

# Last Minute Memorandum

**To:** STATE BOARD MEMBERS

**Date:** June 11, 2003

**From:** Sue Stickel, Deputy Superintendent, Curriculum and Instruction Branch

**Re:** ITEM #7

**Subject:** NO CHILD LEFT BEHIND (NCLB) TITLE III ACHIEVEMENT  
OBJECTIVES AND ACCOUNTABILITY REQUIREMENTS.

Please insert the following revised attachments: **MOST RECENT VERSION**

[Attachment 1](#): Issue Paper – AMAO 1

Issues Related to the Establishment of the First AMAO for Title III (Pages 1-5)

[Attachment 2](#): Issue Paper –AMAO 2

Issues Related to the Establishment of the Second AMAO for Title III (Pages 1-9)

Issue Paper-AMAO 1

## Issues Related to the Establishment of the First AMAO for Title III

This is the first of two issue papers that have been prepared this month to identify issues that must be resolved in order to meet the requirements of Title III of No Child Left Behind (NCLB). The SBE's task is to define two annual measurable achievement objectives (AMAOs) for limited-English-proficient students (§ 3122).

The two AMAOs that need to be defined are:

1. Gains in the percentage of students meeting annual California English Language Development Test (CELDT) objectives.
2. Annual increases in the percentage of students attaining English language proficiency as demonstrated by the CELDT.

In Title III the State is to hold LEAs accountable, rather than holding schools accountable as was done in Title I.

### AMAO #1

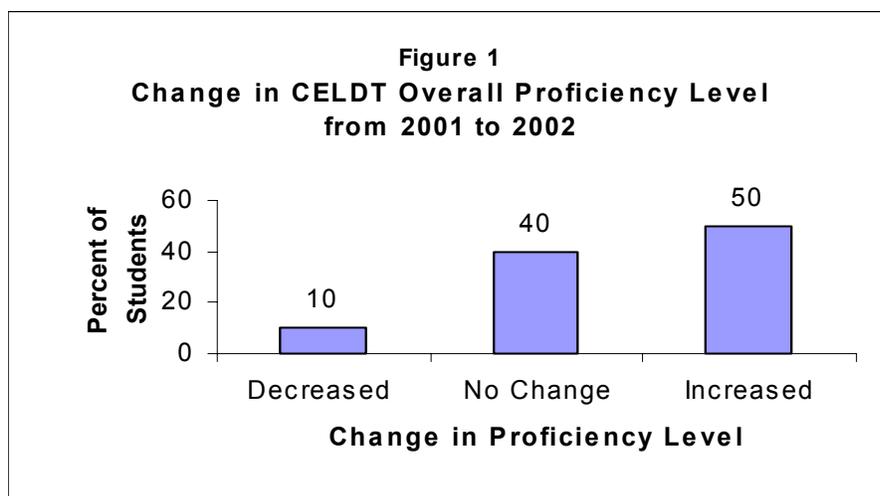
There are three decisions that need to be made to establish targets for 2003-04 to 2013-14.

1. Set the metric for the annual growth target
2. Set the starting point for 2003-04
3. Set the targets for 2004-05 to 2013-14

#### Step 1. Set the metric for the annual growth target.

The first AMAO requires setting an annual CELDT growth target. In March and April, the SBE discussed using the Overall proficiency level scores instead of scaled scores to measure growth in order to ensure greater reliability. Using proficiency level gains as the metric of growth limits the range of options regarding how much growth should be expected in one year. The most feasible target would be to expect students to gain one proficiency level per year until they reach the level where they are considered English Language Proficient (Early Advanced Overall, with no skill scores below Intermediate). Once they reach that level, the expectation would be that they maintain the level while they are working to meet academic content skills or other criteria required for redesignation.

CELDT growth data presented at the April Board meeting indicated that 50 percent of students gained one or more proficiency levels from 2001 to 2002 (See Figure 1 on page 2). The greatest gains were made at the Beginning and Early Intermediate levels where a gain of one level per year is a reasonable expectation for most students. However, for students at the Intermediate level, a gain of one level is much more difficult. At the Intermediate level, 43 percent of the students gained one level and 57 percent did not. Although a gain of one level may not be reasonable for all intermediate students, it is reasonable to expect a given percent of students in an LEA to gain one proficiency level and for the percent of students gaining one proficiency level or reaching and remaining at the English proficiency level to increase over time.



**Recommendation:** The annual growth metric for students is to gain one proficiency level annually until they reach English language proficiency. Once they reach English language proficiency they are expected to remain at that level until they are redesignated.

*Step 2. Set starting point for 2003-04*

For the first AMAO, the percent of students in an LEA who will meet the goal of one proficiency level growth per year or remain at the level required for English language proficiency is the growth metric. The goal structure will define what percent of students in an LEA meet that goal each year. Results for students with two years of CELDT data (2001 to 2002) were analyzed for all LEAs and for LEAs with 25 or more students. The data presented here are based on LEAs with 25 or more students because these results are more stable than those that include very small LEAs and should be used to establish targets even if a smaller minimum size is used for accountability purposes.

