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## Title 28

### EDUCATION

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# Title 28 EDUCATION

## Part LXXXIII. Bulletin 111—The Louisiana School, District, and State Accountability System

### Chapter 1. General Provisions

#### §101. School Accountability

A. Every school shall participate in a school accountability system based on student achievement as approved by the Louisiana State Board of Elementary and Secondary Education (refer to R.S. 17:10.1).

B. Under *No Child Left Behind* (NCLB) the Elementary and Secondary Education Act of 2001, a state's definition of Adequate Yearly Progress (AYP) must apply the same high standards of academic achievement to all public elementary and secondary school students in the state and result in continuous and substantial academic improvement for all students. Schools shall be judged on AYP through both the school performance score component and the subgroup component of the Louisiana School Accountability System.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2737 (December 2003).

### Chapter 3. School Performance Score Component

#### §301. School Performance Score Goal

A. A school performance score (SPS) shall be calculated for each school. This score shall range from 0.0 to 150.0.

B. Each school shall receive its school performance scores under one site code regardless of its grade structure.

C. Final accountability results shall be issued by the fall semester of each year and all accountability reports will reflect the configuration of the school as it existed the prior spring semester.

1. For K-7 schools, the school performance score will consist entirely of one index based on assessments and progress points listed in the table below.

2. For K-8 schools, the school performance score will consist of an assessment index, dropout/credit accumulation index, and progress points.

K-8 School Performance Score Indices and Weights		
LEAP, iLEAP, EOC, and LAA 1	Grades K-7	100 percent
	Grades K-8	95 percent
Dropout/Credit Index	Accumulation Grade 8	5 percent
Progress Points	Grades 3-8	Up to 10 points

3. For schools with a grade 12, the school performance scores will include four indicators weighted equally and progress points as outlined in the table below.

High School Performance Score Indices and Weights		
End of Course Tests, LAA 1	Grades 9-12	25 percent
ACT* (Beginning in 2015-16, the ACT index shall also recognize WorkKeys. A concordance table comparing ACT to WorkKeys will be produced after the Spring 2015 administration.)	Grade 12	25 percent
Graduation Index	Grade 12	25 percent
Graduation Rate	Grade 12	25 percent
Progress points	Grades 10 and 12	Up to 10 points

\*When calculating a school's ACT index score, students participating in the LAA 1 assessment shall not be included in the denominator of such calculation.

4. A combination school (a school with a grade configuration that includes a combination from both categories of schools, K-8 and 9-12), will receive a score from a weighted average of the SPS from the K-8 grades and the SPS from the 9-12 grades.

a. The K-8 SPS will be weighted by the number of students eligible to test during the spring test administration.

b. The 9-12 SPS will be weighted by the sum of:

i. assessment units from students who are initial testers for EOC + the students eligible to test ACT (students with EOC and ACT will count only one time);

ii. cohort graduation units from the number of members of the cohort used as the denominator in the graduation index calculation and the graduation rate (students in cohort will count only one time).

5. For schools with configurations that include grades 9-11, but do not have a grade 12, the school performance score will consist of the indices available.

#### D. Progress Points

1. The school performance score will also be affected by the progress points earned from growth calculated for the non-proficient student subgroup (i.e., super subgroup).

2. To be eligible for K-8 progress points, the school must have:

a. at least 10 students in the non-proficient subgroup, as identified for subgroup membership based on prior year assessment scores only (i.e. students may be proficient or non-proficient in the current year) in ELA or mathematics; and

b. more than 50 percent (i.e. 50.001+) of the students in the non-proficient subgroup exceed their expected score, as determined by the value-added model for students in grades K-8;

c. if Subparagraphs 2.a and 2.b are met, then the number and the percent of students will be multiplied by 0.1, and the higher of the two products will be used to assign progress points. For students who earn an unsatisfactory on LEAP or iLEAP, the multiplier will be 0.1. For students who earn an approaching basic on LEAP or iLEAP in the prior year, the multiplier will be 0.05.

3. To be eligible for high school progress points in 2014-2015 (2015 SPS), the school shall meet either Subparagraph a or b of this Paragraph, whichever is greater in total:

a. at least 10 students in the non-proficient subgroup, as identified for subgroup membership based on the most recent of the two previous years' state assessment scores in ELA or mathematics and a minimum of 30 percent of the students in the non-proficient subgroup score at the top of the expected score range or higher, as determined by the ACT series. If both conditions are met, then the number and the percent of students will be multiplied by 0.1, and the higher of the two products will be used to assign progress points.

i. For students who earned an unsatisfactory on LEAP or iLEAP or needs improvement on end-of-course tests in prior year(s), the multiplier will be 0.2.

ii. For students who earned an approaching basic on LEAP or iLEAP or a fair on end-of-course tests in prior year(s), the multiplier will be 0.1.

iii. Schools can earn a maximum of 10 progress points to be added to the SPS.

NOTE: EXPLORE predicts PLAN and PLAN predicts ACT. As an example, if EXPLORE predicted a student would score between 17 and 19 on the PLAN, the student must score a 19 or higher in order to potentially earn progress points for the school.

b. at least 10 students in the non-proficient subgroup, as identified for subgroup membership based on the most recent of the two previous years' state assessment scores in ELA or mathematics and more than 50 percent (i.e. 50.001+) of the students in any one of the four non-proficient subgroups (ELA EXPLORE to PLAN, ELA PLAN to ACT, math EXPLORE to PLAN, math PLAN to ACT) score above the median of the expected score range or higher, as determined by the ACT series. If both conditions are met, then the number and the percent of students will be multiplied by 0.1, and the higher of the two products will be used to assign progress points.

i. For students who earned an unsatisfactory on LEAP or iLEAP or needs improvement on end-of-course tests in prior year(s), the multiplier will be 0.1.

ii. For students who earned an approaching basic on LEAP or iLEAP or a fair on end-of-course tests in prior year(s), the multiplier will be 0.05.

iii. Schools can earn a maximum of 10 progress points to be added to the SPS.

NOTE: EXPLORE predicts PLAN and PLAN predicts ACT. As an example, if EXPLORE predicted a student would score between 15 and 19 on the PLAN, the student must score a 18 or higher (median is 17) in order to potentially earn progress points for the school.

c. Beginning in 2015-2016 (2016 SPS), only schools earning progress points through 3.b shall be applicable.

i. For combination schools that include both middle and high school grades (e.g., 6-12), the progress points shall be calculated by adding the points earned from each test group together. For sums that are greater than 10, a maximum of 10 points will be awarded.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2737 (December 2003), amended LR 31:1512 (July 2005), LR 32:1017 (June 2006), LR 32:2034, 2035 (November 2006), LR 33:424 (March 2007), LR 33:2349 (November 2007), LR 33:2593 (December 2007), LR 34:430 (March 2008), LR 35:639 (April 2009), LR 36:1987 (September 2010), LR 38:3105 (December 2012), LR 39:305 (February 2013), LR 39:1421 (June 2013), LR 39:2441 (September 2013), LR 40:1313 (July 2014), LR 40:2507 (December 2014), LR 41:1481 (August 2015), LR 41:2578 (December 2015).

### **§303. Transition from Fall 2013 to Spring 2016 (2014, 2015, and 2016 SPS Release)**

A. Schools shall receive an annual 2013 SPS using the 150-point scale, as approved for the 2012-13 school year and as described in Chapters 3-6 of this bulletin.

B.1. In order to provide for a two-year baseline associated with new assessments in English language arts and mathematics, the LDE shall ensure that the distribution of school letter grades remains constant throughout this transition by assigning school letter grades for the 2013-2014, 2014-2015, and 2015-2016 school years based on the distribution of school letter grades by school type (e.g., K-8 v. combination v. high school) from the 2012-2013 school year.

a. If schools generally decline in performance scores, then the distributions (K-8, combination and high school) shall remain the same as in 2012-13 so as not to punish schools during the transition.

b. Any school or district that maintains or improves its annual performance score as compared to the 2012-13 performance scores shall not experience a decrease in its letter grade. Thus, if schools generally improve in performance scores, then the distributions shall improve as they would in any other year.

c. If, in implementing consistent distributions of letter grades, more than one school of the same type (e.g., K-8 school, combination school, or high school) earns the same school performance score (i.e., they are "tied"), then all such schools shall be awarded the same letter grade. For example, if a school earning a school performance score of 84.9 in the 2014-2015 school year is awarded a letter grade of B, all other schools of the same type earning a school performance score of 84.9 in the 2014-2015 school year shall also receive a letter grade of B.

2. Prior to the creation of the transitional ninth grade, some schools were categorized as combination schools, rather than high schools, simply because they offered 8th grade courses to a select group of students ineligible for 9th grade. Such schools shall be classified as high schools and the 12-13 distributions shall be adjusted to reflect this shift.

C. By the fall of 2015, BESE shall determine, in consultation with the Accountability Commission, the timeline and benchmarks needed to gradually raise the standard for student proficiency such that the average student in a school or district with a letter grade of “A” achieves at least “mastery” (level 4) on state assessments no later than the 2024-2025 school year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:2442 (September 2013), amended LR 40:760 (April 2014), LR 40:1314 (July 2014), LR 41:1263 (July 2015).

## Chapter 4. Assessment and Dropout/Credit Accumulation Index Calculations

### §405. Calculating a K-8 Assessment Index

A. For all grades 3-8 use the values from the following table.

iLEAP and LEAP Index Points	
Label	Subject-Test Index Points
Advanced =	150
Mastery (Exceeding the Standard) =	125
Basic (Meeting the Standard) =	100
Approaching Basic (Approaching the Standard) =	0
Unsatisfactory =	0

B. Weight each subject-test index score by the corresponding value from the table below.

Unit Weights for K-8 Assessment Index				
Grade	ELA	Math	Science	Social Studies
3rd	2	2	1	1
4th	2	2	1	1
5th	2	2	1	1
6th	2	2	1	1
7th	2	2	1	1
8th	2	2	1	1

C. Sum all weighted subject-test index scores.

D. Sum all weights applied to subject-test index scores from the table above (in Subsection B).

E. Divide the sum from Subsection D by the total scores.

F. When middle schools students participate only in an EOC exam and not also the grade-level assessment in a given subject, EOC test results shall be used in the middle school’s assessment index (100 for “good” and 150 for “excellent”) and will be weighted by content as noted in the table above. Middle schools will also earn incentive points for all EOC

scores of “good” or “excellent” earned during the same year in which the test was administered.

1. Incentive points will be awarded as follows:

- a. excellent = 50;
- b. good = 25.

G. The policy, as outlined in Subsection F of this Section, shall also apply to combination schools. The EOC score will be used in middle school results for the year in which the EOC is taken, incentive points may be awarded, and the score will be banked for use in the high school score once the student arrives in 9th grade, as outlined in §409.A.3.

H. In the 2015-2016 school year, the social studies test will be administered as a field test only. When calculating the K-8 assessment index for the 2015-2016 school year, either the 2013-2014 or 2014-2015 social studies assessment index, whichever yields the higher school performance score, shall be used as the social studies component of the overall assessment index.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1021 (June 2006), amended LR 36:1989 (September 2010), LR 38:3106 (December 2012), LR 41:2579 (December 2015), LR 42:548 (April 2016).

### §409. Calculating a 9-12 Assessment Index

A. All operational end-of-course (EOC) tests will be used in the calculation of the EOC assessment index.

1. All subjects will be weighted equally.

2. The EOC performance level will be used in the calculation of the EOC assessment index as described in the chart below.

EOC Performance Level	Index Point
Excellent	150
Good	100
Fair	0
Needs Improvement	0

3. Proficient test scores of “good” or “excellent” earned by students at a middle school will be included in the SPS calculations of the high school to which the student transfers as well. The scores for the high school will be included in the accountability cycle that corresponds with the students’ first year of high school. EOC test scores considered “not proficient” (“needs improvement”, “fair”) will not be transferred, or banked, to the high school. Students will retake the test at the high school, and the first administration of the test at the high school will be used in the calculation of the assessment index the same year in which it was earned.

4. Beginning with the 2012-13 school year, students who are completing their third year in high school must have taken the algebra I and English II tests, or LAA 1. If they do not, the students will be assigned a score of zero and be counted as non-participants in high school testing. All students must be included in the assessment cohort regardless of course enrollment, grade assignment or program assignment.

