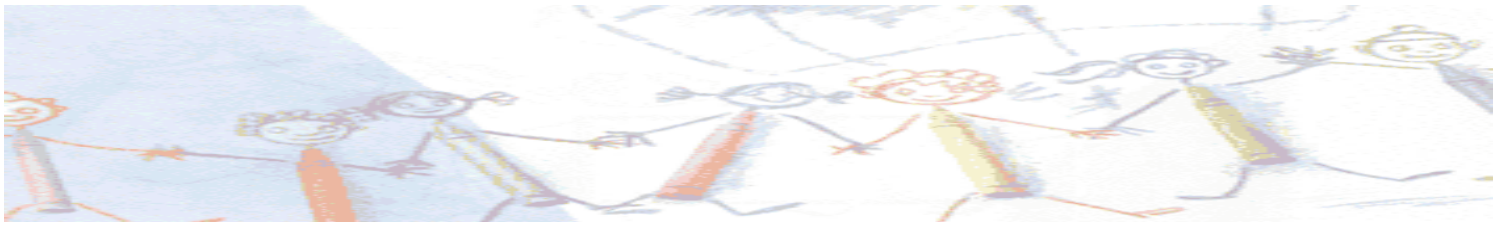


Title III Accountability Manual

2013

State of Nebraska

Department of Education

Language Instruction for Limited English Proficient Students

Dr. Roger Breed
Commissioner of Education

NEBRASKA DEPARTMENT OF EDUCATION

Diane Stuehmer
Federal Programs Director

Nancy Rowch
Title III Program Director

Terri Schuster
Title III Assessment

Anusha Tummala
IT Data/Database Analyst

The Nebraska Department of Education does not discriminate in employment or educational programs, services or activities, based on race, color, national origin, age, or handicap in accordance with state and federal laws. Inquiries should be directed to the Department of Education. For more information, write to the Nebraska Department of Education, Title III Office, 301 Centennial Mall South, P.O. Box 94987, Lincoln, NE 68509, telephone (402) 471-2477, or website www.education.ne.gov

NEBRASKA DEPARTMENT OF EDUCATION Copyright © 2013

ABOUT THIS DOCUMENT

This document's function is to describe the policies, business rules, design logic, annual results, and quality assurance procedures of Nebraska's Title III accountability system. The Nebraska Department of Education (NDE) conceptualized a Title III accountability manual that included detailed information explaining how the: (a) Title III accountability system processed data into scores and ratings, (b) business rules and design logic were implemented, and (c) quality assurance mechanisms ensured accurate and credible results.

In school year (SY) 2005-06, the NDE began developing its Title III accountability framework. The system was first implemented in SY 2006-07 and continues to be redefined while meeting federal guidelines. The Title III Accountability Manual serves these basic functions:

1. A document which describes how Nebraska's Title III accountability system evolved into its current configuration;
2. A section detailing business rules and score production; and
3. A review of the quality assurance practices used to produce Title III accountability results.

In addition to the aforementioned functions, the Title III accountability workbook also provides the historical context for the accountability system. By documenting the historical context in meticulous detail, interested parties have access to the technical process and procedures used in making Title III accountability determinations each year.

This document details the framework of the policy, business rules, decision logic, production sequence, reporting, and quality assurance measures used to make Title III accountability determinations. Once policy makers have established goal-defining policies, it becomes the responsibility of the operational and technical staff to transform the language into a series of business rules, decision logic, and production activities necessary to measure each policy objective and report reliable results. First, the *Policy* section answers the question "where" the Nebraska Title III program wants to be in the future. Next, the *Business Rules* section provides information about "how" Nebraska's Title III accountability policies and assessment data are operationalized. Then, the *Decision Logic and Production Sequence* section describes the design logic and production sequences used to produce Title III accountability scores and ratings. The last section, *Results and Quality Assurance,* answers the question "to what degree" are this year's Title III scores a reflection of past performance. Taken in its totality, this Title III Accountability Manual provides information about Nebraska's Title III accountability system to a wide range of readers.

LIST OF ACRONYMS

Acronym	Definition
AMAO	Annual Measurable Achievement Objective
AYP	Adequate Yearly Progress
CCSSO	Council of Chief State School Officers
CI	Confidence Interval
CompPL	Composite Performance Level
DQC	Data Quality Campaign
ELDA	English Language Development Assessment
ELDA-SCASS	English Language Development Assessment - State Collaborative on Assessment and Student Standards
ELL	English Language Learner
ESL	English as a Second Language
ESUs	Educational Service Units
LEP	Limited English Proficient
LEP SCASS	Limited English Proficient/State Collaborative on Assessment and Student Standards
NCES	National Center for Educational Testing
NCLB	No Child Left Behind Act of 2001
NDE	Nebraska Department of Education
NeSA	Nebraska State Accountability
NSSRS	Nebraska Student and Staff Record System
OAI	Other Academic Indicator
PL	Performance Level
PLD	Performance Level Descriptor
RT	Refused Testing/Present but not Tested
SEA	State Education Agency
SY	School Year
STARS	School-based Teacher-led Assessment and Reporting System
USED	United States Department of Education

TABLE OF CONTENTS

ABOUT THIS DOCUMENT 3
LIST OF ACRONYMS 4
TABLE OF CONTENTS 5
SECTION 1: POLICY 8
1.0 POLICY OVERVIEW 9
1.1 Title III Accountability 9
1.1.1 Basic Title III Framework 11
1.1.2 Performance Indicators-Annual Measurable Achievement Objectives 11
1.1.2.1 AMAO I-English Proficiency 11
1.1.2.2 AMAO II-English Proficiency Status 12
1.1.2.3 AMAO III-AYP Determination 12
1.1.3 Title III Accountability Design: A Three Stage Strategy 13
ELDA Assessment Summary Chart 14
1.1.3.1 Historical 14
1.1.3.2 Transitional 14
1.1.3.3 Institutional 15
SECTION 2: BUSINESS RULES 17
2.0 BUSINESS RULES OVERVIEW 18
2.1 BUSINESS RULES 18
2.1.1 Absent for Entire/Partial Testing Window 18
2.1.2 Accommodations 18
2.1.3 Annual Measurable Achievement Objectives (AMAOs) 19
2.1.3.1 AMAO I (Improvement) 19
2.1.3.2 AMAO II (Status) 19
2.1.3.3 AMAO III (AYP) 19
2.1.4 Composite Score 19
2.1.5 Confidence Intervals (CIs) 20
2.1.6 ELDA 20
2.1.7 Eligible Students 20
2.1.8 Emergency Medical Waiver 21
2.1.9 English Langauge Learner (ELL)/Limited English Proficient (LEP) 21

2.1.10 English Proficiency 21
2.1.11 Enrollment 22
2.1.12 Final Accountability Determination 22
2.1.13 Improvement Status 22
2.1.14 Inclusion (Assessment) 22
2.1.15 Inclusion (Accountability) 23
2.1.16 Mode of Participation 23
2.1.17 New Accountability District 23
2.1.18 Non-Public School/District 23
2.1.19 No Longer Enrolled 24
2.1.20 Parent/Guardian/Student Refusals 24
2.1.21 Performance Level Descriptors (PLDs) 24
2.1.22 Proficiency Rates 25
2.1.23 Recently Arrived ELL/LEP Students 25
2.1.24 ELDA Scoring Rules 26
2.1.25 Student Misclassified/No Longer Classified as LEP 26
2.1.26 Test-Takers 26
2.1.27 Test Window for ELDA 27
2.1.28 Title III Consortium 27
2.1.29 Title III District 27
2.2 BUSINESS RULES SUMMARY 27

SECTION 3: DECISION LOGIC AND PRODUCTION SEQUENCE 28
3.0 PRODUCTION CYCLE OVERVIEW 29
3.1 TITLE III DECISION LOGIC 29
3.2 DATA AGGREGATION AND LOGIC ALGORITHMS 34
3.2.1 AMAO I Programming Logic 34
3.2.2 AMAO II Programming Logic 35
AMAO I Programming Logic Flow Chart 36
AMAO II Programming Logic Flow Chart 37
3.2.3 Producing Overall Title III Determinations 38

SECTION 1

POLICY

1.0 POLICY OVERVIEW

This section contains a review of Title III Accountability since the passage of the No Child Left Behind (NCLB) Act of 2001 and explains Nebraska's basic Title III Framework. Performance indicators are explained as well as the instrument used to measure them. A timeline is included to show the historical, transitional, and institutional stages of the Title III Accountability System development in Nebraska.

