(s) except in the cases of the high school level assessments.
- 6.9 For students taking high school level assessments in grades lower than 10th grade, growth will be banked until the student's 10th grade year and then applied.
- 6.10 If a student does not take the required high school level assessments until 11th or 12th grade year, growth will be calculated and applied in the first year he/she has a valid score. The exception to this will be for students taking the alternate assessment. For students taking the alternate assessment, a cap of two (2) years will be applied to the growth calculations. Therefore, if a student takes the alternate assessment in 8th grade and does not take the high school level alternate assessment until 11th or 12th grade, he/she will not be included in the growth calculations.
- 6.11 Students who are retained in grades 3-8 will have a growth calculation based on the retained grade from the previous year. (Example: A 4th grade student who was retained will have growth calculated based on his/her previous year's 4th grade assessment scores.)
- 6.12 For K-3 schools, growth of 4th grade students in the district will be used for the growth calculations of the K-3 school in which they met FAY. Growth of the 3rd grade students who are retained will be included with the 4th grade student growth calculations.
- 6.13 The student must meet FAY for the current year in order to be included in the growth calculations but is not required to meet FAY for the previous year.
- 6.14 Growth will not be calculated for students who take the Alternate Assessment in the current year but took the grade-level general education assessment the previous year or vice versa.
- 6.15 The denominator for the growth calculation includes any FAY student with two (2) valid assessment scores (as defined above). The numerator will include any student included in the denominator who has demonstrated growth as defined above, and weighted accordingly.
- 6.16 After the implementation of the assessments for the Mississippi College- and Career-Readiness Standards, if a student comes to Mississippi from another state and has taken the same assessment as the one given in Mississippi, his/her score will be used to calculate growth for the student and the student's growth will be included in the calculations (provided that he/she meets FAY). If the student took an assessment (in another state) that is different from the assessments given in Mississippi, he/she will not have a growth calculation.

7. *Lowest Performing Students*

- 7.1 Calculation methodology for students whose baseline assessment score is 3rd – 7th grade:
- 7.1.1 The Lowest Performing Students subgroup in reading and the Lowest Performing Students subgroup in mathematics are determined using the same method but applied separately to reading data and to mathematics data. The procedure used to identify the lowest performing the students in a school is applied separately by grade, and the identified students are combined across all grades to comprise the Lowest Performing Students subgroup and to determine learning gains.

Note: The Lowest Performing Students subgroup will be determined by identifying the percentage (e.g., 25%) of students, as defined by Miss. Code Ann. § 37-17-6, who are the lowest performing students in a given subject area.

The process:

1. Beginning with the 2014-2015 school year, the scores of all students participating in the general education and alternate assessments will be standardized by subject area, grade level, assessment type, and school year.
2. Sort the standardized scores of all FAY students in a grade from highest to lowest based on their prior year standardized scores. Students without an eligible score from the previous year are not included. (See Section 6. Growth and Rule 7.1.3 for additional clarification.)
3. Divide the number of students in the list by four (4).^{*} If the result is not a whole number, then automatically round up to meet the 25% minimum.
4. Count, from the lowest score up, the number of students identified in step 3. Then identify the standardized score that corresponds to that student. This standardized score becomes the boundary score.
5. Identify all students with the boundary score determined in step 4. All students with the same boundary score or lower standardized score will be included in the : Performing Students subgroup for that subject/grade.
6. Repeat the process for each grade for the subject then combine students to form the Lowest Performing Students subgroup for the school for the subject.

Note: The number of students in the Lowest Performing Students subgroup must meet the minimum n-count as defined in Section 3.2. If the minimum n-count is not met, the rules outlined in Section 3.2 will be applied. (See Section 3 for more details on N-Count minimums.)

It is possible for the Lowest Performing Students subgroup to be more than 25% when steps 5 and 6 are applied.

7.1.2 Deleted

7.1.3 The Lowest Performing Students subgroup for schools whose highest grade is lower than 4th grade will be identified based on the students who attended the school, not based on their 4th grade school's Lowest Performing Students subgroup. Therefore, a student may be identified in the Lowest Performing Students subgroup in one (1) school, but not the other.

7.2 The Lowest Performing Students subgroup for a district will be identified using the same method described above [i.e., the district will be calculated as if it were one (1) school]. Therefore, it is possible that some students may be identified as members of the Lowest Performing Students subgroup for their school but not for their district, or for their district but not their school.

7.3 The Lowest Performing Students subgroup for the state will be identified using the same method [i.e., the state will be calculated as if it were one (1) school].

7.4 Deleted

8. **Graduation Rate**

- 8.1 The federally-approved four-year graduation rate will be used. (Miss. Code Ann. § 37-17-6)
 Definition: The number of students who graduate in four (4) years from a school and LEA with a regular high school diploma divided by the number of students who entered four (4) years earlier as first-time 9th graders, with adjustments for deaths, emigration, and transfers in and out. Ninth grade students who repeat 9th grade will stay in their original cohort.
 Definition: A "regular high school diploma" is the standard high school diploma that is fully aligned with the state's academic content standards. No exceptions are made for students with disabilities (SCD students or non-SCD students) or students receiving an occupational diploma, GED, certificate of attendance, etc.

* The Mississippi Statewide Accountability System determines 25% of the student population by multiplying the number of students by 0.25.

- 8.2 Deleted
- 8.3 The schools/district graduation rate will be multiplied by 2.0 to calculate the points applied to the graduation component for schools/districts.
- 8.4 The methodology used for the calculation of the graduation rates for schools/districts are outlined in the *Graduation Rates Technical Manual*.
- 8.5 The school/district graduation rate applied in the graduation component is lagged one year.

