

TITLE 511 STATE BOARD OF EDUCATION

Proposed Rule LSA Document #14-###

DIGEST

Amends 511 IAC by modifying the methodology and/or metrics that determine in which of the school accountability categories, “A” through “F” grading scale, schools and school corporations are to be placed.

511 IAC 6.2-10

SECTION 1. 511 IAC 6.2-10 IS ADDED TO READ AS FOLLOWS:

511 IAC 6.2-10-1 Definitions

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-8-4; IC 20-31-10-1
Affected: IC 20-26-13-6; IC 20-31-8; IC 20-32-4; IC 20-32-4-5; IC 20-36-3-2

Sec. 1. The following definitions apply throughout this rule:

- (1) “Accountable year” means the school year being assessed.
- (2) “Achievement” means successful accomplishment of the proficiency goals established by the board.
- (3) “Advanced placement examination” or “AP exam” has the meaning set forth in IC 20-36-3-2.
- (4) “Alternative assessment” means the alternative assessment instrument to the mandatory statewide annual assessment.
- (5) “Atypical school” means a school that lacks sufficient data points to calculate a final accountability score under this rule.
- (6) “Board” has the meaning set forth in IC 20-18-2-19.
- (7) “College and career readiness” has the meaning set forth in IC 20-19-2-14.5(a)(1).
- (8) “College and career readiness goal” means the goal established by the board for which a school receives full credit within the applicable indicator.
- (9) “College credit” means credit awarded by a regionally accredited postsecondary institution in a department-approved liberal arts or career or technical education dual credit course verifiable by a transcript.
- (1) “Cumulative aggregate” means the number of eligible students in the accountable year and in each school year immediately preceding the accountable year until the minimum student count necessary to award points under this rule is reached.
- (10) “Department” has the meaning set forth in IC 20-18-2-3.
- (11) “Eligible student” means a student who:
 - (A) was enrolled at the school for at least one hundred sixty-two (162) days in the accountable year;
 - (B) was tested on the mandatory annual statewide assessment or the end of course assessment;
 - (C) was not a Limited English proficient student who has been enrolled in schools in the United States for less than twelve (12) months; and
 - (D) obtained a valid test result.
- (12) “English/Language arts” means the subject area required to be tested under IC 20-32-5-2(1) on the mandatory annual statewide assessment.
- (13) “Feeder school” means an elementary school having any combination of kindergarten, grade 1, or grade 2.

- (14) “Grade” means data for a cohort of students who are at the same class level in the same year within a school.
- (15) “Grade 10 cohort” means the class of students who are in their second year of high school.
- (16) “Grade 11 cohort” means the class of students who are in their third year of high school.
- (17) “Grade span” means the range of grades within the same school.
- (18) “Graduation cohort” means a class of students that is:
- (A) considered to have entered grade 9 in the same year; and
 - (B) expected to graduate three (3) years after entering grade 9.
- (19) “Graduation rate” has the meaning set forth in IC 20-26-13-6.
- (20) “Growth domain” means the points awarded for scores of an eligible student on the mandatory annual statewide assessment administered in the accountable year, as compared to the scores of the same eligible student on the mandatory annual statewide assessment administered during the school year immediately preceding the accountable year.
- (21) “Growth to proficiency” means the expected annual growth toward a target in English/Language arts and Mathematics, as established by the board under this rule.
- (22) “Industry-recognized credential” means a certification or credential that is:
- (A) developed or supported by business and industry to verify student mastery of technical skills competencies in an occupational area that aligns with Indiana’s economic sectors; and
 - (B) approved under Indiana law
- (23) “International Baccalaureate examination” or “IB exam” means the examination created and administered by the International Baccalaureate, a nonprofit educational foundation headquartered at Route des Morillon 15, Grand-Saconnex, Geneva, CH-1218, Switzerland.
- (24) “Limited English proficient” has the meaning set forth in the definition provided in the No Child Left Behind Act of 2001, 20 U.S.C. 7801 (25), of Title IX, and means an individual who:
- (A) is aged 3 through 21;
 - (B) is enrolled or preparing to enroll in an elementary or secondary school;
 - (C) was not born in the United States or whose native language is a language other than English;
 - (D) is a Native American or Alaska Native, or a native resident of the outlying areas; and
 - (i) comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; or
 - (ii) is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
 - (E) whose difficulties in speaking, reading, writing or understanding the English language may be sufficient to deny the individual:
 - (i) the ability to meet the State’s proficient level of achievement on State assessments described in section 1111(b)(3);
 - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society.
- (25) “Mandatory statewide annual assessments” means the assessments required under 511 IAC 5-2-3(b), and any alternatives to those assessment instruments.
- (26) “Mathematics” means the subject area required to be tested under IC 20-32-5-2(2) on the mandatory annual statewide assessment.
- (27) “Multiple measures domain” means the points awarded for additional criteria as determined by the board, apart from performance and growth, by which school accountability is determined.
- (28) “Participation” means to complete and obtain a valid test result for the mandatory statewide assessment, or the optional college and career readiness assessment under this rule.

