

**Final Decision on 2008 Adequate Yearly Progress (AYP) Process for the
Federal Cap on Proficient Results from TAKS-M and TAKS-Alt
April 2008**

In accordance with the final regulations posted in the Federal Register on April 9, 2007, Texas will implement the U.S. Department of Education (USDE) required limits on the number of scores from alternate assessments that can be counted as proficient in the 2008 Adequate Yearly Progress (AYP) calculations. The No Child Left Behind (NCLB) Act of 2001 requires the proficient results from the TAKS-Alternate (TAKS-Alt) assessment to be limited to a 1% cap and proficient results from the TAKS-Modified (TAKS-M) limited to a 2% cap.

Research on available federal cap options began in the summer of 2007 with an overview of other states' methodologies. Agency staff found that there are several states currently developing an alternate assessment for students with the most significant cognitive disabilities, subject to a 1% cap (equivalent to the TAKS-Alt assessment in Texas). Fewer than ten of these states have a federal cap process implemented for their AYP calculation. An even smaller number of states have opted to implement an alternate assessment based on modified academic achievement standards, subject to a 2% cap (equivalent to the TAKS-M assessment).

In September, 2007, agency staff began to solicit ideas and suggestions from school district staff through Texas Statewide Network of Assessment Professionals (TSNAP) meetings, the Fall Academy for District Testing Coordinators, Texas Education Telecommunications Network (TETN) Accountability sessions, and Education Service Center (ESC) Title I meetings. Only a few suggestions were provided from the field and two were specifically incorporated as available options for the federal cap process.

On January 22, 2008, a draft summary of research-based options for implementation of the federal cap was presented for review by the Title I Committee of Practitioners (COP). Established under the Elementary and Secondary Education Act (ESEA) and amended by the NCLB Act of 2001, the Title I COP is directed to be substantially involved in the review and comment on any proposed or final State rules, regulations, and policies relating to Title I programs prior to their publication. The Title I COP meets four times a year to advise the Texas Education Agency (TEA) on Title I, Part A issues.

On February 13, 2008, TEA released the first draft of research-based options for implementation of the federal cap limit on proficient results of students with disabilities taking alternate assessments. On the same day, Texas school district superintendents and ESC directors were informed of the availability of the document in order to provide district and ESC staff with an opportunity to review and comment on the proposed options. The comment period for educator input on available options was February 13 through March 21, 2008.

On March 4, 2008, the draft 2008 Federal Cap options document was presented to the 2008 Educator Focus Group on Accountability for a recommendation. Focus Group members discussed the proposed options and indicated a preference for Option 1 (Random Assignment) for the 1% federal cap and Option 5 (SIP Strategic) for the 2% federal cap.

Based on comments provided by educators over the six week period, the federal cap option selected most often was Option 1 (Random Assignment) for the 1% federal cap. Option 4 (Campus Proportion), Option 5 (SIP Strategic), and Option 6 (Combination Method) for the 2% federal cap were almost equally favored. A summary of comments provided by educators is shown in Attachment A.

After review of educator comments and suggestions, a final version of the 2008 Federal Cap options document was presented to the Title I COP meeting on March 25, 2008. The committee was asked to provide a recommendation from the available federal cap options. Committee members were first asked to indicate their preference on the two options proposed for the 1% federal cap. The committee

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recommended Option 1 (Random Assignment) for the 1% federal cap. The committee members were then asked about the options proposed for the 2% federal cap. The COP members narrowed the preferred options to either Option 5 or Option 6. They recommended Option 5 (SIP Strategic) as their preferred option for the 2% federal cap.

After consideration of all available options and educator input, the following federal cap options have been selected for 2008:

Options for 1% cap on TAKS-Alternate Assessment Results

Option 1. By Random Assignment – Students are randomly selected up to the federal cap limit.

Options for 2% cap on TAKS-Modified Assessment Results

Option 6. Combination Method – TEA prioritizes campuses by grades served and proportion of students with disabilities enrolled. School districts have the opportunity to review and/or modify the campus rankings. Student results are selected in order to maximize the number of campuses that Meet AYP beginning with the campuses assigned the highest priority.

Rationale: Option 1 (Random Assignment) was chosen for the 1% federal cap since it received broad overall support from educators, despite the disadvantages inherent to random assignment. For the 2% federal cap, Options 5 (SIP Strategic) and 6 (Combination) are very similar in that they both incorporate school district input for campus prioritization and apply a strategic approach selecting students for inclusion in the federal cap only to the extent needed for the campus to meet AYP. The only difference in the two options is the default campus ranking provided to school districts; however, under both options school districts have the opportunity to review and modify the default campus ranking.

Option 6 was chosen since it combines features of Option 3 (prioritizing by Grade Level) and Option 4 (prioritizing by Proportion of Students with Disabilities) with features of Option 5 (school district input and optimizing the number of students in the federal cap). School districts are provided a campus ranking and the opportunity to review and modify the default campus ranking. Students are selected for inclusion in the federal cap in campus priority order only to the extent needed for the campus to meet AYP.

Option 6 provides a default campus ranking by 1) Grade Level and 2) Proportion of Students with Disabilities Enrolled. The initial ranking by grade level prioritizes campuses that have successfully accelerated instruction for students in the highest grade levels in order to attain enrolled grade level proficiency. The second ranking priority is given to campuses that are serving a high number of students with disabilities. Option 6 is the option selected since it is more closely aligned with the overall goal to encourage districts and campuses to maximize the number of students with disabilities achieving grade-level proficiency.

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Attachment A

Summary of Educator Input on the 2008 Federal Cap Options
<p>Comments Provided</p> <p>Comments were provided from 51 unduplicated school districts/ESCs*:</p> <ul style="list-style-type: none">34 from school district staff14 from school districts submitted through Region 13 staff1 from Region 17 staff1 from Haskell-Knox Shared Services Arrangement1 from Tri-County Co-Op Shared Services Arrangement <p>* Comments received from more than one person in the same school district are only counted once in the summary.</p>
<p>Federal Cap Options for TAKS-Alt (subject to a 1% cap on proficient results)</p> <ul style="list-style-type: none">25 (49%) chose Option 1/Random Assignment9 (18%) chose Option 2/Disability Category17 (33%) made no selection
<p>Federal Cap Options for TAKS-M (subject to a 2% cap on proficient results)</p> <p>Of Options selected:</p> <ul style="list-style-type: none">14 (27%) chose Option 4/Campus Proportion14 (27%) chose Option 5/SIP Strategic11 (22%) chose Option 6/Combination Method2 (4%) chose Options 5 or 6 <p>Remaining Options:</p> <ul style="list-style-type: none">2 (4%) chose Option 1/Random Assignment0 (0%) chose Option 2/Test Score3 (6%) chose Option 3/Grade Level5 (10%) made no selection