One option to determine the starting point is to use a process similar to Title I's Adequate Yearly Progress requirements. In that method, schools are ranked and the starting point is set at the percentage of students who meet the target in the school at the 20<sup>th</sup> percentile of the State's total enrollment. For Title III, only LEP students with CELDT data are used and LEAs are used instead of schools because LEAs are held accountable. Using the Title I method of selecting the starting point results in a starting point of 51 percent of students gaining one level or attaining/maintaining English language proficiency in 2003-04.

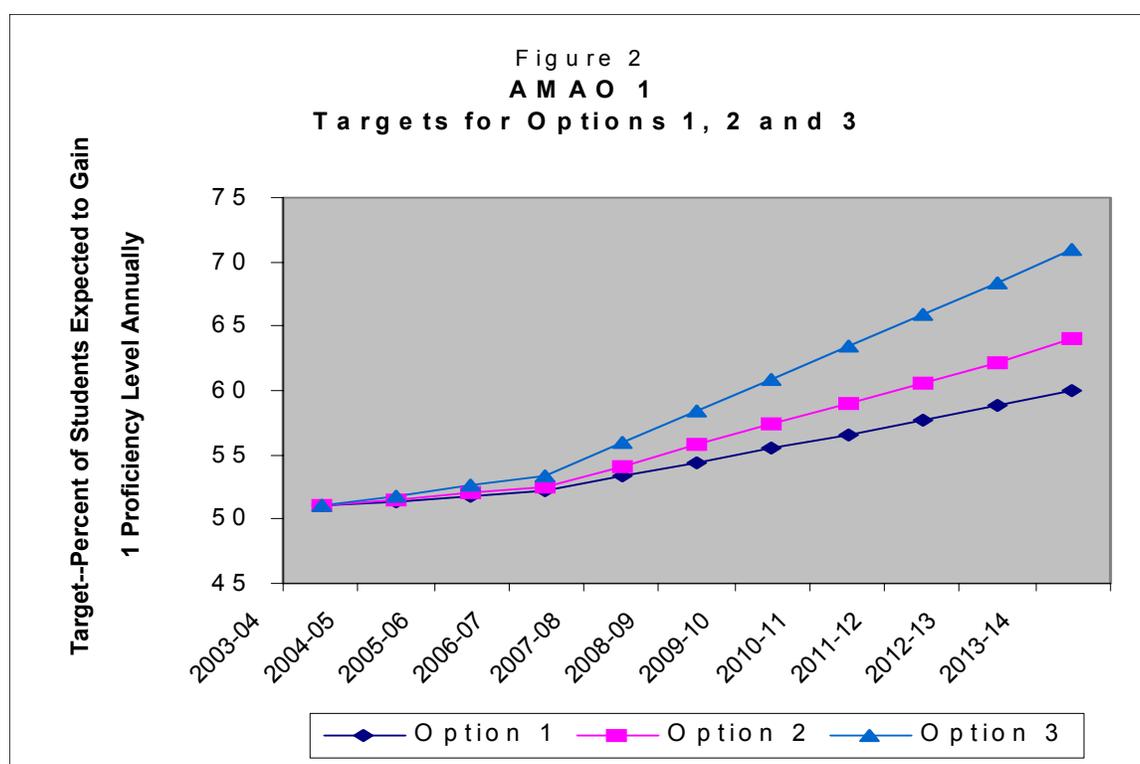
***Recommendation:*** Set the starting point for 2003-04 at 51 percent of students gaining one proficiency level or attaining or remaining at the level of English language proficiency.

*Step 3. Set the targets for 2004-05 through 2013-14.*

Title III requires that the AMAOs set annual increases for English language proficiency from 2003-04 to 2013-14. However in Title III, LEAs are not expected to reach 100 percent proficient in 2013-14 as is required in Title I for academic performance.

Outlined on Figure 2 are three options for target structures. The target structures vary in where they expect the end point to be in 2013-14. Three end points were chosen as options.