9. Acceleration

- 9.1 Beginning in school year 2015-2016, high schools will have an Acceleration component in their calculations.
- 9.2 The Acceleration component refers to the percentage of students taking and passing the assessment associated with the accelerated courses such as Advanced Placement (AP), International Baccalaureate (IB), Advanced International Certificate of Education (AICE), or SBE-approved industry certification courses. For students taking dual credit and dual enrollment courses, passing refers to students who are passing the course with a "C" or above. For AP courses, the student must score at least 3 on the AP exam. For IB courses, the student must score at least 4 on the IB exam. For AICE courses, the student must obtain a passing score on the exam. (Passing scores of "A", "B", "C", "D", and "E" on the AICE exams are not based on the American "A-F" grading scale.) For industry certification courses, the student must pass the exam.
 - 9.2.1 College courses must be credit-bearing courses with a minimum of three (3) semester hours credit and may be in any subject/content area.
- 9.3 The Acceleration component will consist of a Participation and a Performance component. These two (2) components will be combined for one (1) score worth fifty (50) points and phased in on the following sliding scale:
 - a. Year 1 (2015-2016): $(\text{Participation-70\%}/\text{Performance-30\%}) \div 2$
 - b. Year 2 (2016-2017): $(\text{Participation-60\%}/\text{Performance-40\%}) \div 2$
 - c. Year 3 (2017-2018) and beyond: $(\text{Participation-50\%}/\text{Performance-50\%}) \div 2$
- 9.4 Calculation of Participation
 - 9.4.1 The numerator for the Participation component calculation will be the number of students taking accelerated courses and/or related exams such as AP, IB, AICE, dual credit, dual enrollment, or industry certification courses based on the definition above.
 - 9.4.2 The denominator for the Participation component calculation shall include all students whose Mississippi Student Information System (MSIS) grade or peer-grade equivalent is 11th or 12th grade plus any 9th or 10th grade students who are taking and passing these assessments/courses. (9th and 10th grade students will not be included in the denominator unless they are also included in the numerator.)
 - 9.4.3 Students participating in multiple accelerated courses during the same school year will be given additional weighting in the numerator as follows:
 - 2 courses: 1.1
 - 3 courses: 1.2
 - 4 courses: 1.3
 - 5 courses: 1.4
- 9.5 Calculation of Performance
 - 9.5.1 The numerator for the Performance component calculation will be the number of students taking and passing accelerated assessments/courses such as AP, IB, AICE, dual credit, dual enrollment, or industry certification courses based on the definition above.

- 9.5.2 The denominator for the Performance component calculation will consist of all students participating in the courses and/or tests identified in the participation calculations.
- 9.5.3 Students who are enrolled in accelerated courses but do not take the required assessment will be considered as “not proficient” in the performance calculations.
- 9.6 For students taking and passing multiple courses, the additional weighting used in the participation calculations will be applied.
- 9.7 In the calculation of participation, students who take an accelerated course during their 11th grade year but do not take an accelerated course during their 12th grade year will be counted in the denominator both years, but in the numerator during their 11th grade year only.
- 9.8 FAY requirements will not be applied to the participation or proficiency calculations in the Acceleration component.

10. Banking Scores: High school end-of-course assessments taken before 10th grade

- 10.1 Scores of students taking Algebra I, Biology I, English II, or U.S. History end-of-course assessments in a grade below 10th grade will be “banked” for proficiency/achievement and growth calculations until the student is in the 10th grade and then applied to the student’s 10th grade school (if the student met FAY requirements the year he/she was assessed and during his/her 10th grade year). (See Section 6 for additional clarification on Growth.)
- 10.2 If a student transfers out of the district before or during their 10th grade year, his/her scores (achievement and growth) will not be applied to the school of origin or receiving school in the new district.
Note: Refer to Section 4 (Participation) and 6 (Growth) for additional information.

11. Focus Schools

- 11.1 Schools identified as “D” or “F” schools for two (2) consecutive years and not identified as “Priority” will be identified as “Focus” schools. (Miss. Code Ann. § 37-17-6)
- 11.2 If at least 10% of the schools in the state are not graded as “D” schools, the lowest 10% of schools, which are not already identified as Priority Schools, will be identified as Focus Schools. (Miss. Code Ann. § 37-17-6)
- 11.3 Beginning with the 2013-2014 grade assignments, any school designated as “Focus” will implement Focus School interventions for a minimum of two (2) years. If the school’s grade level improves, the school will take the higher grade level but continue to be considered as a “Focus School” for federal reporting and will continue to implement the Focus school interventions for the two-year minimum.

12. Priority Schools

- 12.1 Schools identified as “F” schools for two (2) consecutive years will also be identified as “Priority” schools. (Miss. Code Ann. § 37-17-6)
- 12.2 If at least 5% of the schools in the state are not graded as “F” schools, the lowest 5% of school grade point designees will be identified as Priority Schools. (Miss. Code Ann. § 37-17-6)
- 12.3 Beginning with the 2013-2014 grade assignments, any school designated as “Priority” will implement Priority School interventions for a minimum of three (3) years. If the school’s grade level improves, the school will take the higher grade level but continue to be considered as a “Priority School” for federal reporting and will continue to implement the Priority school interventions for the three-year minimum.

13. Reward Schools

- 13.1 Schools identified as “A” schools will also be identified as “Reward” schools. (Miss. Code Ann. § 37-17-6)
 - 13.1.1 Any school also meeting the federal criteria for “Reward-High Progress” or “Reward-High Performing” will be recognized.

14. Annual Measurable Objectives (AMOs)

- 14.1 AMOs will be reported for federal requirements but will not be factored into the calculations for the assigning of A-F accountability labels.
 - 14.1.1 Deleted

