

# Frequently Asked Questions About Adequate Yearly Progress

*(Last updated June 6, 2008)*

## Federal Cap

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### I. General Questions

#### I. 1. How do we decide whether to give a student the TAKS-M test or the TAKS-Alt test?

This is a decision that needs to be made by the student's ARD committee utilizing the criteria provided in the **Admission, Review, and Dismissal (ARD) Committee Decision-Making Process for the Texas Assessment Program** publication.

#### I. 2. Does the federal cap limit the number of students that are allowed to take TAKS-M or TAKS-Alt?

**No, the federal cap relates to counting students as proficient for AYP purposes only and does not limit the number of students that may take an alternate assessment.** For students with disabilities receiving special education services, state policies and procedures related to assessment decision-making are detailed in the TEA publication titled **Admission, Review, and Dismissal (ARD) Committee Decision-Making Process for the Texas Assessment Program**. Please refer to the **AYP website** for more in-depth information.

#### I. 3. Can a district exceed the 1% cap?

A district may only exceed the 1% cap if it is eligible for the exceptions process allowed in federal regulations.

#### I. 4. Can a district exceed the 2% cap?

Possibly, districts can only exceed their 2% cap if they do not fully use the 1% cap. The leftover 1% cap space can be used for their 2% cap. In other words, TAKS-M proficient scores may "spill over" beyond the cap.

**I. 5. If the number of TAKS-M student passing results is less than 2% and the number of TAKS-Alt student passing results is greater than 1%, can the excess TAKS-Alt students be used to complete or fill up the 2% cap?**

School districts cannot exceed the 1% cap on TAKS-Alt student passing results. However, if they do not fully use the 1% cap, then districts can exceed the 2% cap on TAKS-M student passing results. Districts may not exceed the federal cap limit of 3% on both the TAKS-Alt and TAKS-M student passing results.

In other words, TAKS-M student passing results may "spill over" beyond the cap; but TAKS-Alt passing results may not.

Federal regulations state that the only circumstance in which a school district may exceed the 1% cap on TAKS-Alt student passing results is when the school district qualifies for an exception to the 1% cap. In this case, districts may exceed the federal cap limit of 3% on both the TAKS-Alt and TAKS-M student passing results only by the amount of the exception to the 1% (TAKS-Alt) federal cap.

**I. 6. Is there also a 1%/2% cap on participation?**

No, the caps are related only to the proficient performance of Special Education students assessed on either the TAKS-Alt or the TAKS-M assessments for AYP results only. Federal regulations do not limit the number of students that may be tested on either the TAKS-Alt or TAKS-M.

**I. 7. If my district or campus exceeds either the 1% or 2% cap, does that mean we automatically fail to meet AYP? Will the district be penalized?**

There are no penalties for exceeding the federal caps. The only potential impact of exceeding the federal caps is the resulting AYP status for the district or campus.

The federal 1% and 2% caps only apply to the number of proficient results that can be counted in the AYP performance calculations.

If student passing results in excess of either of the caps are counted as non-proficient, the district or campus may fail to meet the minimum performance standards for the given measure which would result in the district or campus not meeting AYP. However, it is possible for the district to exceed the federal cap limits on both assessments and still Meet AYP if overall student performance on the TAKS and TAKS (Accommodated) assessments is sufficiently higher than the AYP target (60% for reading/ELA and 50% for mathematics in 2008).

**I. 8. How is a district's 1% cap for proficient results on TAKS-Alt and 2% cap for TAKS-M calculated?**

Determine the district's total participation count, based on the school district's total participation denominator for the Reading/English Language Arts (ELA) and Mathematics indicators separately. The AYP participation denominator is the number of students enrolled at the time of testing defined as the total number of assessment documents submitted by each school district for grades 3 - 8 and 10 only. Once this is done, use the appropriate calculation below for either the 1% cap for TAKS-Alt or 2% cap for TAKS-M:

**TAKS-Alt Limit = District Participation Denominator x .01**

**TAKS-M Limit = District Participation Denominator x .02**

The federal cap process is conducted by subject, beginning with all reading assessment results. For example, most students will have two assessment results: one in Reading and one in Mathematics, and the student passing results may differ for Reading and Mathematics. The federal cap limits are determined by subject, and the Reading federal cap limit and Mathematics federal cap limits may differ. The AYP subject outcome for Reading may also differ greatly from the AYP Mathematics outcome. The federal cap process begins with Reading and evaluates the entire Reading TAKS-M student passing results.

A student that is selected to be included in the Reading federal cap is not automatically selected for the Mathematics federal cap. After the Reading federal cap process is completed, federal cap selection of Mathematics student passing results begins. The goal of the federal cap process is that the subject meets AYP in all student groups.

### **I. 9. What are the district level rounding rules for the federal cap?**

Since 2004, the federal cap calculation has been based on the percentage of *total students enrolled on the day of testing* in Grades 3 - 8 and 10 for Reading and Mathematics rounded up to the next whole number for *any decimal value*.