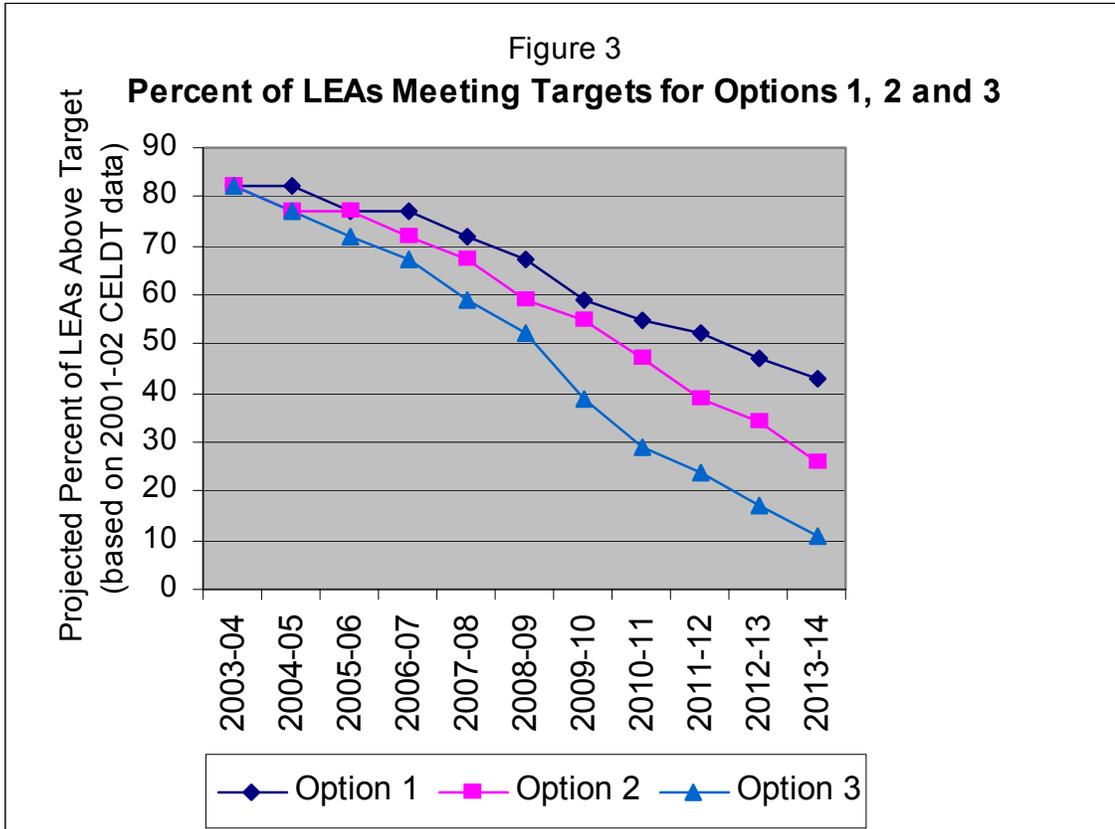
- Option 1 ends at the 60<sup>th</sup> percentile of the LEA distribution. That is the level where 60 percent of LEAs are below the target and 40 percent are above.
- Option 2 ends at the 75<sup>th</sup> percentile of the LEA distribution.
- Option 3 ends at the 90<sup>th</sup> percentile of the LEA distribution.



We have used an approach similar to the Title I Adequate Yearly Progress targets where all three options have smaller gains the first three years since it is a new accountability system. As schools and districts begin to improve their instruction for English learners they should be able to meet the more rigorous targets expected in 2007-08 and beyond. The targets increase 1/3 of a step the first 3 years and then 1 step per year until 2013-14. The actual targets for each option are listed in the Appendix. The target structure can be adjusted in the future if the data indicate a need for revision.

Figure 3 shows the projected percent of LEAs that would meet the targets for the three options based on 2001-02 CELDT data. As can be seen from the chart, 82 percent of LEAs would meet all three targets in the 2003-04 and at least 72 percent would be projected to meet the targets in 2006-07. After that year, the targets increase at a greater rate and the percent of LEAs that would meet the targets decline especially under options 2 and 3. In 2013-14, 43

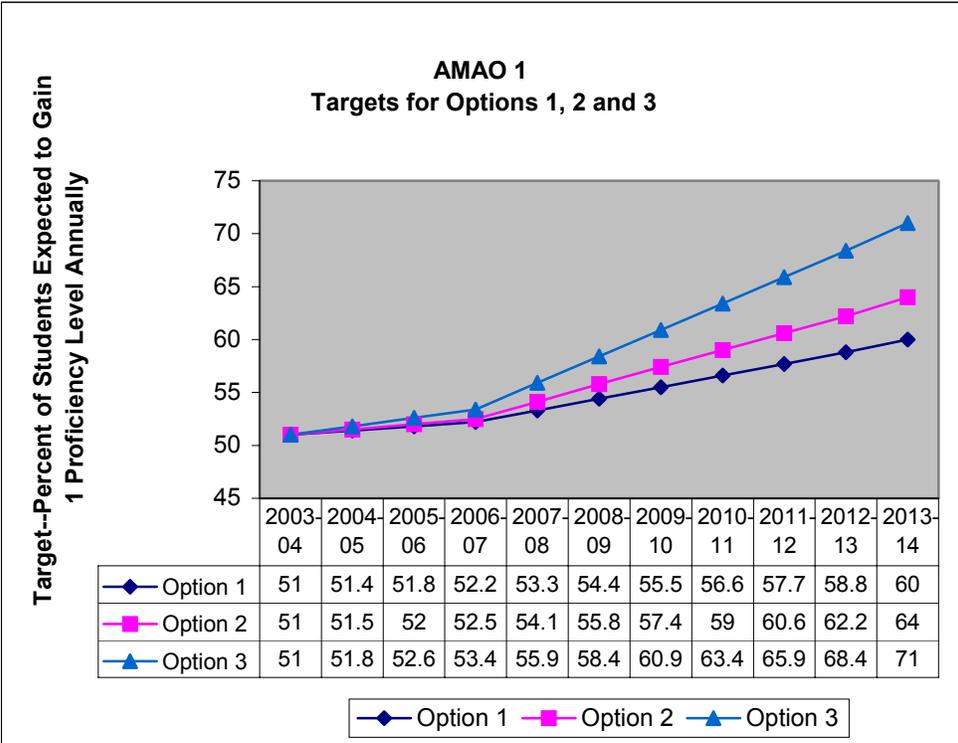
percent of schools would be projected to meet the target in Option 1, 26 percent of LEAs would be projected to meet the target in Option 2 and only 11 percent would be projected to meet target in Option 3.