- (29) “Participation rate” means the percentage of students enrolled at the time of test administrations who completed the mandatory annual statewide assessment, or the percentage of eligible students who completed the optional college and career readiness assessment under this rule.
- (30) “Performance domain” means the points awarded for the pass rate of eligible students on the English/Language arts and Mathematics portions of the mandatory statewide annual assessment.
- (31) “Performance and growth category” means the letter grade awarded to a school or school corporation based on the accountability assessment, as determined by the results of mandatory statewide annual assessments, and other criteria as set forth in this rule.
- (32) “Pupil enrollment” has the meaning of “enrollment” set forth in IC 20-26-13-3.
- (33) “Rate of improvement” means the number of students who, for each subject, did not pass the graduation qualifying exam (“GQE”) in Grade 10 but passed the GQE in Grade 12, divided by the number of graduates who did not pass the GQE in Grade 10.
- (34) “School” has the meaning set forth in IC 20-31-2-8.
- (35) “School corporation” has the meaning set forth in IC 20-18-2-16.
- (36) “School year” has the meaning set forth in IC 20-18-2-17.
- (37) “Small school” means:
- (A) An elementary school that has fewer than thirty (30) students who:
 - (i) were enrolled for at least one hundred sixty-two (162) days in the year being assessed;
 - (ii) were assessed on the state accountability assessment in English/language arts and Mathematics;
 - (iii) obtained a valid test result; and
 - (iv) were not excluded based on being a Limited English Proficient student that has been enrolled in school in the United States for less than twelve (12) months.
 - (B) A high school that:
 - (i) does not have data sufficient to calculate a score for Grade 12; and
 - (ii) has fewer than thirty (30) students in the grade 10 cohort who were:
 - (a) enrolled for at least one hundred sixty-two (162) days in the year being assessed;
 - (b) tested on the state accountability assessment; and
 - (c) not excluded based on being a Limited English Proficient student that has been enrolled in school in the United States for less than twelve (12) months.
- (38) “State college and career readiness factor” means the quotient of the total achievable college and career readiness rate (100%) and the annual college and career readiness goal for the state as established by the board.
- (39) “State college and career readiness participation factor” means the quotient of the total achievable college and career readiness rate (100%) and the annual college and career readiness participation goal for the state as established by the board with sufficient notice to the graduation cohort.

511 IAC 6.2-10-2 Growth to proficiency table

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-8-4; IC 20-31-10-1
 Affected: IC 20-31-8

Sec. 2. Beginning with the 2015-16 school year, growth domain points shall be determined in accordance with the “Growth to proficiency table” as approved by the board and published by the department and herein incorporated by reference pursuant to IC 4-22-2-21.

511 IAC 6.2-10-3 Placement of schools in categories; Overall framework

Authority: IC 20-19-2-8; IC 20-31-4; IC 20-31-8-4; IC 20-31-10-1

Affected: IC 20-31-8

Sec. 3. (a) The board shall place a school in an accountability category annually. With the exception of schools that qualify for and elect the application of section 9 of this rule, Placement shall be based on the results of mandatory statewide annual assessments and other criteria as set forth in this rule.