### **I. 10. What were the options considered for the AYP Federal Cap for 2008 AYP?**

Texas considered several options for the application of the federal cap on proficient results for alternate assessments. These options may be viewed at **2008 Federal Accountability: Development of the Federal Cap on Proficient Results from TAKS-M and TAKS-Alt**.

## **II. Campus Rankings**

### **II. 1. Will the priority in the sort order of the TAKS-M 2% proficient results among campuses ever have an impact on the TAKS-Alt 1% determination?**

No, the results from the 1% cap application are independent of the 2% cap sorting

priority.

**II. 2. Will the same campus sorting priority be applied to both Reading/ELA and Mathematics?**

Yes, only one ranking of campuses will be applied to the federal cap process for both subjects.

**II. 3. What if my district does not provide a campus ranking for the 2008 Campus Priority List for the 2% Federal Cap? How will the campuses be ordered?**

School districts that do not provide campus rankings to TEA by the July 10, 2008 deadline agree to accept the TEA Default Campus Ranking for 2008 AYP. The default process will rank campuses by school type, highest grade served, and percent of students enrolled in Special Education programs. For more information, see [Background information on the AYP federal cap.](#)

**II. 4. Is there any need for school districts with only one campus to respond to the option for campus ranking through the TEASE application for the 2008 Campus Priority List for the 2% Federal Cap?**

No, it is not necessary for school districts with only one campus to submit a campus ranking, since the TEA default campus ranking will process the school district results for the single campus in the only way possible.

**II. 5. If a school district is aware of campus closures for the 2008-09 school year, should that information be used to help determine the campus ranking used for the 2008 Campus Priority List for the 2% Federal Cap?**

Yes, school districts may use any information they have to determine their campus rankings when they opt to submit a modified campus ranking for the 2% federal cap. Justification of a school district's campus rankings is not required by TEA.

**II. 6. Schools that were *Not Evaluated* for AYP in 2007 appear in the 2008 Campus Priority List for the 2% Federal Cap and some are listed higher than other campuses. Should districts modify their campus ranking to rank those campuses below all other campuses?**

The federal cap process will disregard campuses that are *Not Evaluated* and proceed through the ranking to select student passing results from campuses in order for the subject area to meet AYP. TEA selects students for the 2% federal cap in order to help the campus or school district meet AYP to the greatest extent possible. There is not a need to change campus ranking; however, districts may still choose to modify the campus ranking, if desired.

### **III. Student Selection Process**

#### **III. 1. The federal cap process will begin with the reading assessment results, then evaluate mathematics results. If a student is selected for reading, is that student automatically selected for math?**

Student's passing test results that are selected for the reading federal cap are not used for the mathematics federal cap. Most students will have two assessment results: one for Reading and one for Mathematics. The federal cap limits are determined by subject, and the Reading federal cap limit and Mathematics federal cap limit may differ. The federal cap process begins with Reading and evaluates the entire Reading TAKS-M student passing results.

After the Reading federal cap process is completed, the process for the federal cap selection of Mathematics student passing results begins. The federal cap process is conducted by subject, separately. Each time, the goal of the federal cap process is that the subject meets AYP in all student groups.

#### **III. 2. Since it is possible for the TAKS-M student passing result in Reading to be selected for inclusion in the federal cap while the Mathematics TAKS-M passing result is not, is this allowed by federal regulation?**

Yes, as allowed by federal regulation, the federal cap process is conducted by subject. The process begins with an evaluation of all Reading assessment results, the calculation of the Reading federal cap limit, the selection of Reading TAKS-M passing results and the final confirmation of maintaining the overall statewide federal cap limits in Reading. Once completed, the entire process is conducted on Mathematics assessment results. In effect, there is a Reading federal cap and a Mathematics federal cap, which includes a Reading statewide recapture process and Mathematics statewide recapture process.

#### **III. 3. In determining the number of TAKS-M student results needed for the subject to meet AYP, is the number of "needed students" based on achieving the required AYP performance standard (i.e., 60% for Reading/ELA, or 50% for Mathematics) or based on the number of students necessary to meet the Required Improvement portion of Performance Safe Harbor calculation?**

The student selection process is designed to evaluate whether the subject will meet AYP. As part of that evaluation, the district and/or campus performance results are reviewed for each student group and all AYP calculation rules are applied. The rules include the application of the accountability subset and minimum size criteria for each student group. For those student groups that do not meet the AYP performance standard, the Other Measure (Graduation Rate or Attendance Rate) is evaluated to determine if Performance Safe Harbor is an available alternative, that is, if the requirements for the Other Measure are met for the specific student group. For districts

and/or campuses that may use Performance Safe Harbor, the final number of students needed for the subject to meet AYP is the smallest of: 1) the number needed to meet the standard, or 2) the number needed to meet the Requirement Improvement/Safe Harbor. For more information, see the **2008 AYP Guide** available in late June.