***Recommendation: Adopt the Option 2 target structure.***

### Appendix AMAO 1 Target Structure

The following table shows the percent of students who have to meet the target each year under Options 1, 2 and 3. The target is the percent of students who are expected to gain one proficiency level annually until they reach English language proficiency. Once they reach English language proficiency they are expected to remain at that level until they are redesignated.





## **Issue Paper- AMAO 2**

### **Issues Related to the Establishment of the Second AMAO for Title III**

This is the second issue paper that is being prepared this month to identify issues that must be resolved in order to meet the requirements of Title III of No Child Left Behind (NCLB). The SBE's task is to define two annual measurable achievement objectives (AMAOs) for limited-English-proficient students (§ 3122).

The two AMAOs that need to be defined are:

1. Gains in the percentage of students meeting annual California English Language Development Test (CELDT) objectives.
2. Annual increases in the percentage of students attaining English language proficiency as demonstrated by the CELDT.

Unlike AMAO 1 which focused on annual gains for all students, AMAO 2 focuses on what percentage of students attain English language proficiency. This AMAO is based on a cohort analysis. Section 3122 specifies that such AMAOs shall be developed in a manner that reflects the amount of time an individual child has been enrolled in a language instruction educational program. In May, the SBE adopted the definition of English language proficiency that will be used in AMAO 2 as Early Advanced Overall, with all skill area scores at the Intermediate level or above.

There are three major decisions that need to be made in order to establish annual targets for the second AMAO.

1. Determine which students are appropriate to include in the analysis.
2. Set the initial target for 2003-04.
3. Set the targets for 2004-05 to 2013-14.

#### **Step 1. Determine which students are appropriate to include in the analysis**

Given the need to conduct a cohort analysis, one key issue to address is *which students can reasonably be expected to reach English language proficiency at a given point in time*. This is optimally determined using longitudinal data, in order to propose targets for students based on their English language proficiency levels when they enter California schools, and their corresponding attainment of the English language proficient level over time. There are two problems with the current data. The first problem is that there are only two years of CELDT data on English Learners. The second problem is that while data on the number of years students have been in U.S. public schools are available, there are a large number of missing cases. Information on years in U.S. schools was available for only 49 percent of the students taking the CELDT 2002 Annual test. Moreover, response options on the CELDT header sheet range from "less than one school year" to "five school years." Since there is no response option for years of U.S. schooling beyond five years, it is unclear if those who had more than five years marked "five school years" or left the variable blank. It is expected that the response rate and accuracy on the years in U.S. schools variable will increase over time as school personnel become accustomed to collecting it.

In addition to years in U.S. schools another key factor to consider in determining which students to include for analysis is students' prior CELDT level since this may also indicate which students can reasonably be expected to reach English language proficiency.

Four options for determining which students to include in the analysis are described along with the advantages and disadvantages of each option. Note that students' time in U.S. schools is obtained from the last CELDT administration (2002 for this analysis), while CELDT level refers to their performance prior to the latest CELDT administration (2001 for this analysis).

**Option A.** *Include students who have been in U.S. schools for 4 or more years*

This option includes for analysis those students with four or more years in US schools based on 2002 Annual CELDT data. Setting a 4-year criterion is defensible based on the annual objective that students progress one proficiency level per year on the CELDT.

**Advantages**

- considers students' expected performance in relation to time in U.S. schools
- consistent with annual objective that students progress one proficiency level per year on the CELDT
- existing empirical studies of time to language proficiency, which estimate 3 to 5 years for oral fluency, and 4 to 7 years for overall English language proficiency also support a 4 year criterion.<sup>1</sup>

**Disadvantages**

- does not count those students who reach English proficiency in less than 4 years
- given the large percentage of students missing "years in U.S. school" values this option may significantly limit the number of students considered on an annual basis<sup>2</sup>

**Option B.** *Include the following students:*

1. students who have been in U.S. schools for 4 or more years
2. students at the Intermediate level or above who did not previously reach English proficiency

In addition to time in U.S. schools, this option considers students' prior language proficiency level by including students at the Intermediate level of proficiency or above in 2001. Option B excludes those students who previously attained English language proficiency.