(b) Performance and growth categories shall be awarded by the letter grades A, B, C, D, and F. Placement in a category is determined by the weighted averages of the performance domain, growth domain, and multiple measures domain as set forth in this rule. The following scale shall be used to determine A school's performance and growth category placement:

- (1) 90.0 – 100.0 points = A
- (2) 80.0 – 89.9 points = B
- (3) 70.0 – 79.9 points = C
- (4) 60.0 – 69.9 points = D
- (5) 0.0 – 59.9 points = F.

(c) The accountability framework used to calculate a school's performance and growth category shall include the following designated domains, as set forth in this rule:

- (1) Performance
- (2) Growth
- (3) Multiple measures.

(d) The weights of the performance, growth, and multiple measures domains, as set forth in this rule, shall be awarded as follows:

- (1) The weight of the performance domain for a school or corporation shall be determined by :
 - (A) Sixty percent (60%) for a school lacking sufficient data points to calculate the multiple measures domain; or
 - (B) Twenty-four percent (24%) for a school with sufficient data points to calculate the multiple measures domain.
- (2) The weight of the growth domain for a school or corporation shall be determined by :
 - (A) Forty percent (40%) for a school lacking sufficient data points to calculate the multiple measures domain; or
 - (B) Sixteen percent (16%) for a school with sufficient data points to calculate the multiple measures domain.
- (3) The weight of the multiple measures domain for a school or corporation that has sufficient data points to calculate the multiple measures domain shall be:
 - (A) For graduation rate:
 - (i) Fifty percent (50%) for a school lacking sufficient data points to calculate the performance and growth domains; or
 - (ii) Thirty percent (30%) for the graduation rate for a school with sufficient data points to calculate performance and growth domains.
 - (B) For college and career readiness:
 - (i) Fifty percent (50%) for a school lacking sufficient data points to calculate performance and growth domains; or
 - (ii) Thirty percent (30%) for a school with sufficient data points to calculate performance and growth domains.

511 IAC 6.2-10-4 Performance domain

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-8-4; IC 20-31-10-1

Affected: IC 20-31-8

Sec. 4. (a) The performance domain shall consist of an English/Language arts indicator and a Mathematics indicator. A school's final performance domain category placement shall be determined based on the weighted average of the awarded performance indicator points. The weight of the English/Language arts indicator shall be

fifty percent (50%) of the performance domain, and the weight of the Mathematics indicator shall be fifty percent (50%) of the performance domain. Grades shall be assigned in accordance with the following points scale:

- (1) 90.0 – 100.0 points = A
- (2) 80.0 – 89.9 points = B
- (3) 70.0 – 79.9 points = C
- (4) 60.0 – 69.9 points = D
- (5) 0.0 – 59.9 points = F.

(b) The English/Language arts indicator for performance shall be determined in accordance with the following:

(1) Points shall be awarded for grades 3 through 10 respectively, where data are available. Points shall not be awarded for grades 11 and 12.

(2) A school must have at least thirty (30) eligible students in the accountable year to obtain English/Language arts points.

(3) If a school does not have at least thirty (30) eligible students in the accountable year, the school's English/Language arts points will be based on the results of the mandatory annual assessments of a cumulative aggregate of eligible students.

(A) The cumulative aggregate shall be comprised of eligible students in the accountable year and in each school year immediately preceding the accountable year until the cumulative aggregate is equal to or greater than thirty (30) students.

(4) Points awarded for English/Language arts shall equal the product of eligible students that passed the mandatory statewide assessment for English/Language arts and the assessment participation rate.

(A) If the assessment participation rate on the English/Language arts portion of the mandatory annual assessments is greater than or equal to ninety-five percent (95%), then the participation rate shall be one (1).

(B) If the assessment participation rate on the English/Language arts portion of the mandatory annual assessments is less than ninety-five percent (95%), then the participation rate shall equal the participation rate in decimal form.

(c) The Mathematics indicator for performance shall be determined in accordance with the following:

(1) Points shall be awarded for grades 3 through 10 respectively, where data are available. Points shall not be awarded for grades 11 and 12.