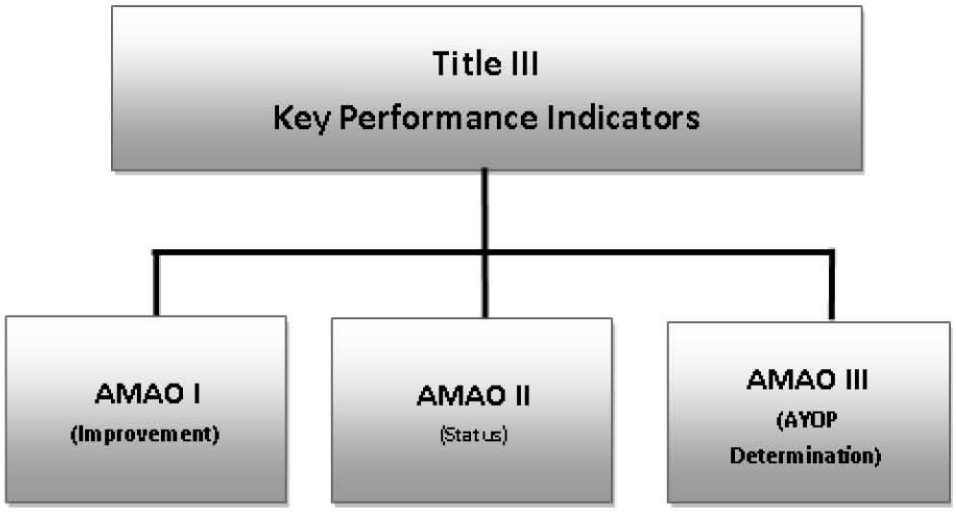
1.1 Title III Accountability

The passage of the *NCLB* in 2001 established new statutory requirements for Title III subgrantees. In addition to requiring English language learner (ELL) students to take part in statewide content assessments, the law also mandated ELLs to be annually evaluated based upon their language acquisition skills. *NCLB* requires the following information to be reported for Title III (see 34 CFR §300):

1. Making progress in learning English;
2. Becoming proficient in English;
3. Meeting Adequate Yearly Progress (AYP) for the ELL subgroup; and,
4. The inclusion of former monitored ELL students in the AYP cohort for two years.

Given the aforementioned requirements, the figure below illustrates the basic Title III framework used by the NDE to address federal regulations.

Title III Accountability Framework



1.1.1 Basic Title III Framework

The intent of the current Title III accountability system is to set high performance standards for each and every ELL; provide resources and support to give these students access to standards; respect individual rights and local governance; deliver compliant, quality programs; measure language proficiency progress; and hold Title III subgrantees accountable for results. Nebraska's Title III accountability system utilizes three *NCLB*-mandated Annual Measureable Achievement Objectives (AMAOs) to establish thresholds and indicate performance on the English Language Development Assessment (ELDA) at the district, consortia, and state levels. These objectives, which are further described in the following section, enable the accountability system to target those Title III subgrantees that are performing below standards. Once targeted, assistance is provided to aid in improvement efforts.

1.1.2 Performance Indicators - Annual Measurable Achievement Objectives

1.1.2.1 AMAO I- English Proficiency Improvement

In revising AMAO I beginning in the 2009-2010 school year, two years of data, 2008 and 2009, were successfully linked to create a unique data table with 17,474 linked records. (Non-linked rates (n=120) accounted for less than 0.70% of the tested population). Of these linked records, 12,308 had two valid *Composite* Performance Levels (*CompPL*) that could be used to examine performance changes across the two data points in time. To better understand changes in the *CompPL* variable from one year to the next, a cross-tabulation of the data revealed that approximately 5,166 students did not have two data points, due to two factors; new students entering the 2009 cohort who did not take the ELDA assessment the prior year, and students exiting the ESL program in 2009.

The value table model best fits the data and accommodates data limitations. Beyond being readily understood and transparent, two years of data are sufficient to develop a value table model based on changes in student performance from one year to the next. Given the results of descriptive and exploratory analyses conducted using the 2009 ELDA data, the value table model appears to be appropriate for a Title III growth metric based upon changes in performance levels from one year to the next.

The first step is to determine which districts belong to a Title III consortium and which districts are single Title III grantees. For districts that consort Title III grants, AMAOs are calculated at the consortium level. For districts holding their own Title III grant, AMAOs are calculated for the individual district.

The second step is to pull student scores who have two data points. For **AMAO I**, if a student has increased 1 composite performance level on ELDA, the student receives 100 index points. If the student has increased 2 or more composite performance levels, the student receives 150 index points. For students who have NOT

increased a performance level but have remained at Composite Performance Level 3 for 2 years, the index points are capped at 50 if the student has shown growth in at least one subtest of ELDA. All regression is awarded zero points regardless of the magnitude of changes from one year to the next.

All index points are added and then divided by the total number of test takers with two years of data in order to receive an average. Students with a composite level of RT (Refused Testing/Present but not Tested) in the current year will be considered as having two data points. Districts are expected to improve 1.9 index points each year in order to meet AMAO I. If districts do not meet AMAO I based on Step 2, confidence intervals of 99% are then applied.

1.1.2.2 AMAO II- English Proficiency Status

Using the three year performance of Nebraska's students and feedback from stakeholders, the new AMAO II target was established at 20% for the Spring 2010 language assessment results. The target increases 1% percentage point each year. Thus, the target for Spring 2011 was 21%; the target for Spring 2012 was 22%, etc.

The first step is to determine which districts belong to a Title III consortium and which districts are single Title III grantees. For districts that consort Title III grants, AMAOs are calculated at the consortium level. For districts holding their own Title III grant, AMAOs are calculated for the individual district.

The second step is to determine the number of students scoring at levels 4 and 5 on ELDA. This number serves as the numerator. The denominator will be all test takers with a Composite Level. In addition, any students with scores of zero will also be included in the denominator. A score of zero is assigned for those students whose parents refuse testing OR the student was in the district but not tested.

If districts do not meet AMAO II based on Step 2, confidence intervals of 99% are then applied.

1.1.2.3 AMAO III- AYP Determination

The final accountability indicator mandated by NCLB is based on adequate yearly progress (AYP) determinations made following the guidelines described in Nebraska's approved Accountability Workbook. AYP data for reading and mathematics are examined to determine whether a district did or did not make AYP for the ELL subgroup. Beginning in 2011, accountability for AMAO III was calculated from the Nebraska State Accountability (NeSA) test data for Reading (NeSA-R) and Math (NeSA-M). This is a change from 2010. Math accountability had previously been determined by the School-based Teacher-led Assessment Reporting System (STARS). The STARS had been Nebraska's statewide assessment and reporting system, which was comprised of locally designed assessments in combination with national tests and a writing assessment.

However, for 2011, STARS was replaced with NeSA-M (Mathematics) for AYP determinations.

1.1.3 Title III Accountability Design: A Three-Stage Strategy

The Nebraska Department of Education (NDE) has implemented its Title I accountability system since 2000. This system has continued to evolve in a manner consistent with changes in the Nebraska assessment system and federal regulations. In keeping with the Title III accountability requirements outlined in the *No Child Left Behind Act of 2001* (*NCLB*) and the non-regulatory guidance from the United States Department of Education (USED), state officials and representative stakeholders began exploring different accountability designs that would be technically sound, equitable, and compliant with *NCLB*. Concurrently, the agency implemented the ELDA to measure English language acquisition for Nebraska's ELL population. This assessment was designed by multi-state consortia and is referred to as the English Language Development Assessment - State Collaborative on Assessment and Student Standards (ELDA-SCASS). It is aimed at pooling the professional and fiscal resources of its members to meet the demands of creating the assessment. Nebraska, a member of this consortium, contributed to the field-testing of items in SY 2003-04.

The ELDA consists of four subtests that are designed to measure language acquisition in four language domains: reading, writing, speaking, and listening (see Section 2.1.6). The ELDA consists of separate tests aligned to a set of core ESL standards that were also developed by representatives of the Limited English Proficient-State Collaborative on Assessment and Student Standards (LEP-SCASS). The results are converted to comprehension and composite scores in order to reflect more global indicators of a student's language development. Both the comprehension score (derived from the reading and listening subtests) and composite score (representing performance on all four subtests) were created using a decision matrix based upon the underlying domain's performance levels.

Following the first administration of the ELDA in the spring of 2005, performance level descriptors were developed and reviewed for each subtest. In addition, performance levels and associated cut scores were established to reflect the achievement continuum for each language domain. The ELDA became fully operational in Nebraska in SY 2004-05; however, at that time the state did not have a student-level information system necessary to track students across multiple years (Historical Phase). This system limitation influenced both the data quality (e.g., duration in an ESL program) and the design of the annual measurable achievement objective for progress (AMAO I). Recognizing these challenges, the NDE empirically modeled different accountability designs. The NDE also attempted to clearly delineate the decision logic for each AMAO decision and create a set of business rules necessary to produce accountability results. These tasks required a continuous collaboration with the NDE Title III assessment staff and federal program staff. The chart below summarizes the key components of ELDA.

ELDA Assessment Summary Chart

ELDA Assessment Summary	
Language Domains	Reading, Writing, Speaking, and Listening
Eligibility	ELLs Grades K-12
Item Formats	Multiple Choice, Short Constructive Responses, and Short Oral Responses
Proficiency Standard	*Advanced* or *Full English Proficiency*
Number of Proficiency Levels	Five
Accommodations	Standard Accommodations Allowed

After analyzing various accountability designs, the NDE conceptualized a three-stage approach (i.e., *Historical, Transitional,* and *Institutional*) that would ultimately lead to a single system for Title III accountability. The final step, *Institutional,* establishes the metrics and decision logic necessary to report trends about district and consortium performance across all three required indicators. Each stage was designed to strategically address inherent data limitations while moving towards a long-term coherent accountability design. The following provides information about the data and metrics of the AMAO indicators during each implementation stage:

1.1.3.1 Historical

a. SY 2003-04: AMAO III (AYP) based on any district identified as missing AYP for the given year according to the Title I, federally-approved business rules exclusively for the ELL subgroup.
b. SY 2004-05: AMAO II (Status) based on the percentage of students at or above the initial baseline value of 20.3%. AMAO III (AYP) based on any district identified as missing AYP (exclusively for the ELL subgroup) for the given year according to the Title I business rules.