B.1. The ACT composite score will be used in the calculation of the ACT assessment index as described in the chart below. To the extent practicable, a student’s highest earned score for any ACT administration shall be used in the calculation.

ACT Composite	Index Pts
0-17	0
18	100
19	102.8
20	105.6
21	108.4
22	111.2
23	114
24	116.8
25	119.6
26	122.4
27	125.2
28	128
29	130.8
30	133.6
31	136.4
32	139.2
33	142
34	144.8
35	147.6
36	150.4

2.a. Starting in the 2015-16 school year, student performance on the WorkKeys shall be included within the ACT index, where a student takes both assessments and earns a greater number of index points for WorkKeys than for ACT.

b. The concordance table below shall be used to award points beginning in the 2015-16 school performance score results and shall be reevaluated annually for continued alignment with ACT performance.

WorkKeys Level	Index Points
Platinum	136.4
Gold	116.8
Silver	100

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1021 (June 2006), amended LR 33:252 (February 2007), LR 36:1989 (September 2010), LR 37:2118 (July 2011), repromulgated LR 37:2382 (August 2011), amended LR 37:3200 (November 2011), LR 38:1212 (May 2012), LR 38:2357 (September 2012), LR 38:3106 (December 2012), LR 39:305 (February 2013), LR 39:1421 (June 2013), LR 40:1314 (July 2014), LR 41:2579 (December 2015), LR 42:548 (April 2016).

**§413. Dropout/Credit Accumulation Index Calculations**

A. A dropout/credit accumulation index score for each school with a grade eight shall be calculated.

B. The following scale will be used to determine the dropout/credit accumulation index.

1. In order for students to be included in the calculations, they must;

a. have been considered full academic year during the year of last record at the middle school;

b. if earning Carnegie units, have been considered full academic year during the transitional ninth, or traditional ninth grade year for the first ninth grade record.

2. Carnegie units earned in summer school after transitional ninth or traditional ninth grade will not be included.

3. Students who are considered dropouts in transitional ninth or traditional ninth grade based on SIS records shall be included in the calculation and earn zero points.

4. Students who are completing their third year in grade 8 shall be included in the calculation and earn zero points.

Number of Carnegie Units	Index Point Award
6 or more	150
5.5	125
5	100
4.5	75
4	50
3.5	25
3 or less	0
3rd year 8th grade student	0
Dropout	0

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 36:1990 (September 2010), LR 38:3107 (December 2012), LR 39: 2443 (September 2013), LR 40:1315 (July 2014).

**Chapter 5. Inclusion in Accountability**

**§515. State Assessments and Accountability**

A. Louisiana students in grades 3-8 will participate in at least one of the following state assessments on an annual basis:

1. LEAP; or
2. iLEAP; or
3. LEAP Alternate Assessment Level 1 (LAA 1).

B. Louisiana students in grades 9, 10, 11, and 12 will participate in at least one of the following state assessments on an annual basis:

1. EOC (when they are enrolled in the course for which a test is available);
2. GEE (only for repeating testers);
3. LEAP Alternate Assessment Level 1 (LAA 1);
4. EXPLORE in grade 9;
5. PLAN in grade 10;
6. ACT in grade 11 or 12.

C. All LEP students shall take the English language development assessment (ELDA) annually, as well as the appropriate state assessment for their enrolled grade.

D. EOC scores for repeaters (in any subject) shall not be included in high school SPS calculations except for middle

school students who earn a score of needs improvement and repeat the course in the 9th or 10th grade.

E. Scores shall not be included in school performance score calculations for LEP students who have not been enrolled in a school in the United States for one full school year.

F. Scores earned by any student during an academic year who transferred into the LEA after October 1 of the same academic year shall not be included in the school performance score (SPS) or subgroup performance score.

G. A score from a twelfth grade student will count in only one accountability cycle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:2422 (October 2005), LR 32:1022 (June 2006), LR 33:253 (February 2007), LR 36:1990 (September 2010), LR 37:2119 (July 2011), LR 38:1212 (May 2012), LR 38:3107 (December 2012), 39:2443 (September 2013), LR 40:2507 (December 2014).

### §517. Inclusion of Students

A. The test score of every student who is enrolled in any school in an LEA on October 1 of the academic year and who is eligible to take a test at a given school within the same LEA shall be included in the LEA's district performance score (DPS). The score of every student that will count in the DPS will be counted at the school where the student was enrolled on February 1 for SPS and subgroup AYP.

1. For EOC tests taken in December the scores will count in the SPS at the school where the students is enrolled for the test.

2. For ACT, a grade 12 student will be considered full academic year at the school and district from which the student graduated in December of the current school year if the student was enrolled in the district on October 1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:1512 (July 2005), LR 31:2422 (October 2005), LR 31:2764 (November 2005), LR 33:2594 (December 2007), LR 38:3107 (December 2012), LR 39:305 (February 2013), LR 40:1315 (July 2014).

### §519. Inclusion of Schools

A. All K-8 schools shall have a minimum of 40 testing units in any combination of LEAP, iLEAP, or LAA 1 assessments.

B. All 9-12 and combination schools shall have a minimum number of 40 units in any combination of graduation cohort membership and LEAP, iLEAP, LAA 1, or EOC assessments.

C. Each member of a cohort used to calculate a graduation index shall be counted as 4 units when determining the minimum number of units required calculating an SPS.

D. Inclusion of Indices

1. A school must have ten students in the graduation cohort to receive the cohort graduation indices.

2. For schools with early graduates, an increasing grade configuration, and without cohort graduation members, ACT assessment scores shall be banked for the calculation of school performance scores until the accountability cycle associated with those early graduates, per cohort graduation policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:1512 (July 2005), LR 32:1022 (June 2006), LR 34:431 (March 2008), LR 36:1991 (September 2010), LR 38:3108 (December 2012), LR 40:2507 (December 2014), LR 41:1263 (July 2015).

### §521. Pairing/Sharing of Schools with Insufficient Test Data

A. Any school with at least one testing grade (3-11) will receive its SPS based only on its own student data provided it meets the requirements of §519.

B. Any K-2 school with insufficient testing data will be awarded an SPS equal to the SPS of the school to which it is paired.

C. Any school enrolling only twelfth grade students will be awarded an SPS based on shared data from a school or schools containing grades 9-11 that send it the majority of its students. This sharing relationship is to define the cohort that will provide the starting roster on which its graduation index will be based

D. Any K-2, 9-12 configuration shall receive an SPS based solely on the 9-12 data.

E. Any ninth grade only school that does not administer an English/language arts assessment shall be paired with another school that administers an English/language arts assessment.

F. A district must identify the school where each of its non-standard schools shall be paired in order to facilitate the proper sharing of data for reporting purposes, as described above. The paired school must be the one that receives by promotion the largest percentage of students from the non-standard school. In other words, the paired school must be the school into which the largest percentage of students feed. If two schools receive an identical percentage of students from a non-standard school, -or when there is no distinct feeder pattern, the district shall select the paired school.

G. Requirements for the number of test/graduation index units shall be the sum of the units used to calculate the school's SPS (see §519).

H. If a school has too few test units to be a "stand-alone" school, it may request to be considered stand-alone.

1. It shall receive an SPS that is calculated solely on that school's data, despite the small number of test units.

2. The request shall be in writing to the LDE from the LEA superintendent.

3. The school forfeits any right to appeal its SPS and status based on minimum test unit counts.

I. Once the identification of "paired" schools has been made, this decision is binding for 10 years. An appeal to the BESE may be made to change this decision prior to the end of 10 years, when redistricting or other grade configuration and/or membership changes occur.

J. If 10 years has not elapsed, but a paired/shared school acquires a sufficient number of testing units, then the pair/share relationship will be broken, and the school will be treated as a stand-alone school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 30:1445 (July 2004), LR 32:1023 (June 2006), LR 36:1991 (September 2010), LR 38:3108 (December 2012), LR 39:1422 (June 2013), LR 40:1315 (July 2014).

## Chapter 6. Graduation Cohort, Index, and Rate

### §601. Defining a Graduation Index

A. The Louisiana Department of Education (LDE) will calculate a graduation index based on a cohort of students for use in the school performance score of each school with students in grade 12.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1024 (June 2006), amended LR 38:1391 (June 2012), LR 38:3108 (December 2012).

### §603. Determining a Cohort for a Graduation

A. A cohort of students is all students who entered 9th grade for the first time in the state of Louisiana in a given academic year.

B. Each cohort of students will be tracked for four years, from entry as first-time ninth graders through four academic years. Transitional ninth graders will enter automatically the first-time ninth grade cohort in the year after enrolling in transitional ninth grade.

C. Students who exit Louisiana's Student Information System (SIS) system in fewer than four years for legitimate reasons shall not be included in the cohort's graduation index calculations.

1. For graduation cohort calculations, exit codes 07, 10, 14, 16, and 20 from §611 are legitimate, along with any special codes created to deal with natural disasters.

2. Beginning with accountability decisions made in fall 2010 (using 2009 grad data), the only legitimate leavers from a cohort are those who;

a. transfer from Louisiana K-12 public education to a diploma awarding school or program;

b. emigrate to another country;

c. are deceased.

3. Specific documentation is required for students to be considered legitimate leavers.

a. The only acceptable documentation for transfers to other diploma awarding schools or programs is a request for student records from the qualifying school or program, or a letter from an official in the receiving school or program acknowledging the students enrollment. The documentation must be clearly dated before October 1 following the student's exit from the Louisiana Student Information System (SIS). The LDE can, during data certification and audits, require proof that the school or program is recognized as a "diploma awarding" by the state in which it is located.

b. Documentation for a student transfer to home school is a school withdrawal form with parent signature and an LDE letter of approval to the parent, both dated before October 1 following the student's exit from the Louisiana SIS.

c. Students who emigrate to another country must be documented with a statement signed by a parent or a request for student records.

d. An obituary or a letter from a parent is sufficient documentation for a deceased student.

4. The LDE shall maintain and post on the LDE website a list of schools that are considered "non-diploma awarding."

5. A school is classified as "non-diploma awarding" if it:

a. awards fewer than five regular diplomas a year for two consecutive years; or

b. enrolls fewer than 10 twelfth graders for a full academic year for each of two consecutive years.

c. the LDE can grant exceptions to these rules for new schools and schools with small populations upon district request if it can be determined that no circumvention of accountability consequences will occur. The district is responsible for providing any data requested by the LDE.

D. Students that LEAs exit from a school or the LEA using anything other than legitimate leaver codes or those codes indicating completion of a high school course of study must subsequently appear in the Student Information System or they shall be considered dropouts from the state, LEA and school.

E. Students with no high school records in the Louisiana SIS who transfer from a home school, non-public school, or another state into a Louisiana school on or before October 1 of their-eleventh grade year will enter the "on-time" cohort at the students' assigned grade level. Students with existing Louisiana public high school records will re-enter their original cohort.

F. Students transferring within the public school system in Louisiana will remain in their same cohort.

1. Students transferring within an LEA on or before October 1 of their cohort's fourth year will be included in the calculation of the graduation index at the school into which they transfer and complete their fourth year of high school.

2. Students who exit their high school for more than 45 calendar days during their fourth year shall not be included in that high school's grad cohort calculation.

G. Students who graduate or complete high school in fewer than four years will be included in the cohort in which they started 9th grade.

H. Any student who exits K-12 education to enter a school or program that does not award a high school diploma shall be considered a dropout in graduation cohort calculations.

I. All students (excluding those defined in C), regardless of entry or exit dates, are included in the state-level cohort.

J. Students who exit K-12 education and enroll in adult education shall earn points for their school and LEA only if a GED is awarded by October 1 of the following academic year. Otherwise, the student shall be considered a dropout.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1024 (June 2006), amended LR 33:424 (March 2007), LR 33:2031 (October 2007), LR 35:2312 (November 2009), LR 36:2242 (October 2010), LR 36:2840 (December 2010), LR 38:3108 (December 2012), LR 40:1316 (July 2014).

**§611. Documenting a Graduation Index**

A. Beginning with academic year 2005-2006, all schools are required to maintain the following documentation if the corresponding exit code is used.