15. English Learners (EL)

- 15.1 Scores of English learners (EL) will be included in all calculations (e.g., Proficiency, Growth—All Students, Growth—Lowest Performing Students) UNLESS the district requests that the scores of an English learner who has attended a U.S. school for less than 12 months be excluded. The scores of English learners who have attended a U.S. school for less than 12 months will only be included in the participation calculations. (For more information on English learners who have attended a U.S. school for less than 12 months, contact the Office of Federal Programs.)
 - 15.1.1 Local Education Agencies (LEA) must identify English learner students, who have attended a U.S. school for less than 12 months, to be designated for exclusion on or before February 1, annually. (For more information, contact the Office of Federal Programs.)
 - 15.1.2 Deleted
 - 15.1.3 Any English learner student whose scores are excluded based on rule 15.1 will have their score invalidated in the accountability calculations. Therefore, the score will NOT be used the following year as a baseline for any growth calculations.
- 15.2 An EL performance component will be calculated for each school and district beginning with the 2017 - 2018 school year and will be included in the calculation of accountability grades beginning in the 2018 - 2019 school year. The EL performance component will be equal to the average EL progress rate of students as defined in 15.4, multiplied by the total points assigned to the EL component for that school/district.
 - 15.2.1 Each school or district must meet the minimum N-count for EL students in order to have an EL performance measure calculated.
 - 15.2.2 The performance measure will be equal to 5% of total available points in the accountability system. All other components will be reduced by a total of 5% cumulatively when the EL performance measure is included.
 - 15.2.3 The component score for districts and schools will be adjusted such that an average student rate of 0.9 or higher shall receive the maximum score for this component. This adjustment will be applied uniformly to all other averages below 0.9, effectively increasing each value by 10 percent.
- 15.3 Progress toward proficiency will be calculated for all EL students using the state English Language Proficiency Test (ELPT). An annual progress goal will be calculated for each student based on reaching proficiency on the ELPT within five years of entry into an EL program or by high school graduation. The annual progress goal will be equal to the minimum score needed to achieve proficiency (at year five or graduation), minus the prior year score, divided by the number of years the student had remaining to exit the EL program in the prior year.
 - 15.3.1 In year 5 and beyond, the annual progress goal is equal to the minimum score needed to achieve proficiency, minus the prior year score.

- 15.4 EL performance will be measured by the annual progress achieved by EL students. Each student will have a rate ranging between 0 and 1 based on the student's current year ELPT score, minus the prior year score, divided by the annual progress goal as defined in 15.3. Any student who does not demonstrate progress will have a rate of 0. No student will receive a rate higher than 1.
 - 15.4.1 The student must meet FAY requirements in the current year but is not required to meet FAY requirements in the prior year.
 - 15.4.2 The student must have a prior year score to be included in the calculation.
 - 15.4.3 Any student not exiting the EL program within five years will have a reduction in the calculation of the progress rate based on the following schedule:
 - Year 6, the student progress rate defined in 15.4 will be multiplied by 0.75
 - Year ≥ 7 , the student progress rate defined in 15.4 will be multiplied by 0.50

16. Students with Disabilities

- 16.1 United States Department of Education (ED) regulations limit the number of scores of children taking alternate assessments for students with significant cognitive disabilities (SCD) scoring proficient or above to 1% of the students at the state and district level. This rule does not apply at the school level because these regulations recognize that some schools offer specialized services or are near specialized medical facilities that attract higher numbers of students with significant special needs. Therefore, if a district has $>1\%$ of their total population scoring proficient or above on an alternate assessment, the percent above 1% will be adjusted.
- 16.2 All eligible SCD students will be expected to participate in statewide assessments per the schedule provided by the Office of Student Assessment. (This rule will need to be updated and revised with the implementation of any new alternate assessment.)
- 16.3 Non-SCD students are not allowed to participate in alternate assessments. If any such students have alternate assessment data, the test data will be considered not valid.
- 16.4 Students with disabilities will be those students whose SPED indicator in MSIS is "Y" (Yes) at the end of month 8 (closest approximation to the test administration dates).
 - 16.4.1 In order for a student to be counted as SCD, his/her SCD indicator and SPED indicator must be set to "Y" (Yes) in MSIS.
- 16.5 Students with disabilities who are coded as "ungraded" (56 or 58) in MSIS will be assigned a peer-grade calculation based on his/her age on September 1 of the current school year.

17. Duplicate Test Scores

- 17.1 If a student takes the general education (grade-level) assessment AND the alternate assessment, the scores from the general education assessment will be used in the school/district accountability calculations.
- 17.2 If MSIS records indicate two (2) valid assessment scores for the same assessment in the same year, the score from the first administration date will be used. In the event that MSIS records indicate two (2) valid assessment scores for the same assessment on the same date, the higher of the two (2) scores will be used in the school/district accountability calculations.

18. Invalid Test Scores

- 18.1 Students with invalid test scores will be counted as "not tested" for participation calculations. The first VALID test score will be used in the proficiency, growth, and participation calculations.
- 18.2 If an invalid score is validated after the accountability calculations are performed and final school/district grade classifications have been assigned, the school/district's grade classifications will not be recalculated and adjusted to reflect the validated score. If during the next year, the student tests again and has a valid test score, that test score, although it was not

the student's first test score, will be used during the next year's calculations. Please refer to the Office of Student Assessment regarding deadlines for appealing invalid test scores.

- 18.3 If a student's MSIS grade level (or peer grade level for ungraded students) does not match his/her assessment grade level, the student's scores will not be included in the numerator for participation, growth, or proficiency calculations. (The student will count as not proficient, not meeting growth, and not tested.) Likewise, the student's scores will not be used the following year in growth calculations.

Note: This rule does not apply to high school end-of-course assessments or high school alternate assessments.

19. Rounding

- 19.1 In the calculation of each of the components in the accountability system that are reported to schools, the final value of each component will be rounded to one (1) decimal place (tenths place). After the components are summed, the total value will be rounded to a whole number and reported for the final grade value calculation.

Example:

| | |
|---|------|
| Reading Proficiency | 80.5 |
| Reading Growth – All Students | 80.5 |
| Reading Growth – Lowest Performing Students | 80.5 |
| Math Proficiency | 80.5 |
| Math Growth – All Students | 80.5 |
| Math Growth – Lowest Performing Students | 80.5 |
| Science Proficiency | 80.5 |
| Total Score | 564 |

Note: Other rounding rules are embedded in the explanations of the specific components.

20. School Reconfigurations or Redrawing of District Lines

- 20.1 A school's accountability calculations will be based on the grade configuration of the school (and the students in that school) on the date that corresponds with the Full Academic Year rules at the time of testing. (See Section 2 for details on Full Academic Year.) The calculations are applied to the school the following year, regardless of any reconfigurations or redistricting that takes place during the summer after testing or during the school year before testing.
- 20.2 Consolidated districts/schools who maintain the same grade configuration and/or student population as existing in the previous school district will receive the eligible scores or statuses of students who previously attended the school in the previous school district.