(2) A school must have at least thirty (30) eligible students in the accountable year to obtain Mathematics points.

(3) If a school does not have at least thirty (30) eligible students in the accountable year, the school's Mathematics points will be based on the results of the mandatory annual assessments of a cumulative aggregate of eligible students.

(A) The cumulative aggregate shall be comprised of eligible students in the accountable year and in each school year immediately preceding the accountable year until the cumulative aggregate is equal to or greater than thirty (30) students.

(4) Points awarded for Mathematics shall equal the product of eligible students that passed the mandatory statewide annual assessment for Mathematics and the assessment participation rate.

(A) If the assessment participation rate on the Mathematics portion of the mandatory annual assessments is greater than or equal to ninety-five percent (95%), then the participation rate shall be one (1).

(B) If the assessment participation rate on the Mathematics portion of the mandatory annual assessments is less than ninety-five percent (95%), then the participation rate shall equal the participation rate in decimal form.

511 IAC 6.2-10-5 Growth domain

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-8-4; IC 20-31-10-1

Affected: IC 20-31-8

Sec. 5. (a) The growth domain shall consist of an English/Language arts indicator and a Mathematics indicator. A school's final growth domain placement shall be determined based on the weighted average of the indicator points. The weight of the English/Language arts indicator shall be fifty percent (50%) of the growth domain, and the weight of the Mathematics indicator shall be fifty percent (50%) of the growth domain. Grades shall be assigned in accordance with the following points scale:

- (1) 90.0 – 100.0 points = A
- (2) 80.0 – 89.9 points = B
- (3) 70.0 – 79.9 points = C
- (4) 60.0 – 69.9 points = D
- (5) 0.0 – 59.9 points = F.

(b) The English/Language arts indicator for growth shall be determined in accordance with the following:

- (1) Points shall be awarded for grades 4 through 10, and Grade 12, where test data are available.
 - (2) Points shall be awarded to grades 4 through 10 based on the average of the scores of all eligible students in the top seventy-five percent (75%) and the bottom twenty-five percent (25%) of each grade.

(A) A school must have at least forty (40) eligible students in the accountable year to obtain growth points for the top seventy-five percent (75%) and bottom twenty-five percent (25%) of students.

(B) The bottom twenty-five percent (25%) must contain at least ten (10) of the forty (40) students.

(C) If a school does not have at least forty (40) eligible students in the accountable year, the school's growth points shall be based on the results of the mandatory annual assessments of a cumulative aggregate of eligible students.

- (3) Points shall be awarded to grades 11 and 12 in a manner equal to the rate of improvement of students on the mandatory annual statewide assessment between the student's grade 10 cohort year and the student's expected graduation year.

(A) A school must have at least ten (10) students in the graduation cohort identified as not passing the mandatory annual statewide assessment by the end of the student's tenth grade year, and identified as passing the mandatory annual statewide assessment by the student's expected graduation year.

(i) A school that lacks at least ten (10) students in its graduation cohort shall aggregate backward to each immediately preceding year until a cohort of at least ten (10) is reached.

(ii) Regardless where a student in Grade 10 took the exam under subpart (2) of this section, the student's passing score in the 12th grade shall apply to the points received to the school where the student graduates.

- (4) The overall points for English/Language arts shall be the sum of all applicable grade span points.

(c) The Mathematics indicator for growth shall be determined in accordance with the following:

- (1) Points shall be awarded for grades 4 through 10, and Grade 12, where test data are available.

- (2) Points shall be awarded to grades 4 through 10 based on the average of the scores of all eligible students in the top seventy-five percent (75%) and the bottom twenty-five percent (25%) of each grade.:

(A) A school must have at least forty (40) eligible students in the accountable year to obtain growth points for the top seventy-five percent (75%) and bottom twenty-five percent (25%) of students.

(B) The bottom twenty-five percent (25%) must contain at least ten (10) of the forty (40) students.

(C) If a school does not have at least forty (40) eligible students in the accountable year, the school's growth points shall be based on the results of the mandatory annual assessments of a cumulative aggregate of eligible students.