*Advantages--Includes all of the advantages of Option A plus:*

- includes students at the Intermediate level because they could reasonably be expected to reach English proficiency
- mitigates the disadvantages described in Option A by including those students at Intermediate level regardless of time in U.S. school

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<sup>1</sup> See, for example, De Avila, E. (1997). *Setting expected gains for non and Limited English Proficient students*. Washington D.C.: National Clearinghouse for English Language Acquisition, and Hakuta, K., Butler, Y., & Witt, D. (2000). *How long does it take English learners to attain proficiency?* Santa Barbara: University of California Linguistic Minority Research Institute Policy Report 2000-1.

<sup>2</sup> Only 23.5 percent of the 2002 Annual CELDT test takers are included when LEAs with 25 or more ELs taking CELDT are considered.

- may motivate LEAs to better attend to the many English learners statewide that have plateaued at the Intermediate level.
- increases the number of students and LEAs included in the analysis relative to Option A

#### Disadvantages

- does not credit LEAs who have students who are at levels lower than Intermediate who reach English proficiency

#### **Option C.** Include the following students:

1. students who have been in U.S. schools for 4 or more years
2. students at the Intermediate level or above who did not previously reach English proficiency
3. students below Intermediate who meet the English proficient level

Option C is similar to Option B but it credits LEAs for all students who reach the English proficient level even if they were below the Intermediate level. It does not penalize districts for students below the Intermediate level who do not reach the English proficient level.

#### *Advantages--Includes all of the advantages of Options A and B and, in addition,*

- credits LEAs for those students below Intermediate who meet the proficient level

#### *Disadvantages*

- no disadvantages are apparent at this time

#### **Option D.** Include the following students:

1. students who have been in U.S. schools for 4 or more years
2. students who reach English proficiency regardless of time in U.S. schools or prior CELDT level

Option D combines elements of Option A and Option C. It includes for analysis those students with four or more years in US schools based on 2002 Annual CELDT data, and it credits LEAs for all students who reach the English proficient level regardless of time in U.S. schools or prior CELDT level.

#### *Advantages--Includes all of the advantages of Option A plus:*

- mitigates the disadvantages described in Options A and B by including all those students reaching English proficiency regardless of time in U.S. schools or prior CELDT level
- increases the number of students and LEAs included in the analysis relative to all other Options

#### *Disadvantages*

- given the large percentage of students missing “years in U.S. school” values, this option may exclude a significant number of students
- credits LEAs for students previously reaching English proficiency who maintain proficient level, since prior CELDT level is not considered. This could provide a disincentive to reclassify students
- could set artificially high initial target, if students reaching English proficiency in future years are more carefully monitored for reclassification and less likely to retake CELDT

***Recommendation: Adopt Option C which includes the following students in the analysis:***

- 1. students who have been in U.S. schools for 4 or more years***
- 2. students at the Intermediate level or above who did not previously reach English proficiency***
- 3. students below Intermediate who meet the English proficient level***

## **Step 2. Set starting point for 2003-04**

As was done with the first AMAO, we recommend using a process similar to Title I's Adequate Yearly Progress requirements for determining the starting point. In that method, schools are ranked and the starting point is set at the percentage of students who meet the target in the school at the 20<sup>th</sup> percentile of the State's total enrollment. For Title III, only LEP students with CELDT data are used and LEAs are used instead of schools because LEAs are held accountable.

The target will be defined as the percent of LEP students in an LEA who achieve English language proficiency. In May, the SBE adopted the definition of English language proficiency as Early Advanced Overall, with all skill area scores at the Intermediate level or above.

***Recommendation: Use the Title I method of determining the starting point for 2003-04.***

## **Step 3. Set the targets for 2004-05 through 2013-14.**

Three options for target structures are outlined that parallel the target structures for AMAO 1<sup>3</sup>. The target structures all use the 20<sup>th</sup> percentile of the California's LEP student enrollment with CELDT data as the starting point and vary in where they expect the end point to be in 2013-14. Three end points were chosen as options. As was done in AMAO 1:

- option 1 ends at the 60<sup>th</sup> percentile of the LEA distribution. That is the level where 60 percent of LEAs are below the target and 40 percent are above.
- option 2 ends at the 75<sup>th</sup> percentile of the LEA distribution.
- option 3 ends at the 90<sup>th</sup> percentile of the LEA distribution.

The target structures are parallel to AMAO 1 where all three options have smaller gains the first three years. The targets increase 1/3 of a step the first three years and then 1 step per year until 2013-14.

Pages 6 through 9 contain charts outlining 1) the target structure and 2) the percent of LEAs meeting the targets for each of the options for student inclusion (Options A through D) that were outlined in step 1. Once the student inclusion criteria have been determined, a decision will need to be made regarding which target option to use.