Exit Code Documentation		
Code	Descriptions	Required Documentation
01	Expelled	Due process documentation supporting expulsion. Students must be enrolled on October 1 of the following year.
03	Illness	Letter from a physician stating the student's date(s) of care written on the doctor office's letterhead with the doctor's original signature. Students must be enrolled on October 1 of the following year.
04	Graduate with Diploma	Official transcript showing successful completion of requirements along with records supporting any academic or career/technical endorsements.
05	GED only	LDE confirmation document and entry/exit in SIS.
06	Certificate of Achievement (Special Education)	Official transcript showing successful completion of requirements
07	Death (of student) or permanent incapacitation	Letter from parent or obituary.
08	Transferred to another public school within district	SIS (Student Information System) record indicating transfer.
09	Transferred to another public school within Louisiana	SIS record indicating transfer.

Exit Code Documentation		
Code	Descriptions	Required Documentation
10	Transferred out of state or country	Request for records from the receiving school (out of state). Request for records or a statement signed by the parent. Documentation proving a student was a foreign exchange student.
12	Transferred to Correctional Institution	SIS record indicating transfer.
13	Transferred to Vocational Technical School	SIS record indicating transfer.
14	Transferred to non-public school (must award high school diplomas)	Request for records from the receiving school
15	Exit from grade for reassignment to another grade	Test results, summer school grades or similar forms located in the student's cumulative records supporting the grade change
16	Transferred to home study/in-school Private Schooling	LDE Approval letter
19	Exit from non-mandatory program	Documentation of participation in specific program.
20	Transferred to Early College Admissions Program	School withdrawal form and request for records from the College or University and proof of full-time enrollment in an academic program
22	Options Program Completer: GED and Industry Based Certificate	STS and/or CATE (Career and Technical Education) record
24	Options Program Completer: Industry Based Certification	STS and/or CATE record
27	Exit under SBESE Academic School Choice Policy	SIS record indicating transfer.
28	Exit under SBESE Unsafe School Choice Policy	SIS record indicating transfer.
34	Correctional Institution/State Custody (ages 17 and above)*	SIS record indicating transfer.
35	Transferred to LEA monitored Adult Education to pursue GED	SIS record indicating transfer.
36	Completer: Skills Certificate Only	SIS record and documentation of certificate earned
40	Transferred under Student Scholarship for Excellence within student's district of residence	SIS record indicating transfer.
41	Transferred under Student Scholarship for Excellence in a district other than the student's district of residence	SIS record indicating transfer.
42	Transferred under Student Scholarship for Excellence to a non-public school	SIS record indicating transfer.

B. Valid alternate documentation that provides sufficient justification for the use of an exit code is allowable.

C. Schools without sufficient documentation to support exit codes are subject to the actions described in Chapter 41.

D. Schools shall maintain documentation that supports exit codes for at least four years after the data has been used in School Performance Scores.

E. The authenticity of exit code documentation is determined by the LDE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1024 (June 2006), amended LR 35:639 (April 2009), LR 35:2312 (November 2009), LR 36:2242 (October 2010), LR 36:2841 (December 2010), LR 38:3108 (December 2012), LR 40:1316 (July 2014).

**§612. Calculating a Cohort Graduation Index**

A. To calculate the cohort graduation index, the following formulas shall be used.

Cohort Graduation Rate	Formula Used
0 percent to 60 percent	$CGR \times 1.166667$
61 percent to 100 percent	$(CGR \times 2) - 50$

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:306 (February 2013).

**§613. Calculating a Graduation Index**

A. For 2014-15 only (2013-14 graduates), points shall be assigned for each member of a cohort according to the following table.

Student Result	Points
HS Diploma plus (a) AP score of 3 or higher, IB Score of 4 or higher, or CLEP score of 50 or higher OR (b) Advanced statewide Jump Start credential *Students achieving both (a) and (b) will generate 160 points.	150
HS Diploma plus (a) At least one passing course grade of the following type: AP**, college credit, dual enrollment, or IB** OR (b) Basic statewide Jump Start credential *Students achieving both (a) and (b) will generate 115 points, if the passing course grade for (a) is earned in a TOPS core curriculum course. **Students must take the AP/IB exam and pass the course to earn 110 points.	110
Four-year graduate (includes Career Diploma student with a regional Jump Start credential)	100
Five-year graduate with any diploma *Five-year graduates who earn an AP score of 3 or higher, an IB score of 4 or higher, or a CLEP score of 50 or higher will generate 140 points.	75
Six-year graduate with any diploma	50
HiSET	25
Non-graduate without HiSET	0

B. Beginning in 2015-16 (2014-15 graduates), points shall be assigned for each member of a cohort according to the following table.

Student Result	Points
HS Diploma plus (a) AP score of 3 or higher, IB Score of 4 or higher, or CLEP score of 50 or higher OR (b) Advanced statewide Jump Start credential *Students achieving both (a) and (b) will generate 160 points.	150

Student Result	Points
HS Diploma plus (a) At least one passing course grade for TOPS core curriculum credit of the following type: AP**, college credit, dual enrollment, or IB** OR (b) Basic statewide Jump Start credential *Students achieving both (a) and (b) will generate 115 points. **Students must take the AP/IB exam and pass the course to earn 110 points.	110
Four-year graduate (includes Career Diploma student with a regional Jump Start credential)	100
Five-year graduate with any diploma *Five-year graduates who earn an AP score of 3 or higher, an IB score of 4 or higher, or a CLEP score of 50 or higher will generate 140 points.	75
Six-year graduate with any diploma	50
HiSET	25
Non-graduate without HiSET	0

C. The graduation index of a school shall be the average number of points earned by cohort members.

1. Starting with the graduating class of 2017-2018 (2019 SPS), only WIC-approved industry based certifications (IBCs) will be included as basic statewide credentials.

D.1. The diploma must be earned no later than the third administration of the summer retest following the fourth year of high school of the students' cohort.

a. For example, a student who finishes the fourth year of high school in 2012 must complete the assessment requirements before or during the 2014 summer test administration.

2. When related to awarding fifth year graduate points, the enrollment must be continuous and consist of at least 45 calendar days.

E. To ensure the accuracy of data used to calculate the graduation index, the calculation shall lag one year behind the collection of the data. (The index earned by the graduating class of 2012 will be used for 2013 accountability calculations.)

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1025 (June 2006), amended LR 33:2031 (October 2007), LR 33:2594 (December 2007), LR 35:1472 (August 2009), LR 36:1769 (August 2010), repromulgated LR 36:1994 (September 2010), LR 36:2243 (October 2010), LR 37:3201 (November 2011), LR 38:1391 (June 2012), LR 38:3109 (December 2012), LR 39:306 (February 2013), LR 39:2444 (September 2013), LR 40:1317 (July 2014), LR 41:615 (April 2015).

**Chapter 7. Subgroup Component**

**§701. Subgroup Component Indicators**

A. Each school shall be evaluated on the subgroup component. A school shall pass the subgroup component provided that each subgroup of students meets the subgroup component, and the school, as a whole, meets the criteria for status or improvement on the additional academic indicator.

1. Passing the subgroup component:

a. Participation rate test—95 percent of the students within the subgroup participated in the standards-based assessments during the current year, during the current and previous year averaged, or during the current and previous two years averaged; and

b. Annual Measurable Objective status test (AMO status test)—the subgroup percent proficient score is at/or above the annual measurable objective in ELA and mathematics; or

c. Safe Harbor Test—

i. the percentage of non-proficient students within the subgroup reduced by at least 10 percent of the previous year's value; and

ii. The subgroup improved or met the criterion on the additional academic indicator (attendance rate for-K-11 schools, and non-dropout rate through 2006 and graduation rate beginning in 2007 for schools with a twelfth grade).

d. Beginning with the fall 2010, the additional academic indicator for schools with a twelfth grade shall be evaluated using new procedures as required by the U. S. Department of Education published in *High School Graduation Rate: Non-Regulatory Guidance* (December 22, 2008).

2. 2002-03 will be year one of judging schools based on the subgroup component.

3. 2003-04 will be year two of judging schools based on the subgroup component.

4. For the non-proficient reduction portion of the safe harbor test, a comparison of current year assessment data to the previous year assessment data shall be used. For the additional academic indicator check for the safe harbor test and for the whole school check, attendance and dropout data from two years prior will be compared to data from three years prior. Beginning in 2007, a graduation rate shall replace use of the dropout data for the additional academic indicator.

5. To ensure high levels of reliability, Louisiana will apply a 99 percent confidence interval to the calculations of subgroup component determinations for the:

a. AMO status test;

b. reduction of non-proficient students (safe harbor test); and

c. additional academic indicator status analyses.

6. Louisiana will not apply a confidence interval to improvement analyses for the additional academic indicator.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2742 (December 2003), amended LR 30:2445 (November 2004), LR 32:1025 (June 2006), LR 36:2842 (December 2010).

### **§703. Inclusion of Students in the Subgroup Component**

A. Students that meet the full academic year criteria, as described in §517 and as described in Paragraphs A.1-2 of this Section, shall be included in all subgroup component analyses for the AMO status test and reduction of non-proficient students (safe harbor test):

1. student is not exempted from testing due to medical illness, death of the student's family member(s), or the student being identified as LEP and in a-school in the United States for less than one full academic year;

2. student is a former LEP student for up to two years after no longer being considered LEP under state rules.

a. These students will not count toward the minimum n for the LEP subgroup.

B. For analyses involving the additional academic indicator, all students in each subgroup in the school shall be included.

C. Each subgroup (African American, American Indian/Alaskan Native, Asian, Hispanic, white, multi-racial, Pacific Islander, economically disadvantaged, limited English proficient, students with disabilities, and all students) within each school shall be evaluated separately on ELA and mathematics. Students who are identified as Hispanic in one or more subgroup categories will be included in the Hispanic subgroup.

1. In calculating the subgroup component for a school:

a. the alternate academic achievement standards for students participating in LAA 1 will be used, provided that the percentage of proficient LAA 1 students at the district level does not exceed 1.0 percent of all students in the grades assessed. If the district exceeds the 1.0 percent proficient cap, the district shall request a waiver. The students exceeding the cap shall be assigned a zero on the assessment and be considered non-proficient if:

i. the district fails to request the waiver; or

ii. if the district requests the waiver but it is determined by LDE that ineligible students were administered LAA 1;

b. when calculating the 1 percent cap for alternate assessment purposes, all decimals in results shall be rounded to the next highest whole number;

i. 1.0 percent of 628 students is 6.28 students. The 1.0 percent cap, in this instance, is 7 students.

2. Students participating in LAA 1 shall be included in the special education subgroup.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2743 (December 2003), amended LR 30:1619 (August 2004), repromulgated LR 30:1996 (September 2004), amended LR 30:2256 (October 2004), amended LR 30:2445 (November 2004), LR 31:912 (April 2005), LR 31:2762 (November 2005), LR 33:253 (February 2007), LR 34:428 (March 2008), LR

34:867 (May 2008), LR 36:1991 (September 2010), LR 37:2119 (July 2011), LR 38:3110 (December 2012), LR 40:2507 (December 2014).

**§705. Annual Measurable Objective**

A. The annual measurable objective (AMO) is the percent of students required to reach the proficient level in a given year on the standards-based assessments. Beginning in 2015, English language arts and mathematics test results from grades 3-8 LEAP, iLEAP, high school EOC algebra I and English II, and LAA 1 will be used to calculate the percent proficient for the subgroup component (for schools and districts).

1. At the middle school level, if a student takes algebra 1, then the algebra 1 score shall be used for AMO calculations.

2. At the high school level, if the algebra I score was used at the middle school level, the geometry score shall be used for AMO calculations.

B. As required in NCLB, the AMOs have been established based on the baseline percent proficient score (proficient = CRT level of basic, mastery, or advanced) in English-language arts and mathematics in the 20th percentile school, using the 2002 CRT test scores in ELA and mathematics for grades 4, 8, and 10.

1. For proficiency levels see chart below.

Proficiency	
LEAP/iLEAP	Basic, Mastery, Advanced
EOC	Good, Excellent
LAA 1	Meets or Exceeds Standard

C. The AMOs for ELA and math are as follows.

School Year	ELA	Mathematics
2001-2002		
2002-2003	36.9 %	30.1 %
2003-2004	36.9 %	30.1 %
2004-2005	47.4 %	41.8 %
2005-2006	47.4 %	41.8 %
2006-2007	47.4 %	41.8 %
2007-2008	57.9 %	53.5 %
2008-2009	57.9 %	53.5 %
2009-2010	57.9 %	53.5 %
2010-2011	68.4 %	65.2 %
2011-2012	78.9 %	76.9 %
2012-2013	89.4 %	88.6 %
2013-2014	100.0 %	100.0 %

D. A 99 percent confidence interval shall be used when evaluating whether subgroups within a school have attained the annual measurable objective (AMO).