1.1.3.2 Transitional

a. SY 2005-06: **AMAO I** (Improvement) based upon a change rate of 2.84 points in the average composite index from the prior year. **AMAO II** (Status) based on the percentage of students at or above the targeted threshold of 22.8%. **AMAO III** (AYP) based on any district identified as missing AYP (exclusively for the ELL subgroup) for the given year according to the Title I business rules.
b. SY 2006-07: **AMAO I** (Improvement) based upon a change rate of 2.84 points in the average composite index from the prior year. **AMAO II** (Status) based on the percentage of students at or above the targeted threshold of 25.3%. **AMAO III** (AYP)

based on any district identified as missing AYP (exclusively for the ELL subgroup) for the given year according to the Title I business rules.

c. SY 2007-08: AMAO I (Improvement) based upon a change rate of 2.84 points in the average composite index from the prior year. AMAO II (Status) based on the percentage of students at or above the targeted threshold of 27.8%. AMAO III (AYP) based on any district identified as missing AYP (exclusively for the ELL subgroup) for the given year according to the Title I business rules.
d. SY 2008-09: AMAO I (Improvement) based upon a change rate of 2.84 points in the average composite index from the prior year. AMAO II (Status) based on the percentage of students at or above the targeted threshold of 30.3%. AMAO III (AYP) based on any district identified as missing AYP (exclusively for the ELL subgroup) for the given year according to the Title I business rules.

1.1.3.3 Institutional

Beginning in SY 2009-10: The NDE, technical accountability experts, and stakeholder representatives reviewed **AMAO I** (Improvement) during fall 2009. The previous design was based upon successive student testing cohorts, but was replaced by a system that matches student scores across time. This change to **AMAO I** required re-establishing the baseline and annual targets (values) and has been approved by the U.S. Department of Education (USDE). Also approved by USDE was a change to **AMAO II**. The percentage of students attaining proficiency was set at a threshold of 20%, with an annual increase of 1%.

a. **Beginning in SY 2009-10 to current:** For **AMAO I**, if a student has increased 1 composite performance level on ELDA, the student receives 100 index points. If the student has increased 2 or more composite performance levels, the student receives 150 index points. For students who have NOT increased a performance level but have remained at Composite Performance Level 3 for 2 years, the index points are capped at 50 if the student has shown growth in at least one subtest of ELDA. All regression is awarded zero points regardless of the magnitude of the changes from one year to the next. Districts must improve an average of 1.9 index points annually.
b. **Beginning in SY 2009-2010 to current: AMAO II** established a new baseline where 20% of a district's ELL students must score at Composite Performance Levels 4 or 5. The annual increase is set at 1 percentage point. The 2011-2012 target is set at improvement of 22%.
c. **AMAO III** (AYP) continues to be based on a district's AYP status for the ELL subgroup, **AMAO III** is only determined at the district level, consistent with Title I regulations.

In 2007, the Committee of Practitioners adopted recommendations regarding the Transitional model for Title III accountability after careful consideration and review by the AYP Task Force (a group of NDE representatives responsible for providing recommendations used in making AYP and other accountability decisions). This action allowed the agency to move forward and produce annual accountability determinations for districts. Both groups viewed the Title III design as a temporary model necessary to meet federal requirements until the new student-level information system, the Nebraska Student and Staff Record System (NSSRS) became fully operational. The NSSRS was developed to ensure

it would have the capability of tracking individual student performance and enrollment within and across multiple years. The AYP Task Force recommended that Institutional design changes should be implemented once the NSSRS could be used for Title I and Title III accountability determinations.

The *Institutional* design changes allow for the monitoring and reporting of improved student achievement across multiple years at differing levels of analysis (*i.e.*, , district, consortia, and state). AMAO I in the *Transitional* design was based upon successive groups of students, not upon matched-students assigned to a particular cohort. The institutional design utilizes a cohort approach, and is based on students who have more than one year of composite level scores for ELDA.

As previously noted, the annual measurable achievement objective for AYP (AMAO III) is based on the AYP status of the ELL students (participation and performance in reading and mathematics) used in the Title I accountability system. This component examined district data to determine whether or not the ELL students in the areas of reading and mathematics content areas have met their annual targets including the targeted threshold using a confidence interval or *Safe Harbor* provision. AMAO III, along with the other two AMAO decisions were used through a series of business rules to determine a district's overall Title III accountability standing.

SECTION 2

BUSINESS RULES

2.0 Business Rules Overview

In an effort to apply a standardized format to the business rule structure, the NDE organized the narrative text associated with each business rule into two components: Term Definition [DEFINED] and Operational Conditions [CONDITIONS]. The first component, "Term Definition", provides a qualifying description of the term or term phrase in a manner that discriminates the business rule from others. The second component, "Operational Conditions", provides a context by which the business rule operates within the Title III accountability system.

2.1 Business Rules

The business rules associated with the NDE's Title III accountability system are often used in numerous other programs with the agency. In most cases, the data elements and operational conditions are outlined within the NSSRS. The business rules "borrowed" from these and other systems, along with those used jointly by Title I and Title III, are organized within this subsection.

2.1.1 Absent for Entire/Partial Testing Window

DEFINED: The "Absent for Entire/Partial Testing Window" status is defined as a student who missed the designated time frame for participation in the ELDA assessment and was deemed "not present" by local officials.

CONDITIONS*:* All ELLs enrolled in grades K-12 in a Nebraska public school must participate in the ELDA assessment. Students who were absent during all or part of the ELDA testing window but still enrolled in the district receive a composite score of zero and are included in the AMAO decisions.

2.1.2 Accommodations

DEFINED: Accommodations are defined as those changes made in an assessment based on the needs of a student as established in the student's Individual Education Plan or Section 504 plan. Special Education accommodations are procedures in the areas of presentation, response, setting, and timing/scheduling that provide equal access during instruction and assessments for students with disabilities.

CONDITIONS: These changes must not compromise the validity of the assessment. Meaning, the manner by which the student participates in the assessment (such as being allowed additional time to complete the battery) does not change the underlying construct being measured.

2.1.3 Annual Measurable Achievement Objectives (AMAOs)

2.1.3.1 AMAO I (Improvement)

DEFINED: AMAO I is defined as an annual measurable achievement objective that includes annual increases in the number or percentage of children making progress in learning English (P.L. 107-110, Title III, Part A, Subpart 2, §3122(a)(3)(A)(i)).

CONDITIONS: One of three accountability indicators mandated by P.L. 107-110, AMAO I is based on improvements in students' English proficiency. The district target is an average improvement of 1.9 index points each year. If a student has increased by 1 composite performance level on ELDA, the student receives 100 index points. If the student has increased 2 or more composite performance levels, the student receives 150 index points. For students who have NOT increased a performance level but have remained at Composite Performance Level 3 for 2 years, the index points are capped at 50 if the student has shown growth in at least one subtest of ELDA. For the purposes of AMAO I, only students with two years of ELDA data are included in the calculation.

2.1.3.2 AMAO II (Status)

DEFINED: AMAO II is defined as an annual measurable achievement objective that includes annual increases in the number or percentage of children attaining English proficiency by the end of each school year, as determined by a valid and reliable assessment of English proficiency consistent with Section 1111(b)(7) of *NCLB* (P.L. 107-110, Title III, Part A, Subpart 2, §3122(a)(3)(A)(ii)).

CONDITIONS: For 2012, AMAO II established a new baseline where 22% of a district's ELL students must score at Composite Performance Levels 4 or 5. The annual increase is set at 1 percentage point.

2.1.3.3 AMAO III (AYP)

DEFINED: AMAO III is defined as making adequate yearly progress for ELL children as described in Section 1111(b)(2)(B) of *NCLB* (P.L. 107-110, Title III, Part A, Subpart 2, §3122(a)(3)(A)(iii)).

CONDITIONS: One of three accountability indicators mandated by P.L. 107-110, AMAO III is based on AYP determinations made following the NDE's approved *Accountability Workbook*. AYP data for reading and mathematics are used to determine if a district missed AYP for the ELL subgroup.

2.1.4 Composite Score

DEFINED: The ELDA composite score is defined as a single score reflecting performance across four subdomains (i.e., reading, writing, speaking, and listening). The composite performance levels are based on a combination of performance levels (AIR, 2005) and reflect a coherent assessment of a student's English language attainment.