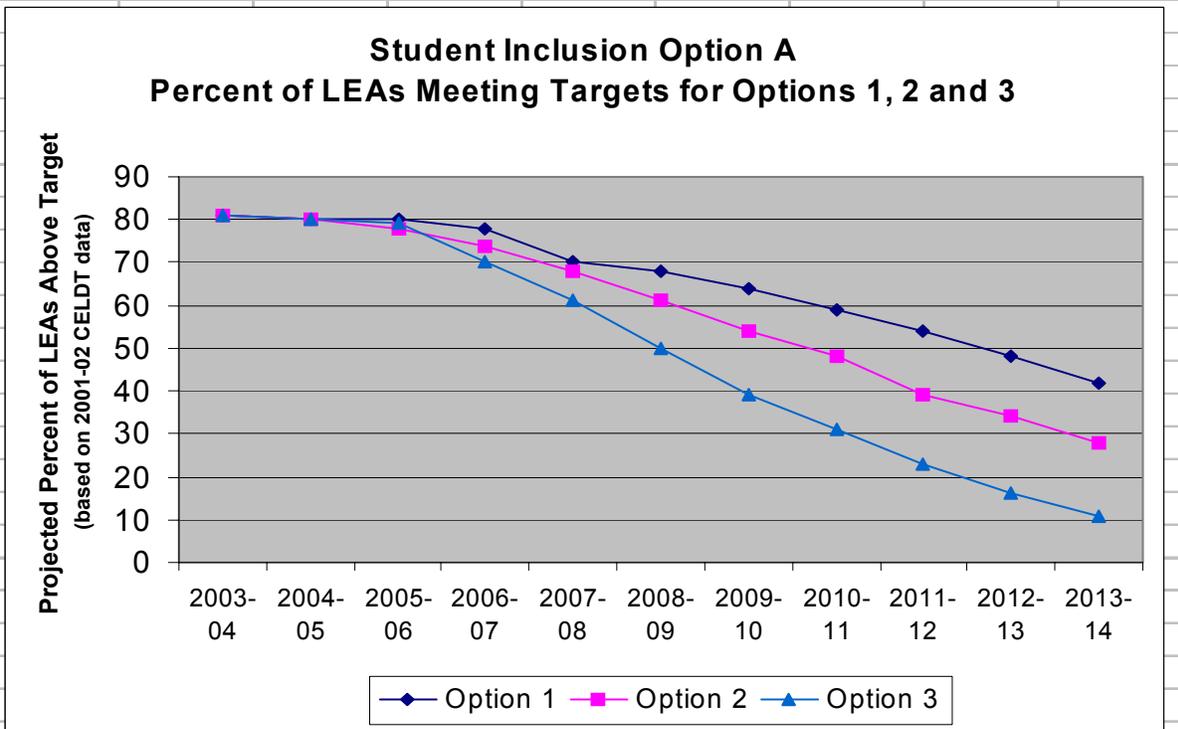
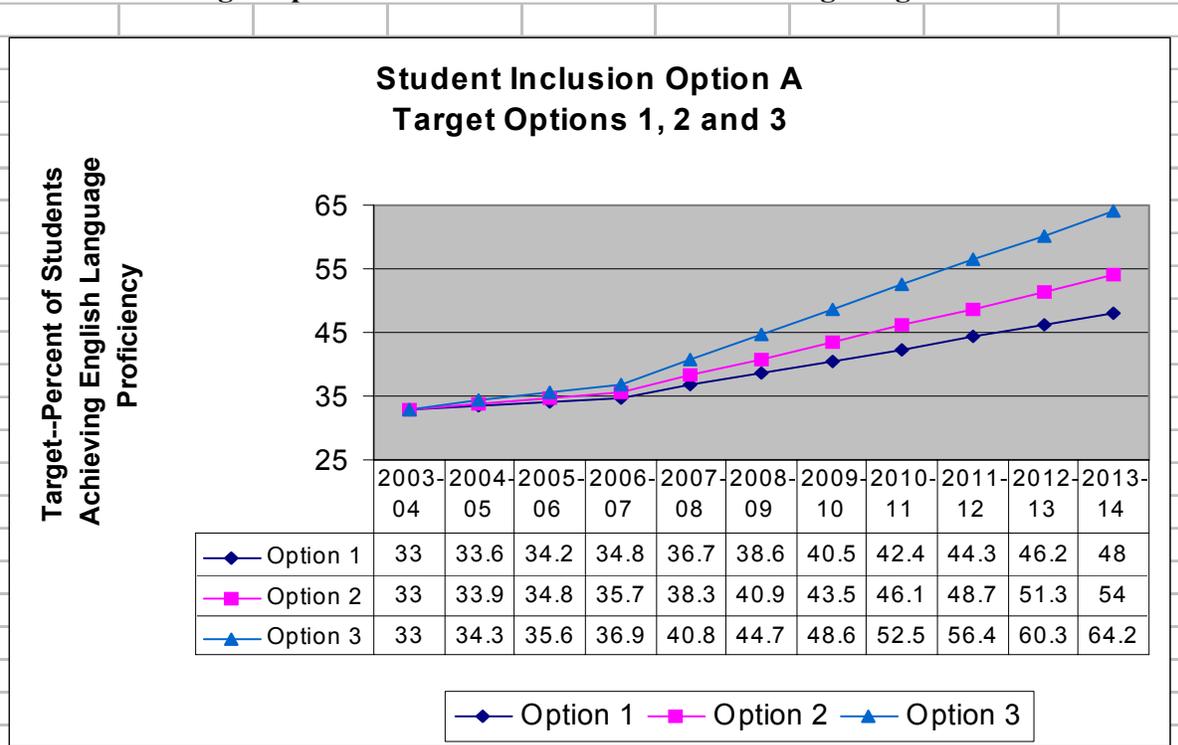
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<sup>3</sup> As with AMAO 1, the data presented here are based on LEAs with 25 or more students with CELDT data. These results are more stable than those that include very small LEAs and should be used to establish targets even if a smaller minimum size is used for accountability purposes.