21. Alternative, Career, Technical, and Vocational Schools

- 21.1 No school grades or differentiated accountability labels will be assigned to alternative, career, technical, and/or vocational schools. Scores of students attending these schools will be included in the school grade of the student's official MSIS home school of enrollment.

22. Schools without Tested Subjects or Grades

- 22.1 Elementary/Middle Schools

22.1.1 Any elementary/middle school that does not have reading or math scores because the school does not have the required grade level, the scores from the students in the next higher grade in the tested subject within the same district will be applied back to the student's lower elementary school of origin. In order for the scores to be applied, the student must meet FAY at the lower grade school, the current school and if there is a gap in years, anywhere in the district for the years in between.

Example 1, Pre-K through 2nd grade School:

- Reading and Math Proficiency - The reading and math scores from students in 3rd grade who attended the Pre-K through 2nd grade school and are still in the same district will be used to calculate the math and reading proficiency for Pre-K through 2nd grade school.
- Science Proficiency - An equating process will be used to adjust the scores for this component.
- Growth - The reading and math scores from students in 4th grade who attended the Pre-K through 2nd grade school and are still in the same district will be used to calculate the growth for Reading-All Students, Math-All Students, Reading-Lowest Performing Students, and Math-Lowest Performing Students for that Pre-K through 2nd grade school. The students would have to have met FAY in
 - the Pre-K through 2nd grade school during 2nd grade,
 - the 4th grade school in the same district, and
 - any school within the same district during 3rd grade.

Example 2, Pre-K through 3rd Grade:

- Reading and Math Proficiency - The reading and math scores from students in grade 3 at the school will be used to calculate the math and reading proficiency for that school.
- Science Proficiency - An equating process will be used to adjust the scores for this component.
- Growth - The reading and math scores from students in 4th grade who attended the Pre-K through 3rd grade and are still in the same district will be used to calculate the growth for Reading-All Students, Math-All Students, Reading-Lowest Performing Students, and Math-Lowest Performing Students for Pre-K through 3rd grade.
- All applicable FAY rules will apply.

Example 3, Pre-K through 4th Grade:

- Reading and Math Proficiency - The reading and math scores from students in 3rd and 4th grades at the school will be used to calculate the math and reading proficiency for Pre-K through 4th grade.
- Science Proficiency - An equating process will be used to adjust the scores for this component.
- Growth - The reading and math scores from students in 3rd and 4th grades at the school will be used to calculate the growth for Reading-All Students, Math-All Students, Reading-Lowest Performing Students, and Math-Lowest Performing Students for Pre-K through 3rd grade.
- All applicable FAY rules will apply.

Example 4, 6th and 7th grade:

- Reading and Math Proficiency - The reading and math scores from students in 6th and 7th grade at the school will be used to calculate the math and reading proficiency for that 6-7 school.
 - Science Proficiency - An equating process will be used to adjust the scores for this component.
 - Growth - The reading and math scores from students in 6th and 7th grade at the school will be used to calculate the growth for Reading-All Students, Math-All Students, Reading-Lowest Performing Students, and Math-Lowest Performing Students for 6th and 7th grade.
 - All applicable FAY rules will apply.
- 22.1.2 An equating process to adjust the points required will be used for elementary/middle schools that do not have science scores because the school does not have a 5th or 8th grade.
- 22.1.3 Beginning with the 2014-2015 school year, the cut-points established for elementary/middle schools that do not have science scores will remain static in succeeding years. The cut-points will be reviewed following the administration of a new assessment.
- 22.2 High Schools
- 22.2.1 Schools with missing data for components specific to high schools (U.S. History, graduation rates, etc.) will have proxy data (i.e., district average, historical average, etc.) applied if available. If no proxy data is available, an equating process will be used to adjust for the missing components.
- 22.3 Schools with only Pre-Kindergarten and/or Kindergarten will not be assigned a school grade label.

23. State and Other Special Schools

- 23.1 Mississippi School of the Arts (MSA) and Mississippi School for Math and Science (MSMS)
- 23.1.1 The Mississippi School of the Arts and Mississippi School for Math and Science will not earn grades.
- 23.1.2 If a student takes a high school end-of-course assessment for the first time while at MSA or MSMS, his/her scores will be sent back to their school/district of origin and rolled into the state totals.
- 23.1.3 Students enrolled at MSA and/or MSMS during the time of the Senior Snapshot will have their ACT scores sent to their high school of origin.
- 23.1.4 For students enrolled at MSMS or MSA, the school/district of origin is defined as the school/district where the student was enrolled and met FAY requirements in the school year immediately prior to enrollment at MSMS or MSA.
- 23.2 Mississippi School for the Blind (MSB) and the Mississippi School for the Deaf (MSD)
- 23.2.1 The Mississippi School for the Blind and the Mississippi School for the Deaf will not earn grades but will have results reported to meet federal regulations. (Minimum N-counts and FAY rules will apply.)
- 23.3 Other State/Special Schools
- 23.3.1 State agencies (i.e., Hudspeth, Ellisville State School, etc.) will not earn grades.

- 23.3.2 Students placed in non-public schools (special private schools; i.e., Millcreek, CARES, etc.) but are enrolled in regular Mississippi public schools will have their scores included in the calculations of the school/district in which he/she is enrolled in MSIS.
- 23.3.3 Students enrolled in schools 200 and 500 have no enrollment and are not used for any of the usual statistical and reporting purposes. If a student is enrolled in a public school during the testing window, he/she would have to be tested (and counted in the testing participation rates) and his/her score (if FAY) would be used for accountability purposes.
- 23.4 Students in Correctional Facilities/Juvenile Justice System
 - 23.4.1 According to the USDE, these facilities are considered “programs” not schools and would not be assigned accountability labels.
 - 23.4.2 If a student, who is still enrolled in MSIS, is in such a program and is not tested, the student will count as “not tested” in the participation rate calculations of the school/district. If the student is tested, his/her scores will count at his/her MSIS resident school.
- 23.5 Virtual Public Schools
 - 23.5.1 Only schools classified under the USDE’s EDEN (Education Data Exchange Network) reporting requirements as a separate school entity will receive a grade.