CONDITIONS: The scores from each subdomain are combined together, as described in the ELDA technical manual, to create the overall composite score. The composite score is a derived score based on the performance on the four subtests. For accountability purposes, any student who completes at least one question on the ELDA receives a composite score. NDE scoring rules for ELDA are based on the scoring rules for the Nebraska State Accountability (NeSA). Students who did not complete ELDA due to parent/guardian/student refusal, a score of RT is assigned. However, these scores count as "zero" and the student is included in the denominator when calculating AMAOs.

2.1.5 Confidence Intervals (CIs)

DEFINED: CIs are defined as an estimate of a population parameter given a single observation.

CONDITIONS: CIs are used to indicate the reliability of the estimated population parameter given the current sample of students used to make the accountability determinations. Titles I and III apply the 99% CI to observed scores. Using the critical value of 2.576 the upper limit is determined and compared to the selected reference point. For values at or beyond the targeted reference point, the status is recorded as MET.

2.1.6 ELDA

DEFINED: English Language Development Assessment (ELDA) is defined as an on-demand assessment used to measure annual progress in the acquisition of spoken and written English and to track the development of language skills as ELLs (English Language Learners) move toward the attainment of full fluency in English (AIR, 2005).

CONDITIONS: The ELDA produces scores across four language domains (reading, writing, speaking, and listening) for each of four grade clusters (K-2, 3-5, 6-8, and 9-12). The ELDA-SCASS and the Council of Chief State School Officers (CCSSO) developed five performance level descriptors (PLDs) and associated "cut-scores" to aid in measuring annual progress.

2.1.7 Eligible Students

DEFINED: Eligible students are defined as those ELLs (LEP eligible on the NSSRS) currently enrolled in grades K-12 of a public school that are required to participate in the ELDA.

CONDITIONS: Participation in the ELDA also includes ELLs in grades K-12 who are designated as state wards, state agency clients, or homeless. Participation can be through the standard administration of the ELDA with or without the use of allowable accommodations.

2.1.8 Emergency Medical Waiver

DEFINED: An Emergency Medical Waiver may be granted to an ELL student who has experienced a medical emergency that may prevent them from participating in or completing the ELDA.

CONDITIONS: Districts may request an Emergency Medical Waiver from the Director of the Statewide Assessment Office if a medical emergency has occurred that prevents a student from completing the ELDA. The student will receive a "waived score."

2.1.9 English Language Learner (ELL)/Limited English Proficient (LEP)

DEFINED: An English language learner (ELL) is also known as a limited English proficient (LEP) student. An ELL must meet the following *NCLB*-defined criteria:

a. Is 3 through 21 years of age;
b. Is enrolled or preparing to enroll in an elementary or secondary school;
c. Was not born in the United States or whose native language is not English;
    i. Is a Native American or Alaska Native, or a native of outlying areas; and
    ii. Comes from an environment where a language other than English has had a large impact on the level of English language proficiency; or,
d. Is migratory, whose native language is not English, and comes from an environment where a language other than English is dominant; and,
e. Has difficulties in speaking, reading, writing, or understanding the English language, and these impediments contribute to the individual's inabilities to meet state performance levels, to achieve in English instructed classrooms, and to fully participate in society.

CONDITIONS: "Limited English Proficient" is a label based on a student's English language proficiency as measured by ELDA or other language screening/placement assessment. All ELLs are required to participate in the assessment system, with testing accommodations if necessary. Nebraska incorporates the flexibility granted by the U.S. Department of Education in February 2004 in assessing recently arrived ELL/LEP students (ELLs who have attended schools in the United States for less than 12 months). This flexibility allows districts to refrain from administering the state's content reading assessment to such LEP students for one testing cycle; however, these students must take the English proficiency assessment. In addition, recently arrived ELL/LEP students are required to participate in Nebraska's mathematics and science assessments using the state's approved accommodations.

2.1.10 English Proficiency

DEFINED: English proficiency is defined as a student's development and attainment of the linguistic characteristics of the English language while meeting challenging state academic content and achievement standards required by Section 1111(b)(1) of *NCLB*.

CONDITIONS: English proficiency for Title III accountability is attained by students receiving a composite performance level (PL) of four or higher on the ELDA.

2.1.11 Enrollment

DEFINED: Enrollment is defined as the number of students who met the attendance requirements by registering in a public school and who are afforded the rights of access for all school-age children to an appropriate educational opportunity.

CONDITIONS: Schools are responsible for regularly updating individual student enrollment information in the NSSRS to ensure that ELDA and accountability reports reflect accurate information. Schools are given the opportunity to verify their list of enrolled students and student demographics in the NSSRS prior to uploading student demographic data to generate student labels prior to the testing window.

2.1.12 Final Accountability Determination

DEFINED: A final accountability determination is defined as the annual evaluation of eligible subgrantees' abilities to demonstrate they have met all three AMAO targets established by the State of Nebraska.

CONDITIONS: The overall Title III accountability status for a given year is based upon the performance of each of three accountability indicators.

2.1.13 Improvement Status

DEFINED: Improvement status is defined as a subgrantee whose final accountability determination for Title III is *NOT MET* for two or four consecutive years in any AMAO. (see P.L. 107-110, Title III, Part A, Subpart 2, §3122(b)(2)(4)).

CONDITIONS: Districts or consortia not meeting any AMAO for two or more consecutive years are designated by *NCLB* as needing improvement. Districts or consortia exit improvement status when they attain the AMAO(s) in the subsequent year. Any Title III recipient that fails to participate in the annual assessment is designated as *NOT MET* in order to prevent the unintended consequence of eligible students not participating in the assessment program.

2.1.14 Inclusion (Assessment)

DEFINED: Inclusiveness is a principle that characterizes the purposeful and intentional design of the assessment system that allows all public school students to participate.

CONDITIONS: No group of students is exempted systematically from participating in the state's language assessment system. All ELLs in districts receiving Title III dollars are required to participate in the ELDA.

2.1.15 Inclusion (Accountability)

DEFINED: The intentional design of the accountability system to ensure that all Title III districts with ELL students are included in the AMAO determinations.

CONDITIONS: For Title III purposes, a district must have a minimum grant of $10,000 or must consort their dollars in order to qualify for funding. All ELL students are counted when determining AMAOs, either at the district level (if the district receives a minimum $10,000 grant) or at the consortium level.

All ELLs residing in subgrantee districts are included in the Title III accountability system via:

- District performance
- Consortium performance
- State performance

2.1.16 Mode of Participation

DEFINED: A mode of participation is defined as the manner by which a student is administered the ELDA assessment.

CONDITIONS: The NDE uses two categories to articulate how a student participates in the ELDA. They are:

1. Participated without accommodations (standard administration); or,
2. Participated with accommodations (standard administration with accommodations).
3. Off grade-level and locally-developed Title III assessments are not allowed by the NDE.

2.1.17 New Accountability District

DEFINED: A new accountability district is a newly-eligible Title III subgrantee.

CONDITIONS: New accountability districts have AMAO determinations made the year in which they first become eligible.

2.1.18 Non-Public School/District

DEFINED: A non-public school/district is defined as a non-publically funded, private educational entity.

CONDITIONS: Non-public entities (schools and districts) are not required to participate in ELDA. Title III accountability determinations are not made for these entities.

2.1.19 No Longer Enrolled

DEFINED: The No Longer Enrolled status is defined as a student who was enrolled at the time of the upload of the student demographic data to the ELDA testing vendor but was officially no longer enrolled in the district at the time of the administration of ELDA.

CONDITIONS: Any student who was identified as No Longer Enrolled during the ELDA testing window receives a "waived score."

2.1.20 Parent/Guardian/Student Refusals

DEFINED: Parent/Guardian/Student refusals to participate in the ELDA assessment are classified as "non-participants".

CONDITIONS: Federal and Nebraska laws require that all students be tested. For students who did not complete ELDA due to parent/guardian/student refusal, a score of RT is assigned. However, these scores count as "zero" and the student is included in the denominator when calculating AMAOs.

2.1.21 Performance Level Descriptors (PLDs)

DEFINED: PLDs are defined as narrative text that explain content-based competencies associated with each of the five ELDA performance levels, which range from rudimentary use of English by beginning speakers (Level - *Pre-functional*) to full English proficiency or fluency (Level 5 –*Full proficiency*). Each performance level reflects a rigorous definition of proficiency while providing realistic expectations for beginning/intermediate English speakers.

CONDITIONS: The following table contains the achievement descriptors for each performance level.

Performance Level Descriptors (ELDA)

Level	Description
PL 5 ***Full Proficiency***	• Understand and identify the main ideas and relevant details of extended discussion or presentation on familiar and unfamiliar topics • Produce fluent and accurate language • Use reading strategies the same as his or her native English-speaking peers to derive meaning from a wide range of both social and academic texts • Write fluently, using language structures, technical vocabulary, and appropriate writing conventions with some circumlocutions
PL 4 ***Advanced***	• Identify the main ideas and relevant details of discussions or presentations on a wide range of topics • Actively engage in most communicative situations, familiar or unfamiliar • Understand with support the context of most texts in academic areas • Write multi-paragraph essays, journal entries, personal/business letters, and creative texts in an organized fashion with some errors
PL 3 ***Intermediate***	• Understand standard speech delivered in school and social settings • Communicate orally with some hesitation • Understand descriptive material within familiar contexts and some complex narratives • Write simple texts and short reports
PL 2 ***Beginning***	• Understand simple statements, directions, and questions • Use appropriate strategies to initiate and respond to simple conversation • Understand the general message of basic reading passages • Compose short informative passages on familiar topics
PL 1 ***Pre-functional***	• Begin to understand short utterances • Begin to use gestures and simple words to communicate • Begin to understand simple printed material • Begin to develop communicative writing skills

2.1.22 Proficiency Rates

DEFINED: Proficiency for Title III accountability is defined as a student who attains a performance level of four (PL 4) or higher on the ELDA.