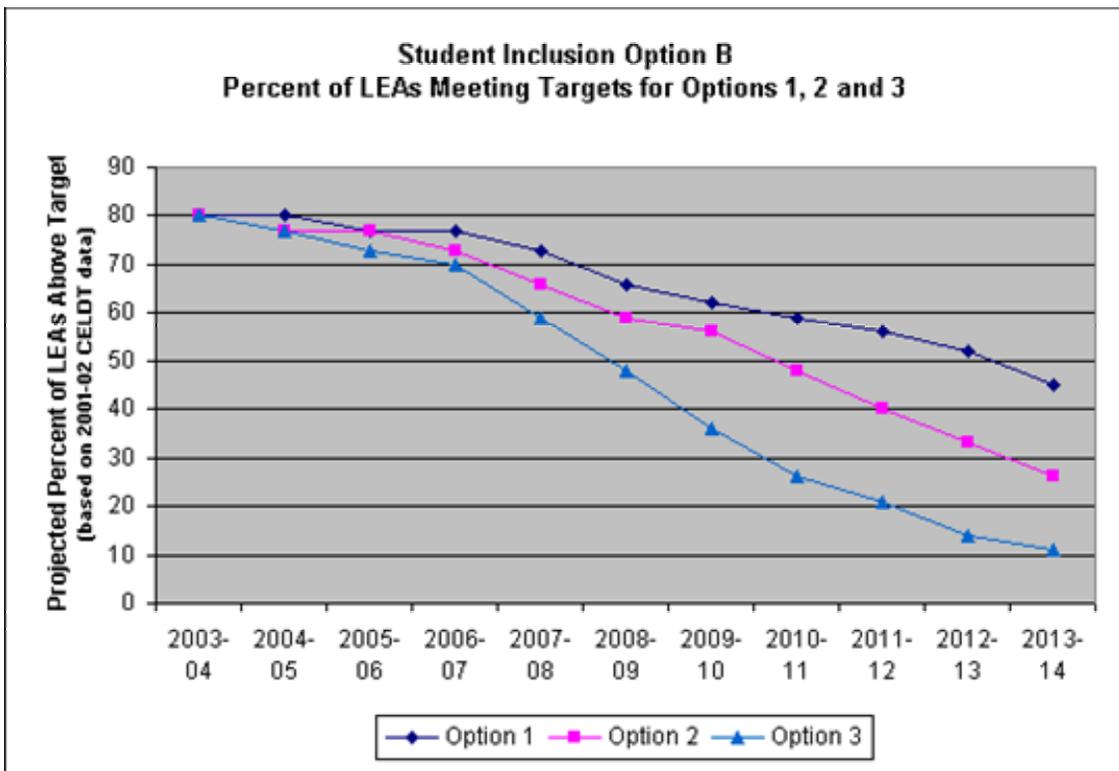
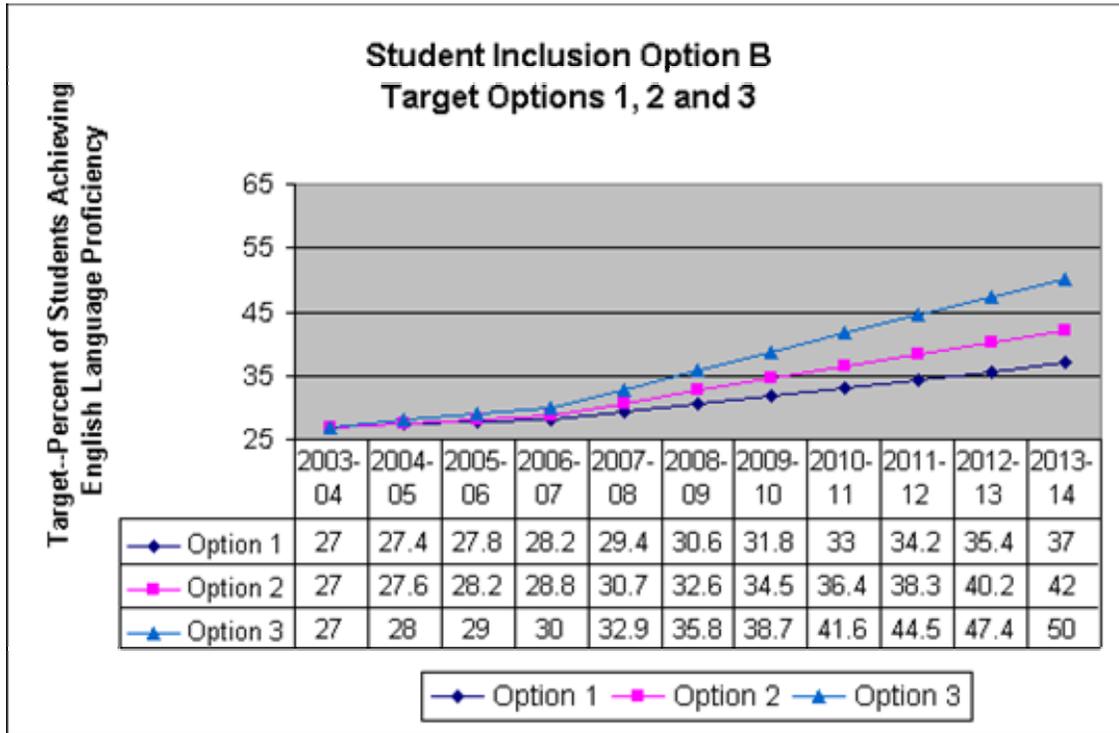
Option 2 is consistent with the recommendation for the first AMAO and would require districts to be at the level that the upper 25 percent of LEAs are now. This would be a rigorous target but is achievable if LEAs provide more focused and effective instruction targeted to the needs of their English learners.