24. 9th Grade Only Schools

- 24.1 Scores of a 9th grade only school will be combined with the high school to which that school feeds and calculated as one (1) school but reported as two (2) separate schools. In other words, both schools will earn the same school grade because it will be based on the same data calculations.

25. College & Career Readiness Indicator

The following rules will apply only if the state legislature mandates statewide ACT testing and appropriates funding for such testing.

- 25.1 The ACT will be used as the College & Career Readiness Indicator.
- 25.2 The College & Career Readiness component will be comprised of a Mathematics and an English/Reading component. These two (2) components will be equally weighted and combined for one (1) score worth fifty (50) points: $(\text{Math} + \text{English/Reading}) \div 2$
- 25.3 A student will be included in the numerator for Mathematics if he/she is considered College & Career Ready in Mathematics by having a score on the Mathematics component of the ACT at or above the ACT College Readiness Benchmark for the Mathematics component at the time of the student’s assessment.
- 25.4 A student will be included in the numerator for English/Reading if he/she is considered College & Career Ready in English/Reading by having a score on the English component of the ACT at or above the ACT College Readiness Benchmark OR if his/her score on the Reading component of the ACT is at or above the ACT College Readiness Benchmark at the time of the student’s assessment.
- 25.5 Science ACT sub-scores will not be included in the College & Career Readiness component.
- 25.6 ACT Composite scores will not be included in the College & Career Readiness component. (Rationale: ACT does not designate a composite score to indicate college readiness.)
- 25.7 The highest sub-score for each student (at the time of the Senior Snapshot) in Mathematics and English/Reading, as described above, will be used in the College & Career Readiness Indicator accountability calculations.

- 25.7.1 Students included in the Senior Snapshot will have until February (pending availability of data) of the academic year to participate in the ACT and have their highest subscores in English/Reading and Mathematics included in the College- and Career-Readiness Component.
- 25.8 Contingent upon legislative funding, the state will pay for one (1) statewide ACT administration to be held in the spring for students classified in MSIS as juniors. Ungraded students whose birthdates link them to the cohort of students identified as juniors will also be included. Students may take the ACT as many additional times as they choose, at their own expense.
- 25.9 Deleted
- 25.10 The ACT scores of all students identified in the Senior Snapshot will be included in the calculation.
- 25.11 A student's score will be applied to the school in which the student is enrolled in MSIS at the time of the Senior Snapshot.
- 25.12 No other assessments will be allowed as a substitution for the ACT in the College & Career Readiness component.
- 25.13 The participation rate numerator will include the state administration or non-state administration of the ACT. The denominator will include all students in the Senior Snapshot.
- 25.14 The denominator for the College- and Career-Readiness component calculation will consist of all students participating in the ACT as identified in the participation calculations.

26. Senior Snapshot

Senior Snapshot is a method of identifying high school students for the high school assessment participation rate calculation and College and Career Readiness measures. Senior Snapshot captures ALL students who have been enrolled in a MS public school starting in month 1 of the 10th grade and continuing without interruption until either the end of month 9 of the 12th grade or until a completion status is entered, whichever occurs first. If the student does not meet the enrollment criteria, he/she will not be included in the denominator for participation rate calculations or College and Career Readiness measures.

27. Other

- 27.1 Deceased Students
 - 27.1.1 Students indicated in MSIS as deceased will not be included in any accountability calculations.
- 27.2 Foreign Exchange Students
 - 27.2.1 For school year 2013-2014, foreign exchange students will automatically be included in accountability calculations just as any other students. However, if a school/district wishes to have a foreign exchange student excluded from the accountability calculations, the request should be made through the Internal Review Process.
 - 27.2.2 Deleted

Summary of Administrative Procedures Act (APA) Comments
Revisions to Section 15. English Learners (EL) of the Business Rules of the Mississippi Statewide
Accountability System

The Office of Accountability received the following APA comments regarding revisions to the *Mississippi Public School Accountability Standards, 2018*. Comments are summarized; complete submissions follow this table.

| Summary of Comment | MDE Response |
|--|--|
| <p>“We ask that the EL component be an additional 3% with no reduction of the other categories.”</p> <p>“If the U.S. Department of Education will not allow less than 5% for the EL component, then the other component that is added for districts and schools should be worth 5%.”</p> | <p>The MDE collaborated with the USED to create an EL component within the existing Accountability System while minimizing impact. Five percent would be the lowest weighting this component could have and still meet Federal requirements. The method used to incorporate this component was created to minimize any perceived inequity between schools that meet the minimum N-count and those that do not.</p> |
| <p>“We ask that these penalties (rule 15.4.3) not exist for at least two years, or more preferably not at all, in order to give districts implementation time of this new request.”</p> <p>“We also ask that any new EL student in high school start out with a 5 year timeline instead of graduation as the end as that makes more statically and equitable sense.”</p> | <p>This rule was created to enforce a nationally recognized expectation of having EL students reach proficiency in five (5) years.</p> <p>The goal was established to have an EL student reach proficiency within five (5) years or prior to completion, whichever occurs first.</p> |
| <p>“Please consider that when the EL performance measure is included and all other components are reduced by a total of 5% that puts districts/schools at a disadvantage... Consider using the same methodology that is used under Section 22, Schools without Tested Subjects or Grades. Business Rule 22.1.2.”</p> | <p>The method used to incorporate this component was created to minimize any perceived inequity between schools that meet the minimum N-count and those that do not.</p> |