CONDITIONS: The student's score is determined by performance on the ELDA. For accountability purposes, a district or consortium is rated on the total number of proficient students divided by the number of students who participated in the assessment. The percent proficient is compared to the established target to determine if a district or consortium made AMAO II.

2.1.23 Recently Arrived ELL/LEP Students

DEFINED: Recently arrived English language learners (ELLs), also known as recently arrived limited English proficient (LEP) students, are defined as ELLs/LEP students who have attended schools in the United States for less than 12 months.

CONDITIONS: A district may exempt a recently arrived ELL/LEP student from the reading assessment during his/her first 12 months attending schools in the United States or one testing cycle. In addition, the student must participate in the math and science assessments using the state's approved accommodations. A student must take the state's English language proficiency assessment.

2.1.24 ELDA Scoring Rules

DEFINED: Scoring rules are applied to all ELL/LEP students with a student demographic label that has been uploaded to the testing vendor prior to ELDA testing window OR those students who have a student answer document with the student demographic data "bubbled in" by the district test administrator.

CONDITIONS: Any student with a pre-ID student demographic data OR has a student answer document that is returned with the ELDA testing materials are subject to the ELDA scoring rules. Scoring rules are as follows:

ELDA Scoring Rules

Reason Identified	ELDA Score
No Longer Enrolled	Waived
Emergency Medical Waiver (granted only by the Director of the Statewide Assessment Office)	Waived
Student Misclassified/No Longer Classified as LEP	Waived
Parent/Guardian/Student Refusal	Zero
Absent for Entire/Partial Testing Window	Zero

2.1.25 Student Misclassified/No Longer Classified as LEP

DEFINED: A student may be inadvertently misclassified as Limited English Proficient (LEP) on the NSSRS by the reporting school district. This means that the student has either never been LEP or has since exited the program and should be classified as a "Redesignated English Fluent" student.

CONDITIONS: Any student who had been misclassified as LEP on the NSSRS and has received a student demographic label for ELDA, will receive a "waived score."

2.1.26 Test-Takers

DEFINED: Valid test-takers are defined as students who are: (a) enrolled in a Nebraska school, (b) identified as ELL, (c) required to take the ELDA, and (d) receiving a composite score, which includes a scores of RT.

CONDITIONS: Students in grades K-12 assigned a composite PL 1 through PL 5, as well as those with scores of RT are considered valid test-takers.

2.1.27 Testing Window for ELDA

DEFINED: A testing window is defined as the time frame during which students participate in the ELDA.

CONDITIONS: The testing window for ELDA administration typically begins in February and ends in March of each year.

2.1.28 Title III Consortium

DEFINED: A Title III consortium is defined as a group of districts organized to meet the subgrantee eligibility criteria for Title III (see Section 3144 (b) of *NCLB*).

CONDITIONS: The NDE is not allowed under Title III regulations to award a subgrant from an allocation made under Section 3144 if the amount of such subgrant is less than $10,000. Because of this funding limitation, districts can organize into Title III consortia in order to be eligible for Title III funding. Consortia have a programmatic function only in the State of Nebraska and are not granted a charter under Rule 10 to operate as an independent school district.

2.1.29 Title III District

DEFINED: A public school district is recognized and operating in accordance with Rule 10 and is a Title III subgrant recipient (i.e., a subgrantee).

CONDITIONS: All Title III districts are included in the accountability system and annual determinations are made in accordance with the decision logic found in Section 3 of this document.

2.2 Business Rules Summary

Specifying the business rules and corresponding data is a crucial component of the accountability process. The NDE's program staff put forth a tremendous effort to ensure that the accountability policies and regulations were interpreted accurately and comprehensively. These efforts resulted in the creation of a series of explicit business rules that define the conditions and corresponding data inputs used to make AMAO determinations.

SECTION 3

DECISION LOGIC AND PRODUCTION SEQUENCE

3.0 Production Cycle Overview

The Nebraska Department of Education (NDE) submitted two changes in its Title III Accountability System for approval from the U.S. Department of Education. For AMAO I, the metric is based on matching student-level performance changes (growth) from one year to the next as measured by the ELDA. The Nebraska Department of Education was unable to track student-level performance until the Nebraska Student and Staff Record System (NSSRS) was implemented in 2007. An analysis of ELDA data from spring 2008 and spring 2009 has allowed NDE to better track student performance and develop a more reliable model. The required AMAO I annual targets are based upon indexing points that are generated by student growth on the Composite Performance Level on ELDA. The improvement expectation is an average of 1.9 index points each year. Subgrantees must attain the AMAO I target with or without the use of a confidence interval (p>.01).

The NDE also amended the annual targets for AMAO II. An analysis of the previous ELDA results indicated that the established goals were unrealistic. Previously, Nebraska did not have a statewide student record system. Therefore, targets were developed based on data that was the best available at the time. Now as the state has been able to examine ELDA results more carefully, the new targets better reflect actual student performance. Subgrantees must attain the AMAO II target with or without the use of a confidence interval (*p*>.01).

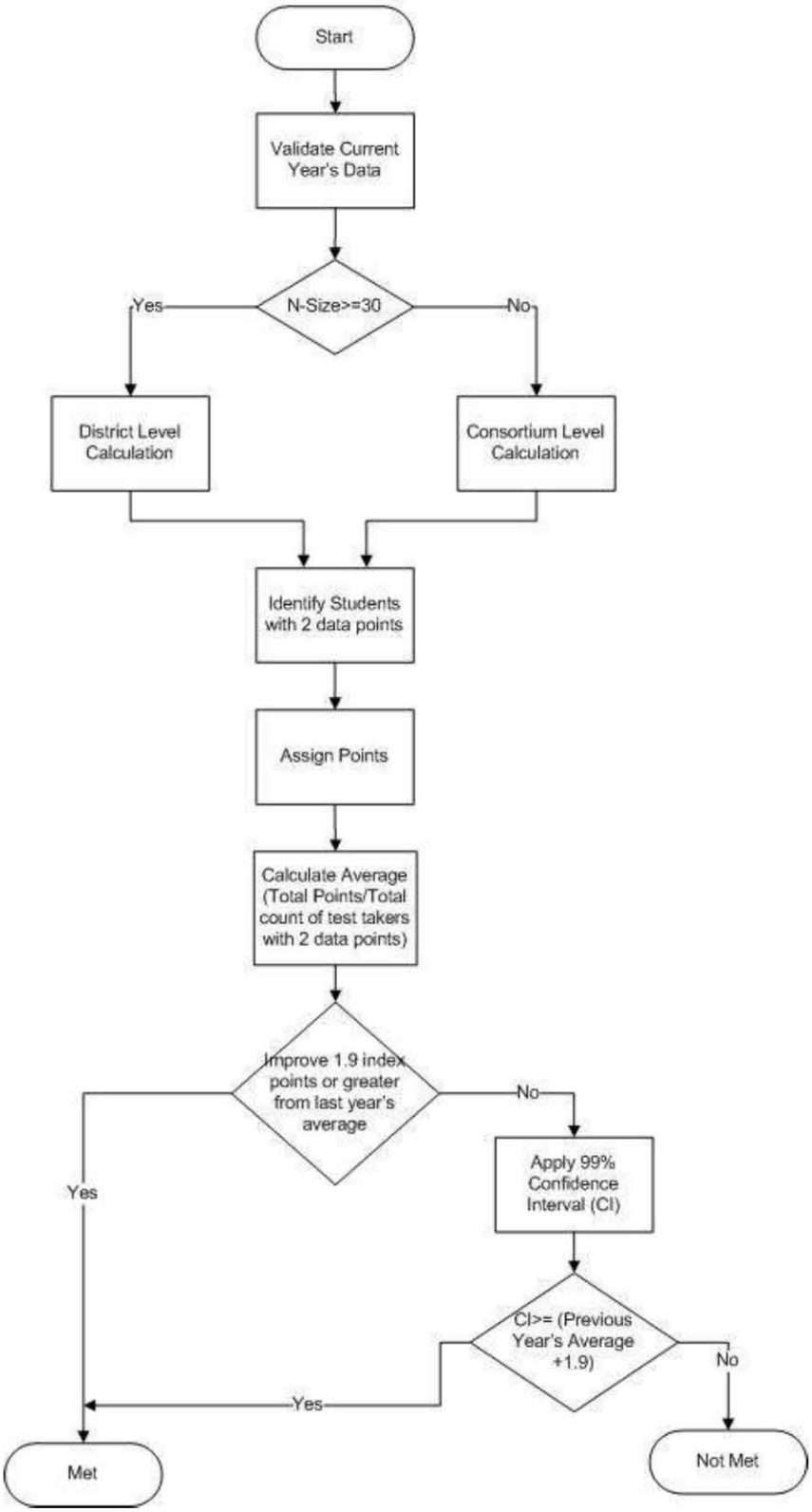
3.1 Title III Decision Logic

The U.S. Department of Education approved the following changes to Nebraska's AMAO determinations beginning in the 2009-10 school year:

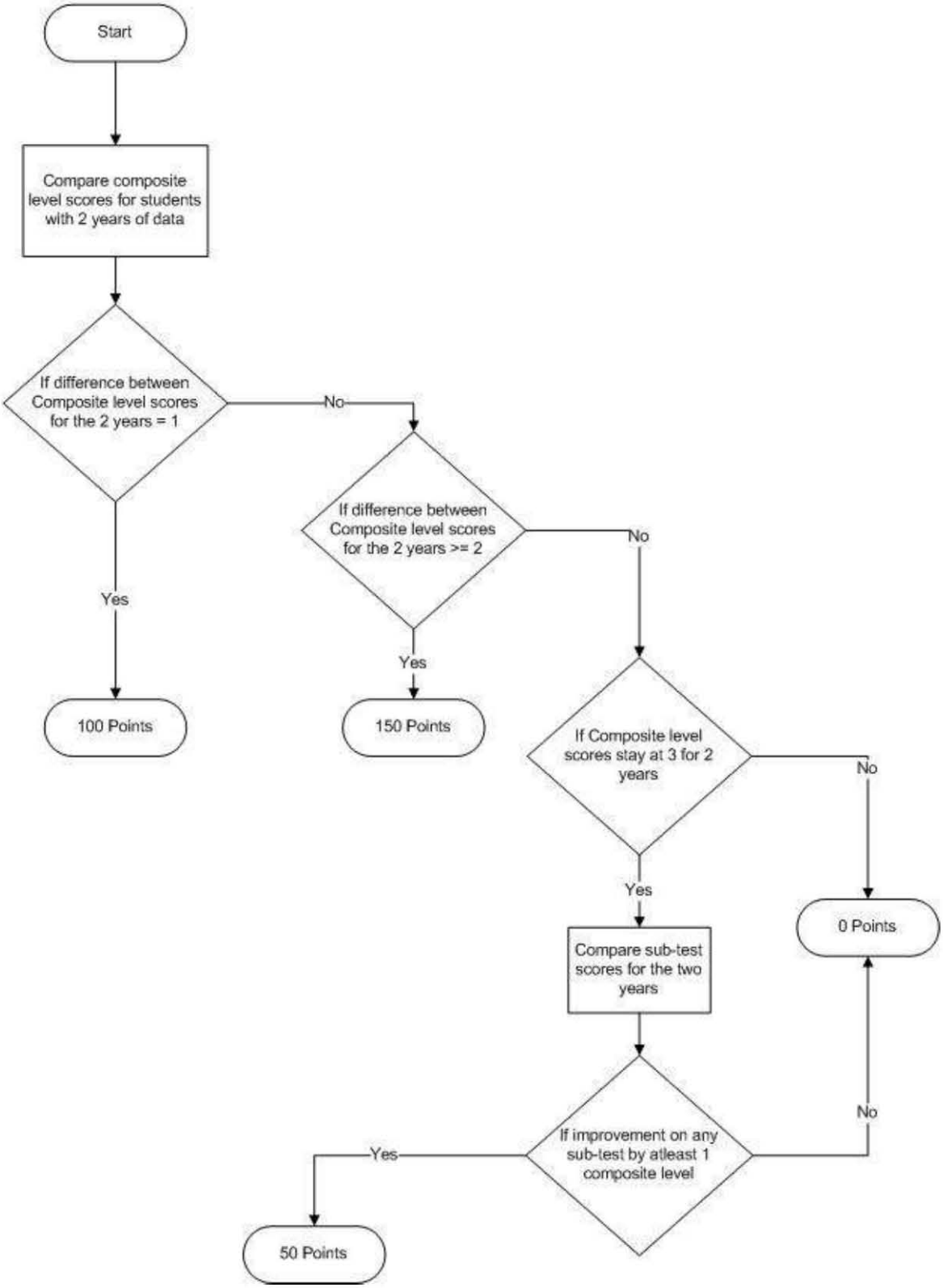
AMAO	Step 1 Minimum N-Counts	Step 2 Reaching Target	Step 3 Confidence Intervals
I	If >=30; AMAOs at district level; If <30; AMAOs at consortium level	District target is to improve 1.9 Index Points CompPL=1 level=100 points CompPL>=2 levels=150 points CompPL3 and no change in CompPL BUT improvement on at least one subtest=capped at 50 points	99% CI
II	If >=30; AMAOs at district level; If <30; AMAOs at consortium level	Target=20% scoring at CompPL 4 or 5 Increase 1 percentage point each year	99% CI

No changes were made to AMAO III.