E. A confidence interval is a statistic that creates a range of scores. Subgroups with a 95 percent participation rate that attain a percent proficient score within or above the confidence interval range for the AMO shall be considered as having passed the subgroup component. Confidence interval ranges are affected by subgroup size. Smaller subgroups will have a wider range and larger subgroups will have a narrower range.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2743 (December 2003), amended LR 33:253 (February 2007), LR 38:2357 (September 2012), LR 40:2508 (December 2014), LR 42:549 (April 2016).

**§707. Safe Harbor**

A. Subgroups that do not pass the AMO status test by attaining a percent proficient score within or above the confidence interval range shall be evaluated for safe harbor.

B. Safe harbor is attained if:

1. the subgroup makes a 10 percent reduction in its non-proficiency rate from the previous year:

a. a 99 percent confidence interval is applied to this reduction check; and

2. the subgroup:

a. achieves a 90 percent attendance rate (for schools without a 12th grade) (A 99 percent confidence interval is applied to the 90 percent attendance rate.); or

b. makes at least 0.1 percent improvement in attendance rate

C. For schools with a grade 12, a graduation rate will be calculated as described in §708.

D. Subgroups passing the participation rate test and achieving safe harbor shall be considered as having passed the subgroup component.

E. English language arts and mathematics test results from grades 3-8, EOC, and LAA 1 will be used to calculate the reduction of non-proficient students in safe harbor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2743 (December 2003), amended LR 32:1025 (June 2006), LR 33:253 (February 2007), LR 33:2594 (December 2007), LR 38:1213 (May 2012), LR 38:2357 (September 2012), LR 38:3110 (December 2012), LR 40:2508 (December 2014), LR 42:549 (April 2016).

**§708. Using a Graduation Rate in the Subgroup Component**

A. As required by the *No Child Left Behind Act of 2001*, Louisiana shall calculate a graduation rate based on a cohort of students beginning in 2007.

B. The definition of a cohort for this calculation is the same as that used in §603.

C. The additional academic indicator (AAI) calculation shall comply with High School Graduation Rate: *Non-Regulatory Guidance* (December 22, 2008) published by the U. S. Department of Education.

1. For subgroup accountability purposes, Louisiana high schools shall use an increasing target for the additional academic indicator.

2. For subgroup accountability purposes, Louisiana's high school annual targets shall increase annually as shown in the following table.

Louisiana Annual Graduation Rate Targets						
2009	2010	2011	2012	2013	2014	2015
63.0%	64.3%	65.6%	66.9%	68.2%	69.5%	70.8%
2016	2017	2018	2019	2020	2021	2022
72.2%	73.5%	74.8%	76.1%	77.4%	78.7%	80.0%

3. For subgroup accountability purposes, each Louisiana school that enrolls students in ninth grade or higher and offers at least a regular diploma shall have annual targets calculated by the LDE that begin with the school's 2007 graduation rate and increase by equal increments (rounded to 1 decimal place) to reach 80.0 percent in 2022.

4. The increment each school must improve each year to maintain its progress toward the 2022 goal is the "annual improvement step."

D. Confidence intervals shall not be applied to any graduation rate considerations beginning with the 2010 accountability decisions.

E. Determining if a school or subgroup within a school has made AYP as it relates specifically to graduation rate is accomplished by answering a series of Yes/No questions. When an answer is "yes," a school or subgroup has made AYP (related to graduation rate) and no further answers are required for the specific school or subgroup.

1. Does the cohort have fewer than 40 members?
2. Has the cohort met or exceeded an 80.0 percent graduation rate?
3. Has the cohort met or exceeded the state annual target?
4. Has the cohort met or exceeded the school annual target?
5. Has the cohort met or exceeded 110 percent of the annual improvement step (defined in Paragraph C.4).

F. If at the end of the series of 5 questions a "yes" is not provided, the cohort has failed AYP.

G. A school (or subgroup) that exceeds the state's target with its 2009 graduation rate shall use the state targets as school targets. New schools shall have targets based on their second year graduation rates and the number of years remaining until 2022.

H. All subgroups and the whole school shall be evaluated using the steps delineated in this Section regardless of safe harbor considerations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1026 (June 2006), amended LR 33:424 (March 2007), LR 36:2243 (October 2010), LR 37:1122 (April 2011), LR 38:3110 (December 2012).

#### **§709. Failing the Subgroup Component**

A. A school shall fail the subgroup component if ANY subgroup within that school fails the participation rate test, the ELA or math AMO status test or the safe harbor test.

B. A school in which all subgroups have passed the subgroup component must also have the school pass the additional academic indicator (AAI). A school passes the AAI when it has:

1. achieved a 90 percent attendance rate (for schools without a 12th grade)/65 percent graduation rate, beginning in 2007 (for schools with a 12th grade) (A 99 percent confidence interval is applied to the 90 percent attendance rate; or
2. made at least 0.1 percent improvement in attendance rate (for schools without a 12th grade);
3. beginning in fall 2011 using 2010 graduation data met one of the 5 criteria in §708.F, above for the whole school and each subgroup within the school with sufficient data for a valid and reliable decision.

NOTE: If a school in which all subgroups have passed the subgroup component does not pass the additional academic indicator, it shall not pass the subgroup component.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2744 (December 2003), amended LR 30:2256 (October 2004), LR 32:1026 (June 2006), LR 33:2594 (December 2007), LR 37:1123 (April 2011), LR 38:3110 (December 2012).

## **Chapter 11. School Performance Categories**

### **§1101. Letter Grades**

A. For the 2013-2014, 2014-2015 and 2015-2016 school years, letter grades shall be assigned pursuant to §303 of this bulletin. Thereafter schools will receive letter grades based on the school performance score (SPS).

B. In addition to the letter grade, the LDE shall award schools the following labels:

1. if a school declines, it shall be labeled as "declining;" and
2. if a school qualifies as a reward school (described in §1301), it shall be labeled as a "top gains" school.

C. The LDE shall identify all schools that have selective, non-traditional academic admissions requirements.

D. The LDE shall identify all schools that are classified as alternative schools.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2120 (July 2011), amended LR 38:3110 (December 2012), LR 40:760 (April 2014), LR 41:2579 (December 2015).

### **§1102. Academically Unacceptable Schools (AUS)**

A. A school with a baseline SPS below 50.0 shall be identified as an academically unacceptable school (AUS), except in 2013-2014 and 2014-2015 when AUS status shall be assigned for those schools with a letter grade of "F."

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2121 (July 2011), amended LR 39:304 (February 2013), LR 40:760 (April 2014).

### **§1103. Honor Rolls**

A. Beginning with the release of 2010-2011 school accountability data, the LDE shall produce a letter grade honor roll to recognize all schools that earn a letter grade of A or B.

B. Beginning with the release of 2010-2011 school accountability data, the LDE shall produce a graduation rate honor roll to recognize all schools with a graduation rate greater than or equal to the state average.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2121 (July 2011), amended LR 38:3111 (December 2012).

### **§1105. Turnaround Schools**

A. If a turnaround operator takes over an entire school that was labeled “F” in the previous school year, including all previous grade levels and all former students of the “F” school, then the school’s grade shall be reported as “T” for the first two years of operation.

B. However, all other metrics of the school performance report shall still be reported (e.g., SPS, subgroup performance).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:3111 (December 2012).

### **§1107. Unknown School and District Performance Due to Nonparticipation in State Assessments (2014-2015 Only)**

A. For the 2014-2015 school year only, if the number of nonparticipants (see §4101.B of this bulletin) in grades 3 to 8 English language arts and mathematics is greater than 10 percent of all testers for that school, then the LDE shall carry forward the 2013-2014 school performance score and letter grade of said school as the 2014-2015 annual school performance score and letter grade, and shall clearly note the use of the 2013-2014 result, due to nonparticipation, on the annual public report card.

1. If a school meets the criteria outlined in Subsection A of this Section but did not have a letter grade or SPS from the year prior, then a letter grade of “U” (unknown) shall be awarded for the 2014-2015 school year.

B. For the 2014-2015 school year only, if the number of nonparticipants (see §4101.B of this bulletin) in grades 3 to 8 English language arts and mathematics is less than or equal to 10 percent of all testers for that school, then the LDE shall include in the calculation of the school or district performance score results from the 2013-2014 Louisiana state assessments in English language arts or mathematics for such students, where available. Where no such 2013-2014 English language arts and/or mathematics results are available for nonparticipants, nonparticipation shall be addressed by using

the average assessment index points earned for the specific school, grade level and subject. For students with partial scores in 2014-2015, the LDE shall use the higher of the student’s two results, 2013-2014 or 2014-2015; if students with partial scores do not have a score from 2013-2014, then the LDE shall use either the 2014-2015 partial score or the average 2014-2015 assessment index points earned for the specific school, grade level and subject, whichever is higher.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:549 (April 2016).

## **Chapter 13. Rewards/Recognition**

### **§1301. Reward Eligibility**

A. A school shall be labeled a “reward school” if it meets the following growth goals.

1. For schools labeled an “A” for the previous academic year, such schools shall improve their SPS by five points. If an “A” school is within five points of the total possible points (i.e., 150), then the school shall need to reach an overall score of 150.

2. For schools labeled “B,” “C,” “D,” or “F,” such schools shall improve their SPS by 10 points.

B. Schools labeled as “reward schools” shall be eligible for financial rewards, as funds are available and as determined by the department.

C. Schools will not be eligible for reward status regardless of growth if they are in any level of subgroup component failure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2744 (December 2003), amended LR 30:1446 (July 2004), LR 31:1513 (July 2005), LR 33:1334 (July 2007), LR 33:2595 (December 2007), LR 38:3111 (December 2012), LR 39:2444 (September 2013), LR 40:1317 (July 2014).

### **§1303. Correction of Data**

A. Districts and the LDE shall evaluate any instance of irregular or unusual data in the following respects for determining the allocation of rewards:

1. if irregularities are resolved and the data is corrected before rewards are provided, the rewards will be based upon the corrected data;

2. if the irregularities are resolved and the data is corrected after rewards have been distributed, the school shall be required to repay any rewards for which it was ineligible as determined by the audit findings or the State Board of Elementary and Secondary Education (SBESE) will subtract the reward amount from future funds to be awarded to the district or from some other source.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2745 (December 2003), amended LR 38:3111 (December 2012).

## Chapter 16. Academically Unacceptable Schools and Subgroup Component Failure

### §1601. Entry into Academically Unacceptable School Status

A. For the 2011-2012 accountability release, schools with SPS of less than 75.0 out of 200 shall be labeled “academically unacceptable schools” (AUS). Beginning with the 2012-2013 accountability release, schools with SPS less than 50.0 out of 150 shall be labeled “AUS.” All AUS schools shall implement remedies from the “academically unacceptable schools” table (below).

1. BESE may, during times of transition in the accountability system, waive schools meeting certain conditions from receiving the AUS label and/or from implementing certain remedies and sanctions.

B. A school shall enter AUS Level 1 when identified as AUS if the school was not labeled AUS the previous year, including schools that did not receive performance labels the previous year.

C. Schools progress to more serious levels of AUS based on the number of consecutive years a school has been labeled AUS.

D. Schools exit academically unacceptable school status when their SPSs are greater than or equal to 50.0.

E. Academically Unacceptable Schools

Academically Unacceptable Schools			
Level	Remedy	Title 1	Non-Title 1
AUS 1 (Year 1) (notified Aug. 1) - AUS 3 (Year 3)	School Choice	x	x
AUS 4 + (Year 4+)	Eligible for the RSD	x	x

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2595 (December 2007), amended LR 35:2312 (November 2009), LR 36:1770 (August 2010), LR 37:2121 (July 2011), LR 38:3111 (December 2012).