**Summary of Administrative Procedures Act (APA) Comments
Revisions to Section 15. English Learners (EL) of the Business Rules of the Mississippi Statewide
Accountability System**

| Summary of Comment | MDE Response |
|---|---|
| <p>“Please consider that when an EL student enters the program in 9th grade or above they do not have five years to obtain English proficiency... When a student enters in 9th grade or above, the denominator will be the same as any other student entering with 5 years available to obtain English proficiency. This would put all students with realistic obtainable yearly goals toward proficiency.”</p> | <p>The goal was established to have an EL student reach proficiency within five (5) years or prior to completion, whichever occurs first.</p> |
| <p>What about the provision in which ESSA allows scores of former EL students, for a period of four years, to be included in accountability calculations of the EL? This is not addressed in the business rules.</p> | <p>This is an optional provision that the MDE has chosen not to include in the initial calculations of EL progress.</p> |
| <p>“...can we really expect students ... to be fully proficient in English when graduation may be only 1 or 2 years away from the date of their arrival?”</p> | <p>The goal was established to have an EL student reach proficiency within five (5) years or prior to completion, whichever occurs first.</p> |
| <p>“...does this five-year period begin at the point when the student first enrolled in the U.S. school system, or does it start when the student formally entered a formal English language instruction educational program?”</p> | <p>The five-year period begins when the student enters an EL program in the state of Mississippi.</p> |
| <p>“How does the state define ‘entry into an EL program’ – by school, by district, or by state?”</p> | <p>Entry first occurs when the student enters a Mississippi public school.</p> |
| <p>What about students whose families deny EL services? When are they considered to have entered into an EL program.</p> | <p>These students will be considered entered in the EL program when they are enrolled with an EL status in MSIS.</p> |

Summary of Administrative Procedures Act (APA) Comments
Revisions to Section 15. English Learners (EL) of the Business Rules of the Mississippi Statewide Accountability System

| Summary of Comment | MDE Response |
|--|---|
| <p>“Business Rule 15.4 describes the EL student rate as differently than the formula described in the state’s approved ESSA plan... We support the ESSA-approved formula rather than the formula described in 15.4 and request that 15.4 formula reflect the ESSA-approved formula.</p> | <p>The differences from the ESSA plan and the business rules do not reflect a substantive change and are intended to fulfill basic Federal requirements while minimizing any inequity or major impact to the current Accountability System.</p> |
| <p>“Because a student must meet proficiency in three areas (reading, writing, and overall), it is possible that a student meets proficiency two consecutive years, but does not ‘demonstrate progress’ based on the scale score.” These students should still get credit for being proficient even if they regress within the overall score and remain proficient.</p> | <p>These students will receive credit for being proficient. This component measures growth toward proficiency. Once the student achieves proficiency, the student will count as proficient.</p> |
| <p>Use the same growth measures as are used in the calculation of growth for MAAP.</p> | <p>MAAP and the ELPT are not comparable in measures of progress. Also, there are different factors to consider in measuring progress for an EL student.</p> |

Fri 4/27/2018 9:41 AM

Dr. Frank Catchings fcatchings@pgsd.ms

APA Response to Revised Section 15, English Learners (EL)

Greetings,

I would like to address two areas under the Mississippi Statewide Accountability System, Section 15, English Learners (EL).

Business Rule 15.2.2:

The performance measure will be equal to 5% of total available points in the accountability system. All other components will be reduced by a total of 5% cumulatively when the EL performance measure is included.

Please consider that when the EL performance measure is included and all other components are reduced by a total of 5% that puts districts/schools at a disadvantage. The district/school does not start on an even playing field in all categories with districts/schools that do not have an EL subgroup. This methodology automatically penalizes a district/school for having an EL subgroup. Example, a high school that does not have an EL subgroup has the opportunity to earn 200 pts for graduation, whereas a high school with an EL subgroup only has the opportunity to earn 190 pts for graduation.

Possible Change: Consider using the same methodology that is used under Section 22, Schools without Tested Subjects or Grades. Business Rule 22.1.2.

Use an equating process to adjust the points required for a district/school that does not have an EL subgroup and let the maximum points available in all areas be the same for every district/school. I believe a precedence was set with Business Rule 22.1.2.

Business Rule 15.3:

Progress toward proficiency will be calculated for all EL students using the state English Language Proficiency Test (ELPT). An annual progress goal will be calculated for each student based on reaching proficiency on the ELPT within 5 years of entry into an EL program or by high school graduation. The annual progress goal will be equal to the minimum score needed to achieve proficiency (at year five or graduation), minus the prior year score, divided by the number of years the student had remaining to exit the EL program in the prior year.

Please consider that when an EL student enters the program in 9th grade or above they do not have five years to obtain English proficiency. All other students entering an EL program are afforded a five year time frame to obtain proficiency. The older a person gets the more difficult it is to obtain proficiency in another language. Students entering in 9th grade or above are in a more difficult position to obtain proficiency in English than any other student entering an EL program, yet they are expected to obtain English proficiency faster than other students. In some cases that could be only one year. Schools and districts have no control on when a student enters an EL program. Example, if a student enters an EL program for the first time in August of their 11th grade year they will take the ELPT in the spring of their 11th grade year, under the

proposed business rules, the student will be required to obtain English proficiency with the ELPT in the spring of their 12th grade year. Three years faster than a student who is afforded five years to obtain English proficiency.

Possible Change: When a student enters in 9th grade or above, the denominator will be the same as any other student entering with 5 years available to obtain English proficiency. This would put all

students with realistic obtainable yearly goals toward proficiency.

Thank you for your consideration,

--

W. Frank Catchings, Ph.D.
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Fri 4/27/2018 9:45 AM

Ryan Kuykendall <ryan.kuykendall@dcsms.org>

APA comment-EL component (Section 15)

Mr. Drane,

We are writing to express our concerns with the proposed business rules for the EL component (section 15) in the Accountability Model.