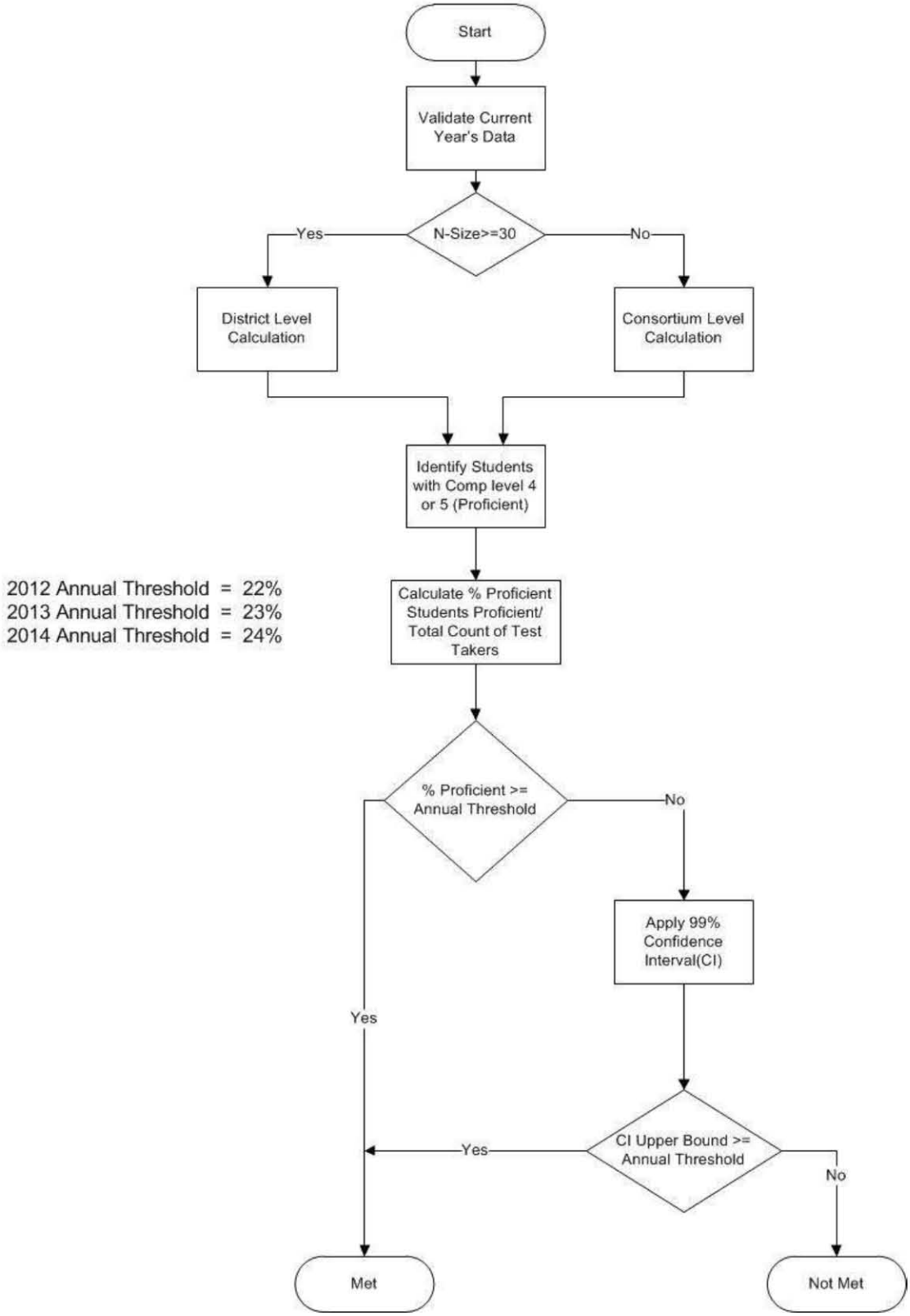
AMAO I Decision Logic



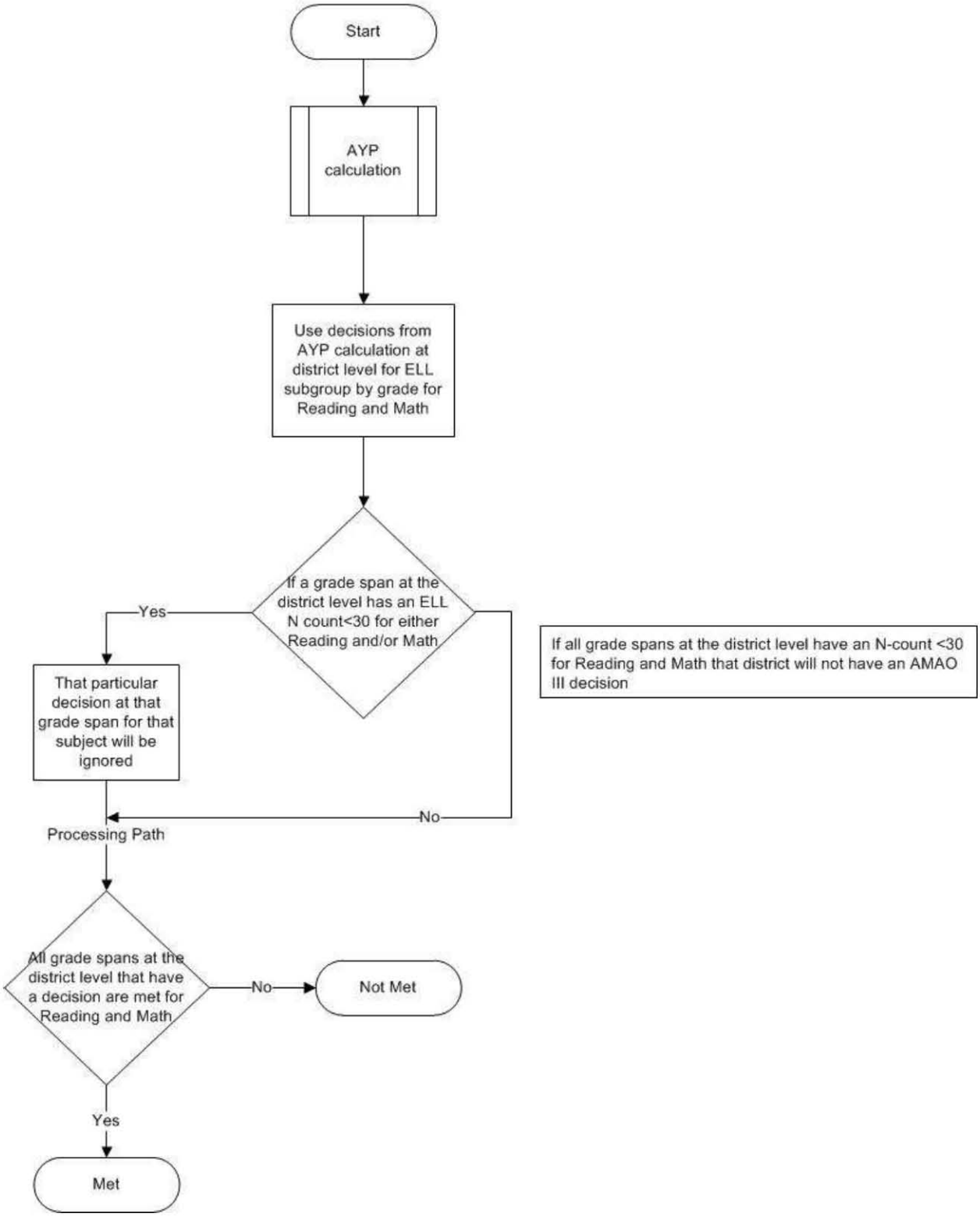
AMAO I-Logic for Assigning Points



AMAO II Decision Logic



AMAO III Decision Logic



3.2 Data Aggregation and Logic Algorithms

3.2.1 AMAO I Programming Logic

Step 1. N –Size- All students with two years of ELDA composite scores are identified. Students with a composite ELDA level of RT in the current year will be considered as having 2 data points. This will be the N size at the district or consortium level respectively.

Step 2. Assign Points - Comparing the composite level scores from the two years, an improvement by 1 ELDA composite level, is assigned 100 points and an improvement by 2 or more levels is assigned 150 points. In cases where there is a composite level of 3 in both years, then the subtest scores are compared and an improvement on one or more subtests will be assigned 50 points. All other cases are assigned 0 points. Any regression is also assigned 0 points. All students with a composite level of RT in the current year are assigned 0 points by default. A composite level of RT for the previous year is treated as Composite level 1.

Step 3. Average- The points in step 2 are added and then divided by the N Size from step 1 at the district and consortium levels.

Note: The above three steps are calculated for the current year as well as the previous year's data.

Step 4. Difference – If the difference between the current year's and previous year's average is greater than or equal to 1.9 index points, then the AMAO I status is set to Met.

Step 5. If step 4 is not rated as Met, then a check on N-Size is performed and if it is greater than or equal to 30 then 99% Confidence Interval is applied.
99% Confidence Interval: current year average + (2.576*(current year standard deviation/sqrt (current year's N-Size))). This is the upper bound.

Step 6. If the Confidence Interval upper bound in step 5 is greater than or equal to the [previous year's average +1.9] then the AMAO I status is set to Met.

Step 7. If the district or consortium did not receive a status of met in any of the above steps then the AMAO I status is set to Not Met.

3.2.2 AMAO II Programming Logic

The following steps are all calculated at the district as well as the consortium level.

Step 1. N-Size – All students who have taken the ELDA test and have a composite score. Any student with a composite score of 0 or RT will also be included in the N-Size. This will be the N size at the district or consortium level respectively.

Step 2. Proficient- Identify students with a composite level of 4 or 5.

Step 3. Percent Proficient – The count of students who are proficient (step 2) divided by the N-size from step 1. If the result is greater than or equal to the Annual Threshold, then AMAO II status is set to Met.

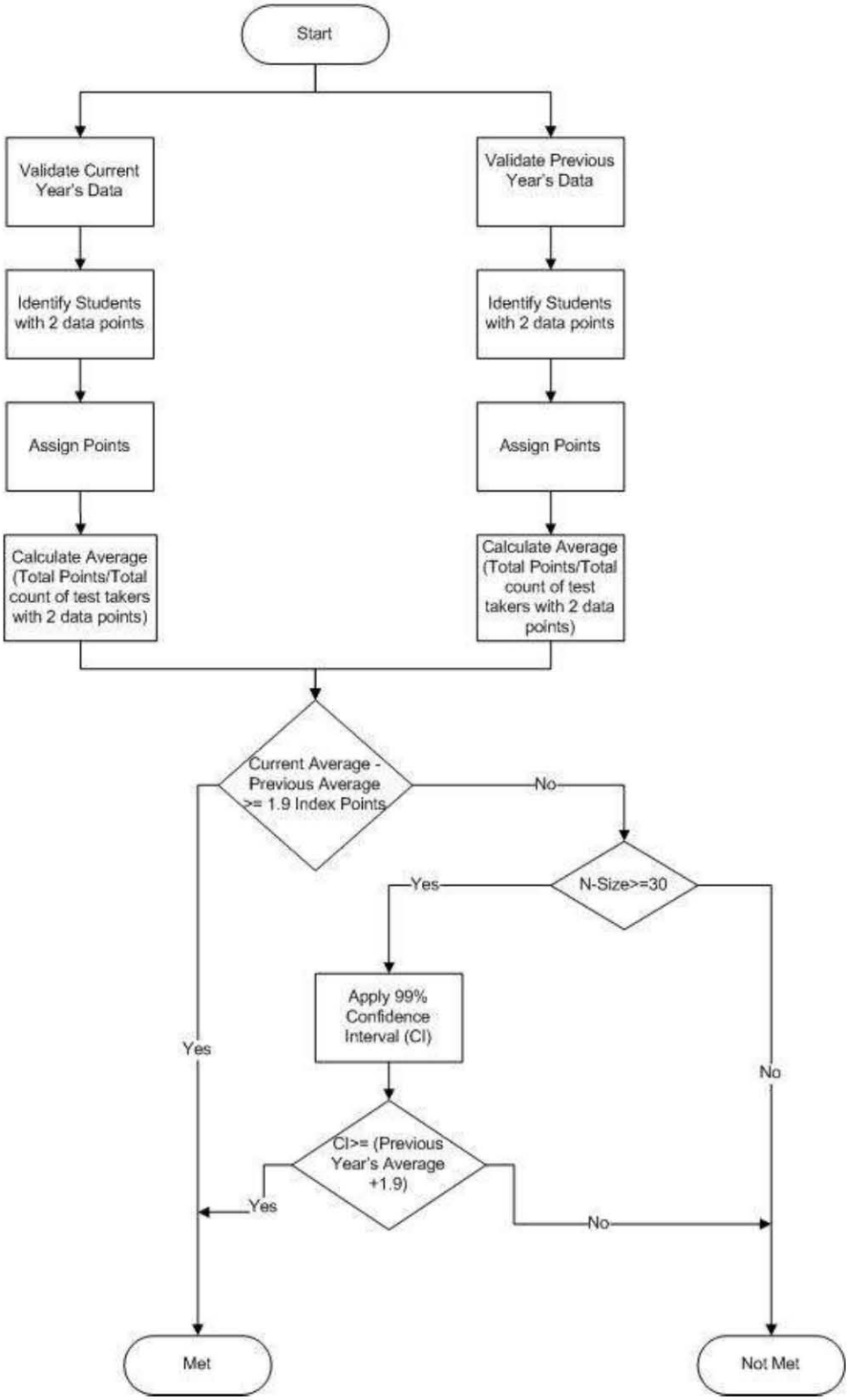
Step 4. If step 3 is not rated as Met, then a check on N-Size is performed and if it is greater than or equal to 30 then 99% Confidence Interval is applied.