(3) Points shall be awarded to grades 11 and 12 in a manner equal to the rate of improvement of students on the mandatory annual statewide assessment between the student's grade 10 cohort year and the student's expected graduation.

(A) A school must have at least ten (10) students in the graduation cohort identified as not passing the mandatory annual statewide assessment by the end of the student's tenth grade year, and identified as passing the mandatory annual statewide assessment by the student's expected graduation year.

a. A school that lacks at least ten (10) students in its graduation cohort shall aggregate backward to each immediately preceding year until a cohort of at least ten (10) is reached.

b. Regardless where a student in Grade 10 took the exam under subpart (2) of this section, the student's passing score in the 12th grade shall apply to the the school where the student graduates..

(4) The overall points for Mathematics shall be the sum of all applicable grade span points.

511 IAC 6.2-10-6 Multiple measures domain

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-8-4; IC 20-31-10-1

Affected: IC 20-31-8

Sec. 6. (a) The multiple measures domain shall consist of a college and career readiness indicator and a graduation indicator. The weight of the college and career readiness indicator shall be fifty percent (50%) of the multiple measures domain, and the weight of the graduation indicator shall be fifty percent (50%) of the multiple measures domain. Points shall be assigned in accordance with the following scale:

(1) 90.0 – 100.0 points = A

(2) 80.0 – 89.9 points = B

(3) 70.0 – 79.9 points = C

(4) 60.0 – 69.9 points = D

(5) 0.0 – 59.9 points = F.

(b) The college and career readiness indicator for the multiple measures domain shall equal the product of the college and career readiness achievement score and the college and career readiness participation rate score. The maximum college and career readiness score is one hundred (100.0) points.

(1) The college and career readiness achievement score shall be the product of the college and career readiness achievement rate and the state college and career readiness factor.

(A) The graduation cohort, exclusive of any students who did not graduate in four (4) years or less, shall be used in determining a school's college and career readiness achievement score.

(B) A school must have at least ten (10) students in the graduation cohort to obtain a college and career readiness achievement score.

(C) A school's college and career readiness achievement rate shall be based on the percentage of students described in this subpart who accomplished any of the following:

(i) Passed an AP Exam with a score of 3, 4, or 5.

(ii) Passed an IB Exam with a score of 4, 5, 6, or 7.

(iii) Earned three (3) college credits as defined in section 1 of this rule.

(iv) Obtained an industry certification as defined in section 1 of this rule.

(D) A school's college and career readiness factor is determined by taking one hundred (100) divided by the expected college and career readiness goal as defined by the board.

(2) The college and career readiness participation rate score shall equal the product of the college and career readiness participation rate and the college and career readiness expected participation factor. A school must have college and readiness achievement data available to receive a college and career readiness participation rate score.

(A) The grade 11 cohort who were enrolled in the school for at least one hundred sixty-two (162) days of the school year shall be used in determining a school's college and career readiness participation rate score.

(B) A school's college and career readiness participation percentage shall be based on the percent of students described in subpart (A) of this subsection who have participated in a college and career readiness assessment during the accountable year.

(c) The graduation indicator for the multiple measures domain shall equal the sum of the graduation rate score and the five (5) year graduation rate score.

(1) The graduation rate score shall be determined based on the percentage of students that graduated from high school in four (4) years or less.

(A) A school must have at least ten (10) students in the most recently finalized graduation cohort to obtain a graduation rate score.

(B) A school with a graduation rate that is at least ninety percent (90%) shall receive one hundred (100) points. A school with a graduation rate less than ninety percent (90%) shall receive points equal to the school's graduation rate.

(2) The five (5) year graduation rate score shall be determined based on the difference in the four (4) year graduation rate and the five (5) year graduation rate for the graduation cohort. A school must have four (4) year graduation rate points available to receive a five (5) year graduation score.

(A) A school must have at least ten (10) students in the most recently finalized graduation cohort to obtain a five (5) year graduation rate score.

(B) The graduation cohort immediately preceding the most recently finalized graduation cohort shall be used to determine a school's five (5) year graduation rate score.