Below you will find a summary of these concerns, disadvantages and therefore proposed changes (in bold):

1. This will be a much heavier weighted component than the other 5% components by far because the denominator is so low. Most schools will have 10-30 students making up 5% of their points. **We ask that the EL component be an additional 3% with no reduction of the other categories. How to do this with no reduction of the other categories is discussed in point 2. This is "substantial weight" as required by the U.S. Department of Education as Mississippi's EL Population is 3%. This is rule 15.2.2 and we ask this be changed.**

2. Districts and Schools will be ranked on the same total point scale with different weights for each category and an added component for some, but not all, depending on if you have an n count of 10 EL students or more. This means Proficiency, Growth, Graduation, Acceleration, and College and Career Readiness factor in more at certain schools than others. This is true even though both will be compared against each other on the same scale. A purely negative component will make up this difference when these schools are compared against each other on the same scale. *All schools in the impact data were negatively impacted by the inclusion of the proposed EL component to their 2016-2017 results.* **We ask that that the EL component be an extra category and not taken from other categories since that creates a clear equality issue. We ask that schools and districts without the EL component have a component added worth 3% with no reduction of the other categories. This is rule 15.2.2 and we ask this be changed.** *While this is still not ideal since there will be districts and schools with 1 different component each, it will only be one category that is different but all categories would all carry the same weight for all districts and schools. The lowest category at 3% would be different but on the same point range. With the current proposed rules, every category is different in points or is a component not all have.* **If the U.S. Department of Education will not allow less than 5% for the EL component, then the other component that is added for districts and schools should be worth 5%. This additional component should be developed and approved by the Accountability Task Force and Accreditation Commission as the EL component that is the most comparable component. Otherwise, districts and schools with the EL component are at a distinct disadvantage when cuts are reset in 2018-2019. Cuts will have to be reset next year due to a new Science test, the EL component coming in and proposed Acceleration changes which is why we have time to make these changes now. Adding a component for those without the EL component and not reducing points for any district or school in the other categories is the only way to make things equitable because Proficiency, Growth, Graduation, Acceleration, and College and Career Readiness otherwise factor in more at certain schools than others.** *These schools will be compared against each other on the same scale with the different weights*

otherwise. Now that this does not affect Official Letter Grades until 2018-2019, we have time to make those without 10 EL students in the n count and with 10 EL students or more in the n count able to be compared more fairly, which they are not under the current proposed rules.

*3. By definition, Secondary Schools will be punished more with this method because they have way more students past 5 years in EL simply because there is a greater chance of being past 5 years because they are older and have been in school longer. This means they only get .75 of the credit if in 6th year in EL or they get .50 of the credit if in 7th year or beyond (proposed business rule 15.4.3). The 5 year EL Proficiency target is new information to districts and has not been emphasized or monitored in this state. **We ask that these penalties not exist for at least two years, or more preferably not at all, in order to give districts implementation time of this new request. Taking this away is absolutely necessary to make this component more equitable for Secondary schools. This is rule 15.4.3 and we ask that this be changed. We also ask that any new EL student in high school start out with a 5 year timeline instead of graduation as the end as that makes more statically and equitable sense. Other states do this.** Currently, high school students with 10 or more EL students in the n count are disadvantaged vs. lower grade students and vs. high schools without 10 EL students in the n count (and districts) when they will be in competition for letter grades by percentiles when cuts are reset again in 2018-2019. As already stated, cuts will have to be reset next year due to a new Science test, the EL component coming in and proposed Acceleration changes which is why we must make these changes now.*

Thank you for your consideration.

Ryan Kuykendall, Director of Accountability and Research for DeSoto County Schools

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May 16, 2018

Walt Drane, Executive Director
Office of District and School Performance
Mississippi Department of Education
359 N. West Street; Post Office Box 771
Jackson, Mississippi 39205-0771

Re: Proposed Revisions to Section 15, English Learners (EL)

Mr. Drane,

We are writing regarding the proposed revisions to the Mississippi Statewide Accountability System, Section 15. We request that the following points be considered for clarification and revision:

1. Business Rule 15.3 notes that the annual progress goal based upon “entry into an EL program.” How does the state define “entry into an EL program”—by school, by district, or by state? Knowing the entry point in the timeline will assist students, teachers, and schools in setting appropriate goals for learning.
2. Also pertaining to Business Rule 15.3, when does “entry into an EL program” begin if a student/family denies EL services? Even if the student does not elect to participate in an EL program, the student will be assessed on the ELPT. However, since the student has not made “entry into an EL program,” how will MDE establish entry for the purposes of accountability?
3. Business Rule 15.4 describes the EL student rate as differently than the formula described in the state’s approved ESSA plan. Further, the formula rate described in 15.4 is much more difficult to attain. We support the ESSA-approved formula rather than the formula described in 15.4 and request that the 15.4 formula reflect the ESSA-approved formula.
4. Business Rule 15.4 also stipulates, “Any student who does not demonstrate progress will have a rate of 0.” Because a student must meet proficiency in three areas (reading, writing, and overall), it is possible that a student meets proficiency two consecutive years, but does not “demonstrate progress” based on the scale score. For example, a student who scored a 578 Overall (Proficient) in 7th Grade earns a 561 Overall (Proficient) in 8th grade; however, since the scale score decreased by 18 points, the student’s value would be 0 based upon the sentence above, even though the student has maintained proficiency for two years. This rule should be reconsidered to ensure the intent is being met.

Thank you for the opportunity to comment on the proposed changes. Your time and consideration are appreciated.

Sincerely,

Sue Townsend, Ph.D.
Superintendent of Education
Rankin County School District

Pamela Reed-Simon, Ph.D.
Director, Pre-K Programs
Rankin County School District

TO: Mr. Walt Drane
Executive Director
Mississippi Department of Education, Office of District and School Performance

FROM: Ronnie McGehee, Ph.D.
Superintendent

Greg Paczak, Ph.D.
Director of Research & Development

DATE: May 25, 2018

SUBJECT: Administrative Procedures Act (APA) Process Response for the Proposed
English Learners (EL) Revisions

Madison County Schools (MCS) proposes the following adjustments to the added Sections of 15.2, 15.3 & 15.4.

