
2005 AYP EXCEPTIONS GUIDELINES

Decision Guidelines for Exceptions to the Federal 5% Cap:

All school districts applying for an exception to the 5% cap must complete the Exception Application that includes three questions:

- Do you have residential facilities for students with disabilities?
- Do you have group foster homes for students with disabilities?
- Do you have any other situation that would warrant an exception to the 5% cap?

Exception applications that identify residential facilities and/or group foster homes are evaluated separately from those that identify another situation that would warrant an exception.

Evaluation of Residential Care and Treatment (RCT) and group foster home exceptions

Determining whether the exception would allow the district or campuses to meet the Performance Indicator standard:

1. Verify that the school district has registered any Residential Treatment Facilities and/or group foster homes with the Special Education Division. (The number of students served at the facility is included in the registration. This is not the data source used in the calculation but may be needed if the AYP performance data differ significantly from the numbers described in the exception request.)
2. Find the number of students needed to meet the standard for all 7 student groups to Meet AYP for each Performance Indicator (Reading and Mathematics).
3.
 - a. Using the AYP performance dataset, determine the total number of students in the school district with an instructional arrangement that identifies them as students in a Residential Treatment Facility, foster group home, or Hospital Class setting.
 - b. Of these, determine the number of students that were tested below enrolled grade level and Met ARD Expectations.
4. Analysis of the student Exceeder lists:
 - a. Based on the determination of the cap, generate a list that includes all students within the cap and all those who exceeded the cap in priority order.
 - b. Increase the cap to allow an additional set of students “under the cap” in the cap calculation equal to 3.b. above.
 - c. Determine whether the addition of those students is enough for the district and/or campus for whom the exception is requested to Meet AYP for that Performance Indicator. The exception is recommended to be granted if the application of the higher cap would result in a change in the Performance Indicator AYP status.

Justification: This method allows for an increase in the cap equal to the total number of students served in Residential Treatment Facilities, group foster homes, and/or Hospital Class settings who were tested below enrolled grade level and Met ARD Expectations.

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Evaluation of all other exceptions

1. If the district requested an exception based on both RCT/group foster homes and other circumstances, apply the above process first. In this situation, the second process will determine if the cap can be raised any further based on other circumstances.
2. Evaluate the explanation of why the prevalence of students with disabilities exceeds the 5% cap. Reasons favorable for granting the exception:
 - a. community or health programs in the district attendance boundaries that have drawn families of students with disabilities
 - b. special arrangements with surrounding districts to serve special education students from outside the district boundaries
 - c. special programs offered by the district for students with certain disabilities draw families of students with disabilities
 - d. quality of the special education program in the district draws families of students with disabilities
 - e. district size results in a small number of students with disabilities representing over 5% of all students

Reasons not favorable for granting the exception:

- f. appropriate testing of students under state assessment policy
 - g. factors such as student race/ethnicity, socioeconomic status, or mobility putting students at a disadvantage academically
 - h. reasons related to distribution of students with disabilities among campuses within a district such as cluster arrangements or special purpose campuses
3. Generate the following information for each exception request:
 - a. AYP appeal cover sheet
 - b. Letter from district with Application for Exception form and any additional narrative documents
 - c. AYP data table
 - d. PBMAS data table for special education
 - e. Frequency table of students with disabilities by disability (number and percent of students for each disability code, for all students, students below the cap, students above the cap)
 - f. Frequency table of students with disabilities by instructional arrangement (number and percent of students for each instructional arrangement code, for all students, students below the cap, students above the cap)
 - g. Number of students needed to meet the standard for all seven student groups to meet AYP for each indicator (Reading and Mathematics)

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- h. List in priority order (AYP sort) of all students whose test results are subject to the cap
4. Exceptions panel will review the exception request, data, any additional staff research and/or recommendation, and make a recommendation.

Justification:

- ◆ Although these exception requests will be difficult to quantify, a determination must be made about whether the circumstance described would be sufficient to raise the cap enough to count enough additional students as meeting ARD expectations so that the district or campus would meet AYP.
- ◆ If the district is claiming that they serve an unusual number of students with a certain disability that should be reflected in the data.
- ◆ It is difficult to compile evidence that a special education program is effective and draws students from surrounding areas. If a district is making this claim, the data should minimally reflect a special education program that is not subject to any monitoring and meets the highest standards in the PBMAS system.
- ◆ If the district is claiming that there are unusual numbers of students with disabilities in individual family foster homes, student listings provided by the district will be evaluated.
- ◆ If the district is requesting consideration of students served in a Regional Day School for the Deaf, the cap will be increased based on the number of students with an Auditory Impairment in the cap calculation.