99% Confidence Interval: (Total Proficient + (2.576*sqrt ((Total Proficient*(1-Total Proficient))/N-Size)))*100. This is the upper bound.

Step 5. If the confidence Interval upper bound in step 4 is greater than or equal to the Annual Threshold, then AMAO II status is set to Met.

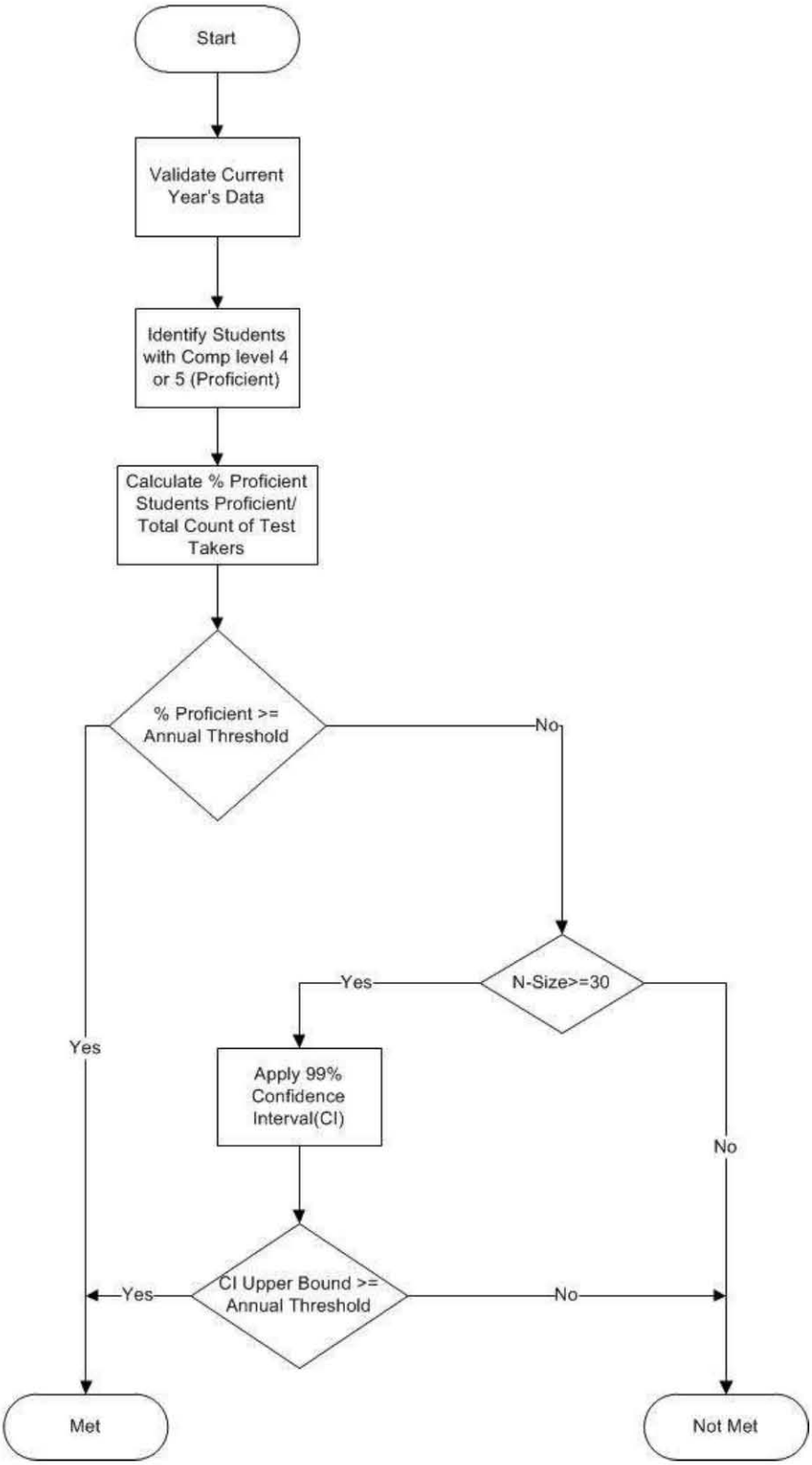
Step 6. If the district or consortium did not receive a status of met in any of the above steps then the AMAO II status is set to Not Met.

AMAO I Programming Logic



AMAO II Programming Logic

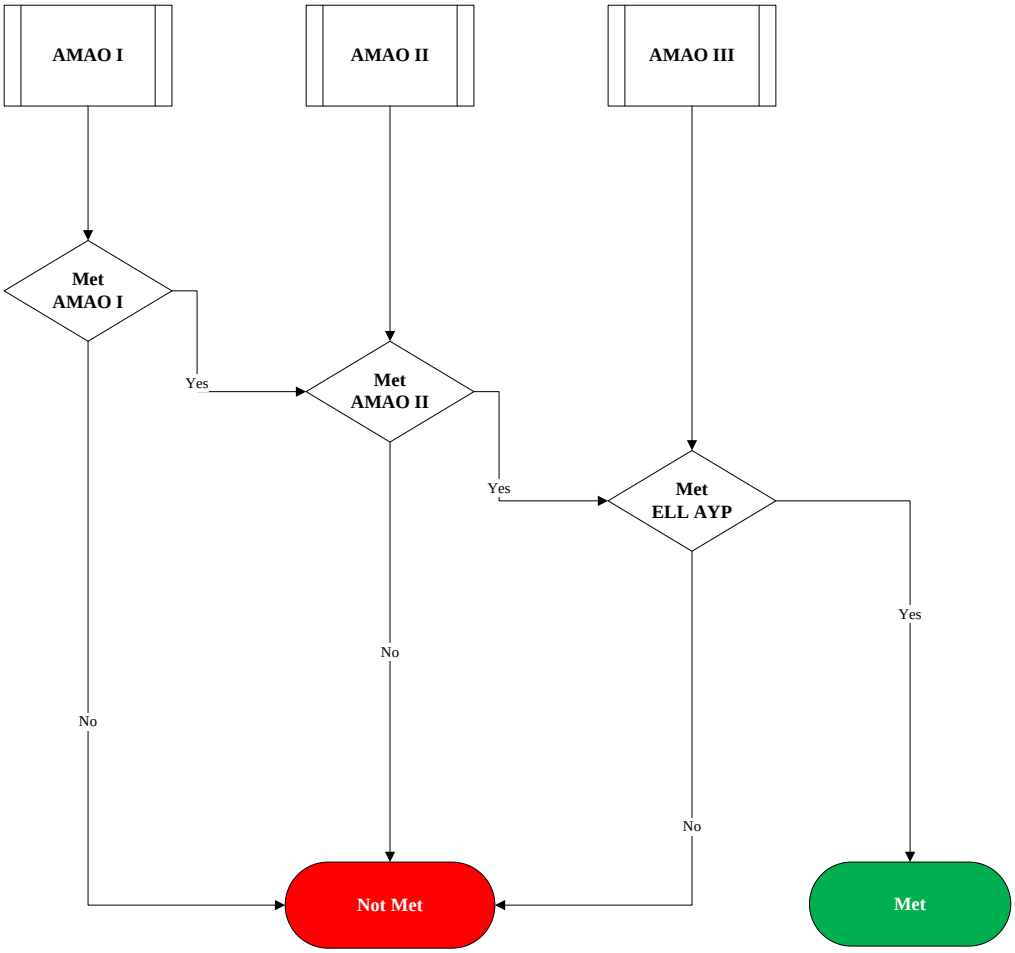
2012 Annual Threshold = 22%
2013 Annual Threshold = 23%
2014 Annual Threshold = 24%



3.2.3 Producing Overall Title III Determinations

Step 1. Determine if the district/consortium met the AMAO I annual improvement target. **IF** "YES", **THEN** the AMAO I performance indicator is coded as *MET*; **ELSE**, it is coded as *NOT MET*.

Step 2. Determine if the district/consortium met the AMAO II annual status target. **IF** "YES", **THEN** the AMAO II performance indicator is coded as *MET*; **ELSE**, it is coded as *NOT MET*.

Step 3. Migrate AYP determination from Title I results. **IF** the district did not meet AYP for the ELL subgroup in any grade span; **THEN** the AMAO III performance indicator is coded as NOT *MET*.

Step 4. Determine if the district/consortium received a *MET* on all three performance indicators. **IF** the entity has a *MET* in each performance indicator; **THEN** the entity is coded as *MET*; **ELSE**, the entity is coded as *NOT MET*.