### §1603. Requirements for Academically Unacceptable Schools

A. Schools/LEAs that do not comply with AUS remedies and sanctions will be eligible for state takeover.

B. Schools entering AUS Level 1 (AUS1)-AUS Level 3 (AUS3) must:

1. allow parents of students in academically unacceptable schools (AUS) to transfer their child to a higher performing public school as stated in Chapter 25;

2. supplemental education services (SES) are no longer a required remedy. However, if SES will be utilized in an “F” school, then the SES provider must be selected from a state-approved list of providers published annually by the LDE.

C. In compliance with R.S. 17:10.5, schools labeled AUS for four consecutive years are eligible for state takeover (other criteria may apply).

1. The means for this takeover occurring is a group submitting a proposal for a type 5 charter school and by BESE awarding a charter to the group.

2. Since multiple proposals may be submitted for one school, they are evaluated and the proposal most likely to succeed is most likely to receive the charter.

3. The LEA may also develop a proposal to keep and reconstitute its school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2596 (December 2007), amended LR 35:2313 (November 2009), LR 38:3112 (December 2012).

### §1605. Entry and Exit from Subgroup Component Failure

A. Any school that fails to meet Subgroup AYP in the same subject or in the AAI for two consecutive years enters Subgroup Component Failure Level 1 (SCF1).

B. Schools in any level of subgroup component failure remain at the same level if they pass Subgroup AYP for one year in the subject that caused them to originally enter.

C. A school exits subgroup component failure when it passes the Subgroup AYP for two consecutive years in the subject that caused them to originally enter subgroup component failure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2597 (December 2007).

### §1607. Requirements for Schools Identified as Failing the Subgroup Component for Two Consecutive Years

A. Schools identified as entering subgroup component failure shall enter school improvement level 1. Each year the school improvement level shall be updated to reflect the number of years of subgroup failure.

B. Schools identified as SII+ shall not qualify for “reward school” status or any of the benefits of such status.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2597 (December 2007), amended LR 38:3112 (December 2012).

## Chapter 21. State-Level School Improvement, Academically Unacceptable Schools and Subgroup Component Failure Tasks

### §2101. State Support at Each Level

A. State's responsibilities to districts with schools in school improvement, and schools labeled AUS or for

subgroup component failure as aligned with Chapter 16 levels of remedies and sanctions, include:

1. providing a diagnostic process for schools through the network structure;
2. providing support and training through the network structure; and
3. providing an approved list of supplemental educational service providers should schools or districts wish to utilize supplemental educational services.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2748 (December 2003), amended LR 30:2745 (December 2004), LR 31:1516 (July 2005), LR 32:1027 (June 2006), LR 33:2598 (December 2007), LR 35:2313 (November 2009), LR 38:3112 (December 2012).

## Chapter 23. Reconstitution/Alternate Governance Plans

### §2301. Schools Requiring Reconstitution/Alternate Governance Plans

A. Districts shall notify SBESE of all school closures and reconstitution by December 31 of the previous academic year. Notice shall include requests for site code changes, grade reconfigurations, and attendance zone changes. Requests to close schools after October 1 will not be approved until the end of the current academic year.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2749 (December 2003), amended LR 31:1516 (July 2005), LR 31:2765 (November 2005), LR 33:2599 (December 2007), LR 38:3113 (December 2012), LR 40:1318 (July 2014).

## Chapter 24. Recovery School District

Editor's Note: Section 2403 has been incorporated into Bulletin 129—The Recovery School District. See LAC 28:CXLV.505.

### §2401. Eligibility for Transfer to the Recovery School District

A. The Louisiana legislature established the recovery school district with the passage of R.S. 17:1990. A school is eligible for the recovery school district under any of the following conditions.

1. The LEA fails to submit a reconstitution plan for a school in AUS 4 to BESE for approval.
2. A school's reconstitution plan is submitted to BESE but is deemed to be unacceptable.
3. A school and/or the LEA fails to comply with the terms of a BESE approved reconstitution plan.
4. A school is labeled academically unacceptable for four consecutive years.

B. The recovery school district under R.S. 17:10.5 and 10.7 shall retain jurisdiction of any school transferred to it for a period of not less than five school years not including the school year in which the transfer occurred if the transfer occurred during a school year.

1. No later than October 1 each year, the recovery school district shall make a report to the state Board of Elementary and Secondary Education.

a. The report shall include at a minimum each of the following elements:

- i. the status of each school transferred;
- ii. the nature of its faculty and administration;
- iii. the demographics and size of its student body;
- iv. its organizational and management structure;
- v. whether there has been improvement in student academic performance and, if so, how much and, if not, why not.

2. No later than January 1 prior to the expiration of the five-year period, the state Board of Elementary and Secondary Education shall take action on the recommendations of the recovery school district concerning the transfer of schools.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 32:1028 (June 2006), amended LR 33:2599 (December 2007), LR 34:431 (March 2008), LR 35:640 (April 2009), LR 37:2595 (September 2011).

## Chapter 25. School Choice

### §2501. Schools Requiring Choice

A. An LEA must develop a school choice policy for schools that are academically unacceptable.

B. Beginning with the 2003-04 school year, an LEA shall notify parents of their school choice options not later than the first day of the school year for the schools that must offer choice.

1. An LEA must offer more than one choice to eligible students, if more than one school is eligible to receive students.

2. The LEA must take into account the parents' preferences among the choices offered, or the LEA may allow parents to make the final decision.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2749 (December 2003), amended LR 33:2599 (December 2007), LR 38:3113 (December 2012).

### §2503. Student Eligibility

A. An LEA must offer choice to all students in an eligible school until the school is no longer identified as AUS except:

1. if an eligible student exercises the option to transfer to another public school, an LEA must permit the student to remain in that school until he or she has completed the highest grade in the school and shall provide transportation to the student.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2749 (December 2003), amended LR 33:2599 (December 2007), LR 38:3113 (December 2012).

**§2505. Transfer Options**

A. An LEA may consider health and safety factors in determining the transfer options. Should the LEA have concerns for health and safety factors, the LEA will need to find ways to provide choice consistent with their obligations to provide a healthy and safe learning environment.

B. An LEA that is subject to a desegregation plan is not exempt from offering students the option to transfer.

1. An LEA should first determine whether it is able to offer choice within the parameters of its desegregation plan.

2. If it is not able to do so, or if the desegregation plan forbids the LEA from offering the choice option, the LEA needs to seek court approval for amendments to the plan that permit a transfer option for students.

C. Students may not transfer to any school that is academically unacceptable or that has been identified for school improvement 1 or higher for subgroup component failure.

D. If there are no schools to which students can transfer, parents must be notified that the child is eligible for choice. The notification will further indicate that no choice options are currently available.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2749 (December 2003), amended LR 33:2599 (December 2007).

**Chapter 29. Progress Report****§2901. State Annual Reporting**

A. The SBESE shall report annually on the state's progress in reaching Louisiana's 2014 goal. The Louisiana Department of Education shall publish individual school reports to provide information on every school's performance. The school reports shall include the following information: school performance scores, percent proficient scores, and school progress in reaching growth targets. The LDE shall report subgroup performance to schools for the following subgroups:

1. African American;
2. American Indian/Alaskan Native;
3. Asian;
4. Hispanic;
5. white;
6. two or more races;
7. economically disadvantaged;
8. limited English proficient;
9. students with disabilities; and
10. all students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003), amended LR 38:3113 (December 2012).

**Chapter 31. Data Correction and Appeals/Waivers Procedure****§3101. Appeals/Waivers and Data Certification Processes**

A. An appeal/waiver procedure and a data certification process have been authorized by the State Board of Elementary and Secondary Education (SBESE) and shall be used to address unforeseen and aberrant factors and to correct inaccurate accountability data impacting schools in Louisiana.

1. Beginning with the 2008-09 academic year, in compliance with the requirement in the *No Child Left Behind Act* of 2001 that a school shall have an opportunity to review school level data prior to being identified as an Academically Unacceptable School or failing the subgroup component, the LDE shall establish a data certification period for all schools/LEAs to correct any inaccurate accountability data.

a. The LDE shall provide a period (or periods) of not less than 30 calendar days for final review, correction, and verification of accountability data.

b. All cohort graduation data must be corrected during the year following its collection.

c. The LDE will provide training to district level staff on an annual basis.

2. All data correction must occur during the designated data certification period.

3. Each LEA must collect supporting documentation for every data element that is corrected and maintain the documentation on file for at least four years.

4. Each school district shall create and implement a district data certification procedure that requires the site-based administrator at each accountable school to review all accountability data during the data certification period.

B. The LDE shall review all data corrections during the certification period and grant approval of those proven valid. The LDE may request documentation to support the validity of the changes.

C. The appeal/waiver procedure is created to address issues when the literal application of accountability policy does not consider certain unforeseen and unusual circumstances.

1. All appeal/waiver requests must be submitted to the LDE within 15 working days of the fall accountability release.

2. The LDE shall review appeal/waiver requests and make recommendations to the SBESE during first regularly scheduled BESE sessions following the close of the appeal/waiver period. Within this interval, the LDE shall notify LEAs of its recommendations and allow them to respond in writing. The LDE's recommendations and LEA responses will be forwarded to SBESE for final disposition.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003), amended LR 30:1620 (August 2004), repromulgated LR 30:1996 (September 2004), amended LR 30:2257 (October 2004), LR 31:2422 (October 2005), LR 35:2313 (November 2009), LR 38:3113 (December 2012), LR 40:1318 (July 2014).

### §3103. Definitions

*Appeal*—a request for the calculation or recalculation of the School Performance Score (SPS), growth target, and/or subgroup component scores based on the most recent spring test administration, and attendance and dropout data from the prior academic year.

*Waiver*—a temporary "withholding" of accountability decisions for no more than one accountability year. Waivers shall be denied to aggrieved parties attempting to subvert the intent of provisions outlined in the state statute.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003), amended LR 30:2258 (October 2004).

### §3105. General Guidelines—Parent/School-Level Requests

A. Parents or individual schools seeking an appeal or waiver on issues relating to Louisiana's District and School Accountability System shall file their requests, regardless of the type, through the local superintendent, charter school leader, or appointed representative as authorized by the local governing board of education.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2752 (December 2003), amended LR 35:2314 (November 2009), LR 38:3114 (December 2012).

### §3107. General Guidelines—Local Board of Education-Level Requests

A. The local superintendent, charter school leader, or official representative of each local governing board of education shall complete the LDE's appeals/waivers request form and provide supporting documentation to the Division of Assessments and Accountability no later than 15 working days after the official release of the fall accountability results.

B. Data corrections shall not be grounds for an appeal or waiver request as all data corrections shall be made prior to the release regardless of the source of any errors.

1. Requests concerning either the inclusion or exclusion of special education student scores in accountability calculations, except as outlined in Bulletin 111, shall not be considered by the LDE.

C. Supporting documentation for appeal/waiver requests should clearly outline the unforeseen and unusual factors that generate the requests. The local school system shall be responsible for supplying the LDE with information necessary for recalculating accountability components per applicable policy.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2752 (December 2003), amended LR 30:2258 (October 2004), LR 31:1516 (July 2005), LR 35:2314 (November 2009), LR 38:3114 (December 2012).

### §3109. Criteria for Appeal

A. LEA superintendents or charter school leaders shall notify the LDE in writing of any changes to existing school configurations and newly opened schools no later than the 15 day appeal/waiver window during the first year of the reconfiguration and school opening. All school closures must be reported at the end of the schools' last academic year of operation.

B. LEAs may petition the SBESE in instances not addressed by policy or in instances when the policy is unclear.

C. An appeal shall be filed by the LEA in order to receive monetary rewards for any eligible closed school.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2752 (December 2003), amended LR 30:1620 (August 2004), repromulgated LR 30:1997 (September 2004), amended LR 31:1517 (July 2005), LR 31:2423 (October 2005), LR 35:2314 (November 2009), LR 38:3114 (December 2012).

## Chapter 33. New Schools and/or Significantly Reconfigured Schools

### §3301. Inclusion of New Schools

A. For a newly formed school, the school district shall register the new school with the Louisiana Department of Education to have a site code assigned to that school. A new school shall not be created nor shall a new site code be issued in order to allow a school to avoid an accountability decision or prevent a school from entering the accountability system. Before a new school is created, the local education agency must work with the Louisiana Department of Education to explore ways the new school can be included in the accountability system.