(C) Five (5) year graduation rate points shall be equal to the five (5) year graduation rate.

(D) Five (5) year graduation improvement points are not required to calculate the graduation indicator of the multiple measures domain.

511 IAC 6.2-10-7 Feeder schools

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-8-4; IC 20-31-10-1

Affected: IC 20-31-8

Sec. 7. (a) A feeder school's performance domain shall be based on the English/language arts and Mathematics scores of the receiving schools.

(b) If more than five (5) receiving schools are identified for the feeder school, the five (5) schools with the highest census of feeder school students will be used to determine the feeder school's performance and improvement category grade.

(c) A feeder school's English/language arts score is the average of the sum of the scores used as the basis of the receiving school's English/language arts scores.

(d) A feeder school's Mathematics score is the average of the sum of the scores used as the basis of the receiving school's Mathematics scores.

(e) Grades shall be assigned in accordance with the following points scale:

(1) 90.0 – 100.0 points = A.

(2) 80.0 – 89.9 points = B.

(3) 70.0 – 79.9 points = C.

(4) 60.0 – 69.9 points = D.

(5) 0.0 – 59.9 points = F.

511 IAC 6.2-10-8 School corporations; Performance category grade

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-8-4; IC 20-31-10-1
Affected: IC 20-31-8

Sec. 8. (a) The board shall assign each school corporation an overall performance and improvement category in accordance with section 4 of this rule.

(b) Not more than one percent (1%) of the total tested population of students in the corporation may be counted as proficient on the alternative assessment to the mandatory statewide annual assessment.

511 IAC 6.2-10-9 School changes due to opening, reopening, reconfiguring or redistribution of students; New accountability baselines

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-10-1
Affected: IC 20-31-8

Sec. 9. (a) This section applies to schools that:

- (1) open;
- (2) reopen;
- (3) reconfigure; or
- (4) redistribute students.

(b) To obtain a new accountability baseline, a school described in subsection (a) must clearly demonstrate all of the following:

- (1) An increase or decrease of at least seventy percent (70%) of the student population from the previous year.
- (2) A significant change in educational philosophy, curriculum, or staffing.
- (3) A change is not being made to avoid accountability.

511 IAC 6.2-10-10 New schools

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-10-1
10 Affected: IC 20-31-8

(a) Except as provided in subsection (b), this section applies to schools, beginning with the 2015-2016 school year, that have:

- (1) Been open three (3) years or less; and
 - (2) Not elected application of section 3 of this rule.
- (b) This section does not apply to a feeder school or a small school.

(c) Section 4 of this rule shall be the exclusive means used in determining the school's final category placement.

511 IAC 6.2-10-11 Review of category placement

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-10-1
Affected: IC 20-31-8

Sec. 11. A school or school corporation may petition for review its school performance and improvement category placement based on objective factors the school or school corporation considers relevant because the annual assessment data do not provide an accurate picture of school performance and growth. Objective factors include significant demographic changes in the student population, errors in data, or other significant issues including but not limited to errors in the application of this rule to calculate the school's accountability score. The board may, by resolution, adopt procedures for hearing petitions for review under this section.

511 IAC 6.2-10-12 Atypical schools

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-10-1
Affected: IC 20-31-8

Sec. 12. (a) For each atypical school, the department shall, without waiting for a request from the board, immediately provide to the board the following information for the grade levels served and available data:

- (1) Grade levels served by the school.
- (2) Data available.
- (3) Available models with current sample data for reference.

(b) Based on the information provided by the department, and any other information available to the board, the board shall determine the school's letter grade to accurately and fairly reflect the school's performance and growth

511 IAC 6.2-10-13 Annual Review

Authority: IC 20-19-2-8; IC 20-31-4-17; IC 20-31-10-1
Affected: IC 20-31-8

Sec. 13. (a) The board shall annually review this rule to determine whether any targets or weights under this rule require updating, or whether any criteria used for calculating a school's accountability score should be added, amended, or deleted. The board may use its emergency rulemaking authority to accomplish its objectives under this section.