- 15.2 An EL performance component will be calculated for each school and district beginning with the 2017-18 school year and will be included in the calculation for accountability grades beginning in the 2018-2019 school year. ~~The EL performance component will be equal to the average EL progress rate of students as defined in 15.4, multiplied by the total points assigned to the EL component for that school/district.~~
- 15.2.1 Each school or district must meet the minimum N-count for EL students in order to have an EL performance measure calculated.
- 15.2.2 The performance measure will be equal to 5% of total available points in the accountability system. All other components will be reduced by a total of 5% cumulatively when the EL performance measure is included.
- ~~15.2.3 The component score for districts and schools will be adjusted such that an average student rate of 0.9 or higher shall receive the maximum score for this component. This adjustment will be applied uniformly to all other averages below 0.9, effectively increasing each value by 10 percent.~~
- 15.3 Progress toward proficiency will be calculated for all EL students using the state English Language Proficiency Test (ELPT) **using the procedures described in Section 6.** ~~An annual progress goal will be calculated for each student based on reaching proficiency on the ELPT within five years of entry into an EL program or by high school graduation. The annual progress goal will be equal to the minimum score needed to achieve proficiency (at year five or graduation), minus the prior year score, divided by the number of years the student had remaining to exit the EL program in the prior year.~~
- ~~15.3.1 In year 5 and beyond, the annual progress goal is equal to the minimum score needed to achieve proficiency, minus the prior year score.~~
- 15.4 EL performance will be measured by the annual progress achieved by EL students. ~~Each student will have a rate ranging between 0 and 1 based on the student's current year ELPT score, minus the prior year score, divided by the annual progress goal as defined in 15.3. Any student who does not demonstrate progress will have a rate of 0. No student will receive a rate higher than 1.~~

- 15.4.1 The student must meet FAY requirements in the current year but is not required to meet FAY requirements in the prior year.
- 15.4.2 The student must have a prior year score to be included in the calculation.
- ~~15.4.3 Any student not exiting the EL program within five years will have a reduction in the calculation of the progress rate based on the following schedule:
-Year 6, the student progress rate defined in 15.4 will be multiplied by 0.75
-Year 7 or later, the student progress rate defined in 15.4 will be multiplied by 0.50~~

Next, integrate applicable business rules from Section 6: 1-4, 11-12 & 15-16. MCS believes that the deletions to Section 15: 2-4 as well as the integration of rules from Section 6 promotes the goal of the original Accountability Task Force from five years ago: transparency. Calculation of growth for the EL Component utilizing the Las Links should be congruent to the growth calculation of all students utilizing the Mississippi Academic Assessment Program.

Fri 5/25/2018 1:53 PM

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Comments on Section 15 revisions, English Learners (EL) as listed in the APA Notices

Dear Mr. Drane:

I want to thank you, Nathan Oakley, Monique Henderson, Gwen King, and everyone else at MDE who have who have worked so hard on Mississippi Succeeds as it pertains to our state's English Learner (EL) students. As a Mississippi ESL specialist for nearly 20 years, in my opinion we now have a plan that represents a significant improvement over anything we've had before, possibly the best we've ever had. And I greatly appreciate that MDE has considered the input of experienced ESL professionals from all throughout our state.

Out here among the LEAs we have been so busy with annual spring testing and finishing the 2017-2018 school year that many of us haven't yet had time to dig deep into the details of our *Mississippi Consolidated State Plan*, approved by Secretary DeVos two months ago. Since today is the deadline for submitting written comments to you, I've tried to read over everything and come up with any lingering questions that may be important for your consideration. I have but only a few.

Section 15 English Learners (EL)

15.1 This section states that "*Scores of English Learners (EL) will be included in all calculations...*". However, nowhere in Section 15 is it clarified that *ESSA* allows, and Mississippi has also chosen to allow (on page 9 of *Mississippi Succeeds*) the scores of former EL students, for a period of four years, to be included in accountability calculations of the EL subgroups within the LEA. These particular students are no longer classified as ELs because they have met the state criteria for full English proficiency; as a result, they have been exited from EL status, moving on to the required four years of Monitored status. Accordingly, as we understand the new changes, while these "exited/former-EL students" are in the 4-year Monitored status, their scores may be included in the EL subgroup. This is a significant change that should be clarified for Mississippi LEAs, particularly whether MDE will automatically include the scores of students reported to be in Monitored status or whether LEAs have the discretion to have such scores included or excluded, similar to what occurs now with recently-arrived (Year 1) EL students.

15.3 This section states that "*An annual progress goal will be calculated for each student based on reaching proficiency on the ELPT within five years of entry into an EL program or by high school graduation.*" My concern here is that this sounds as if ALL ELs are expected to achieve full English proficiency by high school graduation, regardless of when they arrived in the U.S. or began learning the English language. Across Mississippi we have seen increasing numbers of newcomer and immigrant students who often arrive with little to no English proficiency and may already be 16, 17, or even 18 years of age. Perhaps I misunderstand this particular revision or the law itself, but can we really expect students like those I've just described to be fully proficient in English when graduation may be only 1 or 2 years away from the date of their arrival? In my school district we have had many cases of students who have successfully graduated from high

school, yet never quite met the criteria for exiting EL status. Lastly, will LEAs who graduate students who remain in EL status be penalized in some way because of that status?

15.4.3 This section pertains to students "...not exiting the EL program within five years...", nowadays often referred to as "long-term English Learners." Please consider clarifying two points in this section. First, does this five year period begin at the point when the student first enrolled in the U.S. school system, or does it start when the student formally entered a formal English language instruction educational program? I ask this because we have many ELs who have had very transient lives, moving among numerous schools in different states around the U.S. It is often difficult or impossible to discern what types of EL, ESL, or similar programs they may have had in their previous schools, or even whether previous schools had appropriately identified the student or not as EL.

Secondly, while procedures for identification of ELs across Mississippi have become standardized since last year, EL programs and services offered in different schools and LEAs throughout our state, but especially around the entire U.S., vary considerably. Will Mississippi's LEAs be held to account for the EL services (or lack of services, or negligent services) provided to ELs prior to their arrival in our state or district if that prior time was part of the student's first five years?

Thank you again again, Mr. Drane, for the work you all do at MDE in supporting Mississippi's EL students throughout our state's schools!

Scott Nyary

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