B. When two or more schools are created from an existing school (e.g., grades 4-6 "split" from an existing K-6 structure, creating a K-3 school and a 4-6 school), the LEA must consult with the LDE prior to implementing such changes to determine how the impacted schools will retain reward and/or AUS or subgroup component failure status and any sanctions, remedies, and funds (e.g., a 3-8 school in AUS 3 should retain the AUS3-status in both schools if it is reconfigured into a 3-5 and a 6-8 school and if all grade levels contributed to its poor performance). After this consultation, the LDE shall make all decisions regarding the effects of these changes on rewards, AUS and subgroup component failure status, and sanctions for all schools effected by the changes and will notify the LEA of its decision.

C. New K-8 schools (in existing LEAs) with one year of test data shall be included in accountability. For dropout/credit accumulation data, the district average for elementary schools will be used.

D. The new high school in an existing LEA shall enter accountability using its first year of assessment data.

1. This adjusted assessment index shall be used as a first year SPS to assign letter grades.

2. The graduation index calculated from the school's first graduating class shall be included as a SPS indicator.

E. Schools that do not align with the patterns described in this Section will be included in accountability as soon as the required data is available.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003), amended LR 31:2765 (November 2005), LR 33:2599 (December 2007), LR 36:1992 (September 2010), LR 37:3201 (November 2011), LR 38:2358 (September 2012), LR 38:3114 (December 2012), LR 40:1318 (July 2014).

### **§3303. Reconfigured Schools**

A. Reconfigured schools are identified as schools that change grade configuration, combine two schools with separate sitecodes into one school with a single sitecode, or divide one school into two separate schools with different sitecodes. Data collected at one site shall not be moved to another site and included in accountability results except when two or more schools with dissimilar configurations combine to create one school.

B. Prior to any reconfiguration, the LDE will review the changes to school sites in the planned reconfiguration and will consult with the LEA on the effects that the reconfiguration will have on rewards and/or AUS or subgroup component failure status. After this consultation, the LDE shall make all decisions regarding the effects of these changes on rewards, AUS or subgroup component failure status, and sanctions for all schools effected by the changes and will notify the LEA of its decision. Any AUS, SCF, or AA status and eligibility for participating in any specific programs shall be determined by the LDE.

C. All reconfigurations must be submitted to the sponsor site database before October 1 of the first year of operation under the reconfiguration.

D. High schools with a grade 12 that merge with a school without a grade 12 will retain its graduation data from the prior year.

E. When a high school with a grade 12 merges with another school with a grade 12, the graduation cohort outcome data from both schools will be combined together and recalculated.

F. The LDE will consult with the district concerning the SPS calculation when unusual circumstances or configurations exist.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003), amended LR 30:2446 (November 2004), LR 31:2765 (November 2005), LR 33:2600 (December 2007), LR 36:1993 (September 2010), LR

37:3201 (November 2011), LR 38:3114 (December 2012), LR 40:1318 (July 2014).

## **Chapter 35. Inclusion of Alternative Education Schools and Students in Accountability**

### **§3501. Alternative Education**

A. Districts must provide an alternative education placement for all students suspended for a period of more than 10 consecutive school days or expelled. Districts shall either operate an alternative program or school (direct run or charter), or enter into an agreement with an education service provider to run a program or school.

B. Alternative schools and programs must be approved by BESE. Classifications must be submitted to the LDE prior to July 1 and cannot be changed until the following year.

C. For the purposes of school accountability alternative schools and programs are those that:

1. are established to meet the specific needs of students with special challenges that require educational environments that are alternatives to the regular classroom;

2. house one or more programs designed to address discipline, dropout prevention and recovery, credit recovery, etc; and

3. do not provide programs only for students who are academically advanced, gifted, talented, or pursuing specific areas of study (arts, engineering, medical, technical, etc.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1, R.S. 17:416, and R.S. 17:416.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:472 (March 2013).

### **§3503. Alternative Schools Including Alternative Charter Schools [Formerly §3501]**

A. For the purposes of school accountability, alternative schools are those schools that:

1. have a separate site code; and

2. enroll some or all students for 45 or more days.

B. A student placed at an alternative school for fewer than 45 days shall be considered to be attending an alternative program within the school, and as such, must remain enrolled in their sending school.

1. For the purposes of this chapter, a sending school is the last school a student attended. If the student's current grade level is not included in the configuration of the last school they attended, the LEA must enroll the student at school that includes the student's grade using a feeding pattern or attendance zone when possible.

C. The school performance scores and letter grades of alternative schools will be published with other schools.

1. Alternative schools will be clearly labeled as alternative schools in public releases.

2. Alternative schools with sufficient data shall also be evaluated in the subgroup component in the same manner as regular schools.

3. The school performance scores for alternative schools will exclude the assessment data for students who are not full academic year (FAY) enrollees.

D. Starting with evidence of student progress from the 2014-2015 academic year, all alternative schools shall receive a performance report that shall include, but not be limited to, data pertaining to academic progress, credit accumulation, completion, and behavior modification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003), amended 31:423 (February 2005), LR 34:868 (May 2008), LR 35:1472 (August 2009), LR 37:2119 (July 2011), LR 37:3202 (November 2011), LR 38:1213 (May 2012), LR 39:472 (March 2013), LR 40:2240 (November 2014).

### §3505. Alternative Programs

A. For the purposes of school accountability, alternative programs are those programs that provide education to suspended and/or expelled student but:

1. do not enroll students; and
2. do not have a site code.

B. Scores for students attending alternative programs will be counted at the sending school at which the student is enrolled.

1. For the purposes of this Chapter, a sending school is the last school a student attended. If the student's current grade level is not included in the configuration of the last school they attended, the LEA must enroll the student at school that includes the student's grade using a feeding pattern or attendance zone when possible.

C. Starting with evidence of student progress from the 2014-2015 academic year, all alternative programs shall receive a performance report that shall include, but not be limited to, data pertaining to academic progress, credit accumulation, completion, and behavior modification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education LR 39:472 (March 2013), amended LR 40:2241 (November 2014).

### §3507. Alternative Schools for Adjudicated Youth [Formerly §3505]

A. Any child who is in the custody of the Office of Juvenile Services, Department of Public Safety and Corrections, as a result of being an adjudicated delinquent or in need of supervision by a court and assigned by the office of juvenile services to a community-based program or facility, as provided for in R.S. 17:100.1, shall be provided educational services pursuant to R.S. 17:100.1.

1. For those LEAs providing educational services directly to students in these programs/facilities, the facility

shall be considered a district alternative program or school for accountability purposes, according to the provisions set forth in §3505 of this bulletin.

2. Subject to the requirements of R.S. 17:100.1(B), any city or parish school board may contract for the provision of educational services for children described in Subparagraph b. The site at which contracted educational services are provided may be considered an alternative program or alternative school, according to the provisions set forth in §3505 of this bulletin.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1 and RS 17:100.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003), amended LR 34:868 (May 2008), LR 35:1473 (August 2009), LR 39:473 (March 2013).

## Chapter 39. Inclusion of Students with Disabilities

### §3901. Assessment of Students with Disabilities

A. All students, including those with disabilities, shall participate in Louisiana's testing program. The scores of all students who are eligible to take the LEAP, iLEAP, EOC assessments, ACT, PLAN, EXPLORE, or LAA 1 shall be included in the calculation of the SPS. Most students with disabilities shall take the assessments with accommodations, if required by their individualized education program (IEP).

1. Only students with significant cognitive disabilities are eligible to participate in LEAP Alternate Assessment Level 1 (LAA 1) as defined by the LEAP Alternate Assessment Level 1 participation criteria.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 31:2763 (November 2005), LR 36:1994 (September 2010), LR 38:3115 (December 2012), LR 40:2508 (December 2014).

### §3903. LEAP Alternate Assessment Participation Criteria

A. A student participating in LEAP Alternate Assessment Level 1 shall progress toward a certificate of achievement.

B. Students with disabilities participating in the LEAP Alternate Assessment Level 1 (LAA 1) must meet specific participation criteria as stated in *Bulletin 1530—Louisiana's IEP Handbook for Students with Disabilities*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 31:2763 (November 2005), LR 40:2508 (December 2014).

### §3905. Inclusion of Alternate Assessment Results

A. All SPS shall include LAA 1 scores.

B. Each LAA 1 exam will be assigned one of three performance levels (exceeds standard, meets standard, working toward standard) and each performance level will be

assigned points for use in assessment index calculations as follows.

LAA 1 Performance Level	Assessment Points
Exceeds Standard	150
Meets Standard	100
Working Toward Standard	0

1. Students scoring meets standard or exceeds standard on a LAA 1 exam will be considered proficient in subgroup component calculations.

2. Students taking LAA 1 exams shall be included in accountability calculations at the grade level in which they are enrolled in the student information system (SIS).

C. Students participating in LEAP Alternate Assessment Level 1 (LAA 1) will be assigned scores of zero in SPS component calculations and scores of non-proficient in subgroup component calculations if they do not meet the specific participation criteria as stated in *Bulletin 1530—Louisiana's IEP Handbook for Students with Disabilities*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 30:767 (April 2004), LR 31:2763 (November 2005), LR 33:254 (February 2007), LR 35:2031 (October 2008), LR 35:640 (April 2009), LR 35:641 (April 2009), LR 38:3115 (December 2012), LR 40:2508 (December 2014).

## Chapter 40. Definitions Related to English Proficiency

### §4001. Proficient in English

A. To be considered English proficient and exit limited English proficient (LEP) status, a LEP student must score as follows.

1. For grades K-2:
  - a. two years at composite level V on the English language development assessment (ELDA); or, in the same year;
  - b. at composite level V on ELDA and at grade-level/benchmark/low-risk on a standardized reading assessment, such as DIBELS Next.
2. For grades 3-8:
  - a. composite level V on ELDA; or, in the same year;
  - b. at composite level 4 IV on ELDA and at proficient on the ELA or English language arts state content assessment.
3. For grades 9-12:
  - a. composite level V on the ELDA: or, in the same year;
  - b. at composite level IV on the ELDA and at proficient on ELA or English state content assessment in the most recent academic year.

B. Students with disabilities who are unable to meet the above exit criteria after four years or more in LEP status because of their disability, as decided only by consensus of the members of the school building level committee (SBLC), may be exited from LEP status (but will still be required to take statewide assessments).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:767 (April 2004), amended LR 33:254 (February 2007), LR 34:2552 (December 2008), LR 36:2243 (October 2010), LR 38:3115 (December 2012).

### §4003. Making Progress in Learning English

A. Making progress in learning English will be demonstrated by a student who moves from the most recent Prior Year ELDA composite level to, in the current year, at least the next higher progress criterion as described below:

Prior Year ELDA Level	Progress Criterion
Beginning (Level I)	Lower Intermediate (Level II)
Lower Intermediate (Level II)	Upper Intermediate (Level III)
Upper Intermediate (Level III)	Advanced (Level IV)
Advanced (Level IV)	Full English Prof. (Level V) or English proficient (Sec.4001-Definition)
Full English Prof. (Level V)	English Proficient (Sec.4001-Definition)

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:767 (April 2004), amended LR 36:2244 (October 2010).

### §4005. English Language Proficiency Descriptors

A. *English language proficiency labels* are defined as:

1. Level I—Beginning Proficiency indicates that the student who is limited English proficient is:
  - a. beginning to understand short utterances;
  - b. beginning to use gestures and simple words to communicate;
  - c. beginning to understand simple printed material;
  - d. beginning to develop communicative writing skills.
2. Level II—Lower Intermediate Proficiency indicates that the student who is limited English can:
  - a. understand simple statements, directions, and questions;
  - b. use appropriate strategies to initiate and respond to simple conversation;
  - c. understand the general message of basic reading passages;
  - d. compose short informative passages on familiar topics.
3. Level III—Upper Intermediate Proficiency indicates that the student who is limited English proficient can:
  - a. understand standard speech delivered in most settings;

- b. communicate orally with some hesitation;
- c. understand descriptive material within familiar contexts and some complex narratives;
- d. write simple texts and short reports.

4. Level IV—Advanced Proficiency indicates that the student who is limited English proficient can:

- a. identify the main ideas and relevant details of discussions or presentations on a wide range of topics;
- b. actively engage in most communicative situations familiar or unfamiliar;
- c. understand the context of most text in academic areas with support;
- d. write multi-paragraph essays, journal entries, personal/business, and creative texts in an organized fashion with some errors.