### **III. 4. Are all student groups considered when determining the number of TAKS-M student results needed for the subject to meet AYP?**

In order for a subject to meet AYP, each of the seven student groups evaluated for AYP must meet the AYP performance standard or the Performance/Safe Harbor requirements. The number of students needed for the subject to meet AYP represents the number needed for all student groups for that subject to meet AYP. For example, assume a campus needs 5 special education students and 4 limited English proficient (LEP) students in Reading for the subject to meet AYP. The number of passing student TAKS-M results available is 5; however, only 2 are LEP students. In this example, the 5 special education students from this campus will not be selected in the first stage of the student selection process, since the subject would not meet AYP in the LEP student group even if all 5 TAKS-M passing student results were included in the federal cap.

### **III. 5. When considering changes to the campus ranking, should my district rank campuses with the most proficient TAKS-M students higher in the priority list or lower in the priority list?**

The decision to rank campuses is a school district decision. However, TEA provides a default campus ranking that may be used by each school district. TEA will conduct the student selection process in the same way for each district based on the ranking of campuses.

TEA determines whether selecting passing student results from a campus will help that campus meet AYP for the subject. The decision to select student results from a given campus is determined by a comparison of two basic AYP scenarios: Scenario 1 assigns each of the student passing tests from the TAKS-M "pool" as non-proficient (failing); Scenario 2 assigns each of the student passing tests from the TAKS-M "pool" as proficient (passing). Campus performance results of all other assessments are used in creating each scenario. When the overall student performance on a campus from all other assessments (other than TAKS-M) is high, few TAKS-M student passing results are needed for the subject to meet AYP. When overall student performance is low, many TAKS-M student passing results may be needed for the subject to meet AYP.

The federal cap process is based only on the number of TAKS-M student passing results for each subject. A campus with a large number of TAKS-M failing results ("lowest" performing on TAKS-M) will have few TAKS-M passing student results and few student results processed for the federal cap. However, a campus with a large number of TAKS-M passing results ("highest" performing on TAKS-M) will have many student results processed for the federal cap. Only TAKS-M student passing results are

processed for the federal cap and they are the only results available to meet the need for additional TAKS-M passing results to help campuses meet AYP.

The TEA student selection process will begin with the campus ranking and select students up to the federal cap limit. In some cases, the campuses with the highest ranking may require many TAKS-M student passing results in order for the subject to meet AYP. The federal cap process will proceed to the next campus in ranking until the federal cap limit is reached. Once the federal cap is filled, students from the remaining campuses on the list are not selected. In other cases, if campuses with the highest ranking require only a few TAKS-M passing results in order for the subject to meet AYP, then the limit on the federal cap will not be immediately reached and there will be available space in the federal cap for TAKS-M student passing results from other campuses.

**III. 6. If students are selected in order to maximize the number of campuses that meet AYP, what would happen if a campus does not meet AYP even with all of its TAKS-M student passing results counted as proficient?**

The TAKS-M student passing results would not be selected during the first stage of the selection process that benefits campuses. However, the result may possibly be selected during the second stage to benefit school districts or the third stage when results are selected randomly up to the cap limit. See the [May 23, 2008 TETN Accountability Update](#) (slide 44) for more information on the federal cap student selection process.

**III. 7. Will districts receive the benefit of TAKS-M selected student passing results, or are they only available to the campus?**

In each stage of the process, the student results selected and included in the federal cap will increase the AYP performance rates of both the campus and district reported on the TAKS-M student answer document. Even in the final student selection stages when results are selected only to help the school district or to fill up remaining slots in the federal cap, student results included in the cap increase the AYP performance rates of both the campus and district.

**III. 8. Will school districts receive information from TEA about the AYP outcome scenarios, specifically, the AYP outcome groups for each campus?**

The 2008 AYP student level information that will be provided to school districts in October 2008 may include information regarding the 2% cap outcome evaluation group.

**IV. Exceptions to the 1% Cap**

**IV. 1. How will the federal cap's 2% and 1% limits change the 2008 exceptions process for AYP? Will school districts need to apply for an exception?**

The RF Tracker Residential Care and Treatment Facility registration process will continue to be used as a mechanism for school districts to automatically apply for an exception. Federal regulations on exceptions to the cap require Texas to apply exceptions only to the 1% cap on TAKS-Alt proficient results. Texas cannot exceed the 1% cap on TAKS-Alt proficient results; however, if the state does not fully use the 1% cap, then the state may exceed the 2% cap up to a total of 3% on both TAKS-Alt and TAKS-M. These state limits must be maintained even with school district exceptions to the 1% cap. The federal regulation does allow school districts with a granted exception to exceed the 1% cap, but may only exceed the overall 3% cap on both TAKS-Alt and TAKS-M proficient results by the amount of the exception.

In addition to school districts registered in the RF Tracker system, school districts with Regional Day School Programs for the Deaf (RDSPD) that are included in the 2007-2008 Directory for Services for the Deaf in Texas automatically apply for an exception.

School districts identified through RF Tracker or the RDSPD Directory will be initially granted an exception to the 1% cap, which will increase the district's federal cap by the total number of students tested and passing TAKS-Alt who exceed the 1% cap limit. Exceptions to the 1% federal cap based on Other Circumstances will continue to be considered during the 2008 AYP Appeal window.

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