5. Level V—Full English Proficiency indicates that the student who is limited English proficient can:

- a. understand and identify the main ideas and relevant details of extended discussion or presentations on familiar and unfamiliar topics;
- b. is fluent and accurate in language production;
- c. use reading strategies the same as their native English-speaking peers to derive meaning from a wide range of both social and academic texts;
- d. write fluently using language structures, technical vocabulary, and appropriate writing conventions with some circumlocutions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:767 (April 2004).

## Chapter 41. Data Collection and Data Verification

### §4101. Valid Data Considerations

A.1. *Unusual Data Result (UDR)*—any CRT, NRT, attendance, dropout/credit accumulation, and graduation data that exceeds a parameter or a range of parameters, which shall be determined by the LDE and approved by the SBESE.

2. *Irregular Data*—any data, which appears to contradict results, which are otherwise:

- a. expected;
- b. unrealistic information; or
- c. data generated as a result of defective data collection or processing.

B. A test score shall be entered for all eligible students within a given school. For any eligible student who does not take the test, including those who are absent, a score of "0" on the CRT and NRT shall be calculated in the school's SPS. To assist a school in dealing with absent students, the Louisiana Department of Education shall provide an extended testing

period for test administration. The only exceptions to this policy are students who were sick during the test and re-testing periods and who have formal documentation for that period.

C. The LDE shall evaluate the accountability results each year to identify irregular data and unusual data results.

1. The LDE will select a sample of schools to investigate.

2. Districts shall be notified of the schools with irregular or unusual data that they must investigate themselves.

a. The LDE will identify the specific areas of concern.

b. The district will provide a written report explaining the irregular or unusual data within 60 days of notification by the LDE.

D. If inaccurate, invalid, and/or undocumented data is discovered and was or will be used in the calculation of school performance scores or subgroup adequate yearly progress determinations, the LDE shall correct and/or void the data.

1. For example, if four students in fall 2011 are coded as "out-of-state" transfers, it is determined in August 2012 that no documentation exists to support this exit code, and the students are not found enrolled in another Louisiana school; these four students will be changed to dropouts and counted as such in the 2012 accountability results, and if applicable, in the appropriate cohort for any graduation index calculations beginning in 2013.

2. In any instance where the inaccurate, invalid, and/or undocumented data was used in a previous year's accountability results, the LDE will evaluate the impact of the data and recommend to BESE any repayment of rewards or school improvement funds indicated by the recalculation of accountability results.

E. The LDE will notify in writing the superintendent of the LEA associated with any school where data is corrected and/or voided or where rewards must be repaid.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 30:2446 (November 2004), LR 32:1028 (June 2006), LR 38:3115 (December 2012), LR 40:1318 (July 2014).

### §4103. NRT and CRT Data

A. For NRT and CRT data:

1. if there is evidence of irregular data or a UDR, the LDE shall require the LEA to investigate. The LEA shall report the results of its investigation to the State Superintendent of Education;

2. if the State Superintendent of Education determines that the results of the investigation do not sufficiently explain the data, s/he shall designate a team to visit the school and conduct its own investigation:

a. if the test data are determined to be inaccurate, invalid, and/or undocumented the LDE shall void or correct the data as described in §4101;

3. if the gains are validated by the visit, the school will be designated a "pacesetter" school. If the gains cannot be validated, the State Superintendent of Education may initiate further action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2755 (December 2003), amended LR 32:1029 (June 2006), LR 38:3115 (December 2012).

#### **§4104. Dropout/Exit Data**

A. The LDE may review and validate attendance, dropout, and exit code data:

1. due to an unusual data result or irregular data;
2. while at a school or district site primarily to investigate other data or records;
3. during a random data audit.

B. If there is insufficient documentation to validate the use of any student exit codes, the LDE shall void or correct the data as described in §4101.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1029 (June 2006), amended LR 38:3116 (December 2012).

#### **§4105. Reported Irregularities**

A. The LDE will determine and the SBESE shall approve a process for the public to report possible irregularities.

B. Anonymous complaints may be investigated.

C. All signed complaints shall be investigated.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2755 (December 2003).

## **Chapter 43. District Accountability**

### **§4301. Inclusion of All Districts**

A. Every school district shall participate in a district accountability system based on the performance of schools as approved by the Louisiana State Board of Elementary and Secondary Education (SBESE).

B. Indicators for District Accountability. There shall be two statistics reported for each school district for district accountability:

1. a district performance score (DPS); and
2. a subgroup component.

C. District Performance Score (DPS). A district performance score (DPS) shall be calculated in the same manner as a combination school performance score, aggregating all of the students in the district.

1. Assessment data from students enrolled in a district for a full academic year shall be used to calculate the DPS, as well as performance on graduation index, cohort graduation rate, dropout/credit accumulation index and any progress points for which the district is eligible.

2. The DPS shall be reported as a numeric value and a letter grade shall be assigned based on the numeric value, except as otherwise outlined in §303 of this bulletin.

D. Subgroup Component. District AYP shall be determined by evaluating the aggregate performance of subgroups.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2755 (December 2003), amended LR 30:1446 (July 2004), LR 32:543 (April 2006), LR 37:2119 (July 2011), LR 38:3116 (December 2012), LR 40:760 (April 2014), LR 40:1318 (July 2014).

### **§4310. Subgroup Component AYP (Adequate Yearly Progress)**

A. District Subgroup Component Indicators

1. Each district shall be evaluated on the subgroup component at three different levels (grade-clusters); elementary (K-5), middle (6-8), and high school (9-12). A district shall pass the subgroup component provided that each subgroup of students within each grade-cluster meets the passes the subgroup component, and each grade-cluster the district, as a whole, meets the criteria for status or improvement on the additional academic indicator.

a. Passing the Subgroup Component

i. Participation rate test: 95 percent of the students within the each subgroup within each grade-cluster participated in the standards-based assessments; and

ii. Annual measurable objective status test (AMO status test): the subgroup percent proficient score within each grade-cluster is at/or above the annual measurable objective in ELA and mathematics; or

iii. Safe harbor test:

(a) the percentage of non-proficient students within the each subgroup within each grade-cluster reduced declined by at least 10 percent of the previous year's value; and

(b) the subgroup improved or met the criterion on the additional academic indicator (attendance rate for the elementary and middle schools grade-clusters and non-dropout rate for the high schools grade-cluster).

b. 2002-03 will be year one of judging districts based on the subgroup component.

c. 2003-04 will be year two of judging districts based on the subgroup component.

d. For the non-proficient reduction portion of the safe harbor test, a comparison of current year assessment data to the previous year assessment data shall be used. For the additional academic indicator check for the safe harbor test

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and for the whole grade-cluster check, attendance and dropout data from the prior year will be compared to data from two years prior.

i. For 2005-06 only, the safe harbor comparison of assessment results shall include only English language arts and mathematics results from grades 4, 8, and 10.

ii. Beginning in 2006-07, safe harbor shall be determined using English language arts and mathematics assessment data from grades 3-8 and 10.

e. To ensure high levels of reliability, Louisiana will apply a 99 percent confidence interval to the calculations of subgroup component determinations for:

- i. AMO status test;
  - ii. reduction of non-proficient students (safe harbor test); and
  - iii. status attendance/non-dropout rate analyses.
- f. Louisiana will not apply a confidence interval to improvement analyses for attendance/non-dropout rate.

**B. Inclusion of Students in the Subgroup Component**

1. Students that meet the following criteria shall be included in all subgroup component analyses for the AMO status test and reduction of non-proficient students (safe harbor test).

- a. Enrolled for the Full Academic Year (FAY):
  - i. at school level enrolled at the school on Oct. 1 and the date of testing;
  - ii. at district level enrolled in the district on Oct. 1 and the date of testing;
  - iii. at state level enrolled in a public LEA in the state on Oct. 1 and the date of testing.
- b. First administration of the test:
  - i. only the first test administration will be used for the subgroup status and growth tests;
  - ii. excludes summer school results and repeaters.
- c. Not exempted from testing due to medical illness, death of the student's family member(s), or the student being identified as LEP and in an English-speaking school for less than one full academic year.

2. For analyses involving the additional academic indicator, all students in each subgroup within each grade-cluster in the district shall be included.

3. Each subgroup (African American, American Indian/Alaskan Native, Asian, Hispanic, white, economically disadvantaged, limited English proficient, students with disabilities, and all students) within each district shall be evaluated separately on ELA and mathematics. In calculating the subgroup component for a district:

a. the alternate academic achievement standards for students participating in LAA 1 will be used, provided that the percentage of proficient LAA 1 students does not exceed 1.0

percent of all students in the grades assessed. If the district exceeds the 1.0 percent proficient cap, the district shall request a waiver. The students exceeding the cap shall be assigned a zero on the assessment and be considered non-proficient if:

- i. the district fails to request the waiver; or
- ii. the district requests the waiver but it is determined by LDE that ineligible students were administered LAA 1;

b. students participating in LAA 1 shall be included in the special education subgroup;

c. LEP students shall participate in the statewide assessments;

i. scores shall not be included in AMO or improvement in percent proficient calculations for LEP students who have not been enrolled in an English-speaking school for one full school year;

d. when calculating the 1 percent cap for alternate assessment purposes, all decimals in results shall be rounded to the next highest whole number;

i. 1.0 percent of 1341 students is 13.41 students. The 1.0 percent cap, in this instance, is 14 students.

4. Subgroups shall consist of:

- a. at least 10 students in order to be evaluated for the subgroup component;
- b. at least 40 students in order to be evaluated for the 95 percent participation rate.

5. Subgroups shall pass the participation rate test and either the AMO status test; or the safe harbor test in order to be considered as having passed the subgroup/component.

**C. AMO**

1. The Annual Measurable Objective (AMO) is the percent of students required to reach the proficient level in a given year on the standards-based assessments, which through 2005 will include English language arts and mathematics tests for 4th, 8th, and 10th grades. Beginning with Spring 2006 test results, proficiency levels shall be determined using English language arts and mathematics assessment data from grades 3-8 and 10.

a. Proficient = a score of basic, mastery or advanced.

2. As required in NCLB, the AMOs have been established based on the baseline percent proficient score (proficient = CRT level of basic, mastery, or advanced) in English-language arts and mathematics in the 20th percentile school, using the 2002 CRT test scores in ELA and mathematics for grades 4, 8, and 10.

3. The AMOs for ELA and math are as follows.

School Year	ELA	Mathematics
2001-2002		
2002-2003	36.9%	30.1%
2003-2004	36.9%	30.1%
2004-2005	47.4%	41.8%
2005-2006	47.4%	41.8%

School Year	ELA	Mathematics
2006-2007	47.4%	41.8%
2007-2008	57.9%	53.5%
2008-2009	57.9%	53.5%
2009-2010	57.9%	53.5%
2010-2011	68.4%	65.2%
2011-2012	78.9%	76.9%
2012-2013	89.4%	88.6%
2013-2014	100.0%	100.0%

4. A 99 percent confidence interval shall be used when evaluating whether subgroups within a grade-cluster within a district have attained the Annual Measurable Objective (AMO).

5. A confidence interval is a statistic that creates a range of scores. Subgroups with a 95 percent participation rate that attain a percent proficient score within or above the confidence interval range for the AMO shall be considered as having passed the subgroup component. Confidence interval ranges are affected by subgroup size. Smaller subgroups will have a wider range and larger subgroups will have a narrower range.

#### D. Safe Harbor

1. Subgroups that do not pass the AMO status test by attaining a percent proficient score within or above the confidence interval range shall be evaluated for safe harbor.

2. Safe harbor is attained if:

a. the subgroup makes a 10 percent reduction in its non-proficiency rate from the previous year:

i. a 99 percent confidence interval is applied to this reduction check; and

b. the subgroup:

i. achieves a 90 percent non-dropout rate (9-12) or attendance rate (K-5, 6-8) (any LEA without a 12th grade shall use attendance rate). (A 99 percent confidence interval is applied to the 90 percent attendance rate and 90 percent non-dropout rate check); or

ii. makes at least 0.1 percent improvement in non-dropout rate (9-12) or attendance rate (K-5, 6-8) from the previous year (any LEA without a 12th grade shall use attendance rate).

3. The non-dropout rate shall be evaluated for students in grade 9 and above.

4. Subgroups passing the participation rate test and achieving safe harbor shall be considered as having passed the subgroup component.

#### E. Failing the Subgroup Component

1. A district shall fail the subgroup component if ANY subgroup within that ANY grade-cluster in the district fails the participation rate test, the ELA or math AMO status test and the safe harbor test.

2. A grade-cluster district in which all subgroups have passed the subgroup component must also have the grade-cluster district pass the additional academic indicator:

a. achieved a 90 percent non-dropout rate (9-12) or attendance rate (K-5, 6-8) (any LEA without a 12th grade shall use attendance rate). (A 99 percent confidence interval is applied to the 90 percent non-dropout or attendance rate check.); or

b. made at least 0.1 percent improvement in non-dropout rate (9-12) or attendance rate (K-5, 6-8) from two years prior to the previous year (any LEA without a 12th grade shall use attendance rate).

NOTE: If a grade-cluster district in which all subgroups have passed the subgroup component does not pass the additional academic indicator, it shall not pass the subgroup component.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1447 (July 2004), amended LR 30:2446 (November 2004), LR 31:424 (February 2005), LR 31:633 (March 2005), LR 31:913 (April 2005), LR 32:1029 (June 2006), amended LR 33:635 (April 2007), LR 34:429 (March 2008), LR 34:868 (May 2008), LR 36:1994 (September 2010), LR 40:2509 (December 2014).

#### §4311. District Letter Grades

A. The LDE shall report district scores and labels on every school district. In 2013-2014 and 2014-2015, letter grades shall be assigned pursuant to §303 of this bulletin. Thereafter, districts shall be assigned a district letter grade using their district performance score.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2120 (July 2011), amended LR 38:3116 (December 2012), LR 40:761 (April 2014).

#### §4315. Progress Report

A. The Louisiana Department of Education shall publish a district accountability report. The report shall contain the labels for the DPS. The report shall also contain the percent poverty, poverty ranking, and percentage of students enrolled in public education for the district, as well as data from the subgroup component.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2757 (December 2003), amended LR 30:1449 (July 2004), LR 33:635 (April 2007), LR 38:3116 (December 2012).

#### §4317. District Accountability Data Corrections

A. Since data used for district accountability results are derived from school-level data, district accountability data corrections should be handled during the school accountability appeals period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2446 (November 2004), LR 40:1318 (July 2014).

## Chapter 45. Disaster Considerations for School and District Accountability

### §4501. Potential Impact of Disasters on Accountability

A. Special consideration shall be given to schools and districts significantly impacted by disasters when accountability decisions are made. The consideration shall include but not be limited to:

1. closure of schools and districts for extended periods of time;
2. transfer of significant numbers of students from affected schools and districts;
3. enrollment of significant numbers of displaced students into receiving schools and districts;
4. emigration of displaced students to other states;
5. multiple transfers of displaced students as they move from shelters and temporary housing to more permanent situations;
6. the transfer of displaced students as they return to their home schools and districts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1412 (August 2006).

### §4503. One Year Waiver for "Severe Impact" Schools and Districts

A. Schools that meet either of two conditions associated with disasters shall be labeled "severe impact" schools and shall receive a one year waiver of accountability decisions based on the schools' school performance scores. The one year waiver is limited to the year in which the disaster occurred. The conditions are:

1. the school was closed, due to a disaster, for 18 or more consecutive school days during a given academic year; or
2. the school either gained or lost 25 percent or more of its testing population due to a disaster.

a. This 25 percent gain or loss is calculated by dividing a school's prior year October 1 enrollment of students in grades 3-11 into its current year October 1 enrollment of 3-11 students exited using "disaster" codes or entered using "disaster" codes (see §4507).

B. Schools that do not meet the severe impact criteria shall be labeled "limited impact" schools.

C. Severe impact schools that receive the one year "disaster" waiver shall not have school performance scores, growth labels, or letter grades published for the year of the waiver. Assessment results will be provided to the districts for planning purposes.

D. The year following the waivers, the waived schools shall be considered new schools and shall enter accountability according to the policy in Chapter 33.

E. Districts shall be considered "Severe Impact" districts and receive a one year waiver from accountability labels and decisions if:

1. they are closed for 18 consecutive school days; or
2. they gain or lose 25 percent of their testing population before October 1; or
3. they have 25 percent or more of their schools granted a one year waiver or classified as new schools due to a disaster.

F. Districts receiving a one year waiver shall not have district performance scores, or letter grades published for the year of the waiver.

G. Districts may elect to have severe impact schools:

1. remain fully in accountability and receive scores and labels as limited impact schools (see §4507 and §4509); or
2. receive scores and letter grades as limited impact schools, but schools:
  - a. will not enter or advance in school improvement or academic assistance as a result of accountability labels based on data collected during the year of the disaster; but

b. schools can exit school improvement or academic assistance as a result of accountability labels based on data collected during the year of the disaster.

H. Districts must provide justification to the LDE and receive LDE approval if they elect to:

1. have some of their severe impact schools receive the one year waiver and subsequent new school status, while;
2. they elect for other severe impact schools to follow one of the choices in Paragraphs G.1 and 2 above.

I. Districts may request of the LDE that limited impact schools be relabeled severe impact schools if special circumstances exist at the schools. The LDE may grant the request if adequate justification is provided by the district. Requests that attempt to circumvent accountability for schools previously identified as being in school improvement shall be denied.

J. Districts that elect for their schools the provisions in Subsections H and/or I above, must submit in writing, by April 15 of the academic year in which the disaster occurred, any such requests and any justification supporting the requests.

K. Louisiana Department of Education staff will, after conferring with district personnel, notify in writing by the last "business day" in May, the districts of its decisions concerning requests for the provisions in Subsections H and/or I above.

L. Districts must notify the LDE no later than the last "business day" in May of their final decisions regarding severely impacted schools and the choices in Subsection G (above).

M. Situations not considered by this policy but that substantially impact a school's accountability results may be

addressed by the school district during the established appeal/waiver period following the official fall release of accountability results.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 32:1412 (August 2006), amended LR 33:636 (April 2007), LR 36:1994 (September 2010), LR 37:2120 (July 2011).

#### **§4507. Identifying Displaced Students**

A. Beginning in fall 2005, the Louisiana Department of Education (LDE) will provide specific entry and exit codes and detailed instruction on the use of those codes to address significant and specific disaster situations.

B. The Louisiana Department of Education must determine what specific disasters and impacted districts to which these codes will be applied and any time limitations.

C. Districts are required to use the "disaster codes" as instructed by the LDE if consideration related to accountability is to be granted the schools and districts.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 32:1413 (August 2006).

#### **§4509. Assessment Index Calculations with Displaced Students for Limited Impact Schools**

A. When student mobility occurs prior to October 1 of a given academic year as a result of a disaster, the data collected during that academic year for calculating the assessment index (for use in the SPS) shall be evaluated in two ways:

1. as described in Chapters 3 and 4;
2. as described in Chapters 3 and 4, but excluding the assessment results of any student who entered the school using a "disaster" entry code during that academic year. The assessment index calculated when excluding the displaced students is called the alternate assessment index.

B. Letter grades shall be assigned and SPS reported using the lower of the two assessment indices, except:

1. when using the higher of the two prevents a school from being labeled academically unacceptable, the higher assessment index shall be used.

C. The lower of the two assessment indices shall be used the following academic year in the SPS for reporting and assigning letter grades, except:

1. when using the higher of the two prevents a school from being labeled academically unacceptable, the higher assessment index shall be used.

D. If large numbers of displaced students impact a school's performance due to intra-district transfers, the district may appeal during the established appeal/waiver period following the official fall release of accountability results.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 32:1413 (August 2006), amended LR 37:2120 (July 2011), LR 38:3116 (December 2012).

#### **§4511. Graduation Index Calculations for Limited Impact Schools**

A. Displaced students entering grades 9-12 at a limited impact school using a "disaster" entry code shall not enter the graduation cohort in that academic year.

B. If such a student is included in a school's Oct. 1 count of the following academic year, the student shall enter the graduation cohort as described in Chapter 6.

C. When student mobility is a result of a disaster, students exiting grades 9-12 using a "disaster" exit code shall not be considered dropouts (refer to §611).

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 32:1413 (August 2006).

#### **§4517. District Performance Score Calculations with Displaced Students**

A. The District Performance Scores will be calculated using the same indices as School Performance Scores with displaced students excluded.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 32:1414 (August 2006), amended LR 33:636 (April 2007).

#### **§4527. Disaster Considerations for the School and District Subgroup Component**

A.1. Schools and districts shall receive a one year exclusion from the Subgroup Component in accountability if they:

- a. reside within the boundaries of parishes declared natural disaster areas by the President of the United States; and
- b. were closed due to the declared disaster for 18 consecutive school days.

2. Any school eligible for this exclusion that does pass the Subgroup Component shall be considered as passing the Subgroup Component.

B. For the subgroup component and for all schools not excluded in Subsection A (above), displaced students shall comprise a separate subgroup and be excluded from all other subgroups.

1. The displaced students subgroup shall be evaluated for participation, and any school or district that did not test at least 95.0 percent of these students in ELA and math will fail the subgroup component.

2. The displaced students subgroup test results shall be reported on all appropriate subgroup component reports; but:

- a. schools will not be classified as failing the subgroup component as a result of the academic performance of the displaced students subgroup.

3. Due to the one year lag in attendance and dropout/graduation data, and as required by the U.S. Department of Education, the displaced students subgroup attendance and dropout/graduation data shall be used in the appropriate subgroups, not as displaced students. District should make extra effort during the clean-up period to verify that any exit and attendance data is accurate.

4. All students in the displaced students subgroup that did not score proficient in ELA and/or math at the spring test administration must receive remediation in the following academic year.

5. The displaced students shall not be considered a separate subgroup the following academic year.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 32:1414 (August 2006), amended LR 32:2035 (November 2006), LR 33:254 (February 2007), LR 38:3117 (December 2012).

## **Chapter 49. School District Academically in Crisis**

### **§4901. Definition of Academically in Crisis**

A. A school district shall be labeled Academically in Crisis when:

1. more than 30 schools in the district are academically unacceptable; or
2. more than 50 percent of the district's enrollment attends academically unacceptable schools.

B. The state superintendent shall notify the BESE, the local superintendent, and the president of the local school board when a district is determined to be Academically in Crisis.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 32:543 (April 2006).

### **§4907. The Financial Audit and Contracting an Independent CPA**

A. The district school board of a district Academically in Crisis shall select and contract an independent, licensed, certified public accountant from a list of at least three such accountants submitted to the board by the superintendent to conduct an audit of the finances and the financial policies and practices of the school district.

1. The district school board shall make its selection within 10 working days of receipt of the superintendent's list.

2. If the selection is not made within 10 days, the district superintendent shall refer the matter to the legislative auditor who shall select the independent, licensed, certified public accountant to complete the required audit.

3. The audit shall be conducted using generally accepted governmental auditing standards and the Louisiana Governmental Audit Guide.

4. The engagement agreement describing the scope of the audit shall be submitted to legislative auditor for his review and comment to the district school board prior to the execution of the agreement.

B. The audit report shall be submitted to the district school board, the district superintendent, and the legislative auditor.

C. If the audit results in audit findings, the district superintendent shall address each audit finding and report to the legislative auditor on the corrections made.

D. The legislative auditor may take any of the following steps:

1. conduct an independent audit of the district school board;
2. investigate the response of the superintendent to the audit;
3. require the selection of a different auditor as described in Paragraph 1 above and have the new auditor direct the changes in the district's financial practices necessary to address each audit finding.

E. Expenses incurred by the legislative auditor shall be reimbursed by the district school system.

F. If the audit reveals irregularities, they may be reported to:

1. the district attorney with jurisdiction in the parish in which the school district resides; or
2. the appropriate US attorney when the irregularities may be a violation of federal law.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 32:545 (April 2006).

### **§4911. Exiting the Status of a District Academically in Crisis**

A. A school district Academically in Crisis shall remain so until:

1. fewer than 30 schools within the district are academically unacceptable;
2. fewer than 50 percent of the district's students are enrolled in Academically Unacceptable schools; and
3. all audit findings are addressed.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 32:545 (April 2006).