***Recommendation: Select Option 2 which ends at the 75<sup>th</sup> percentile of the current LEA distribution***

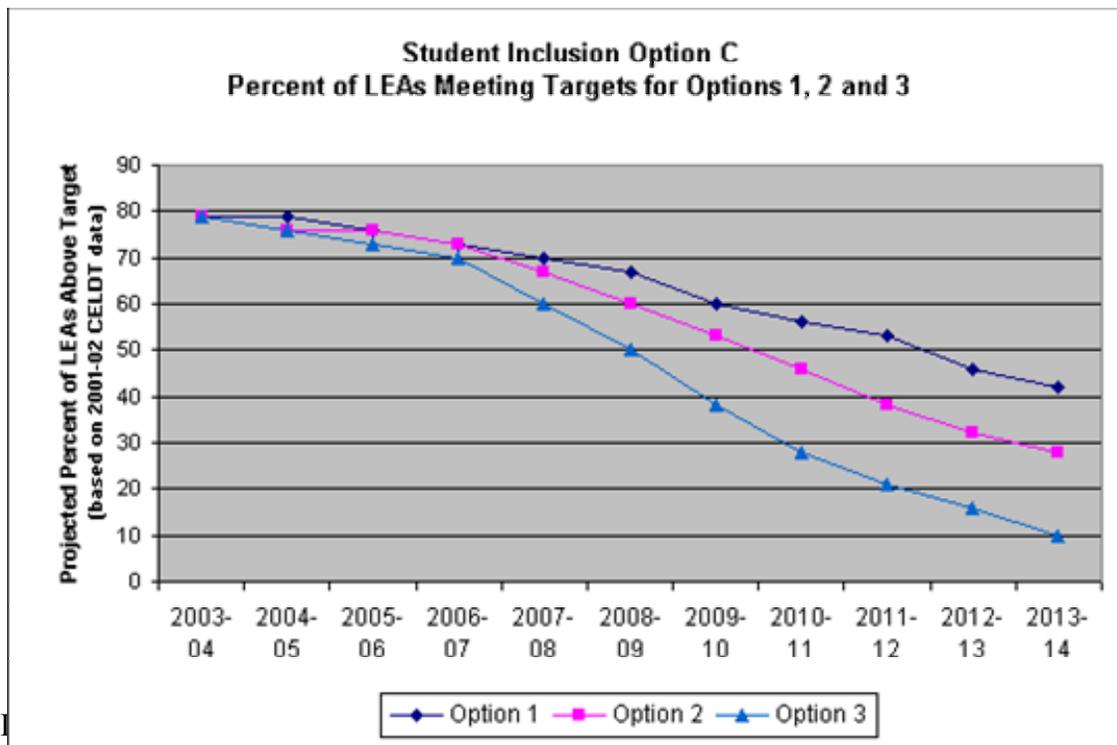
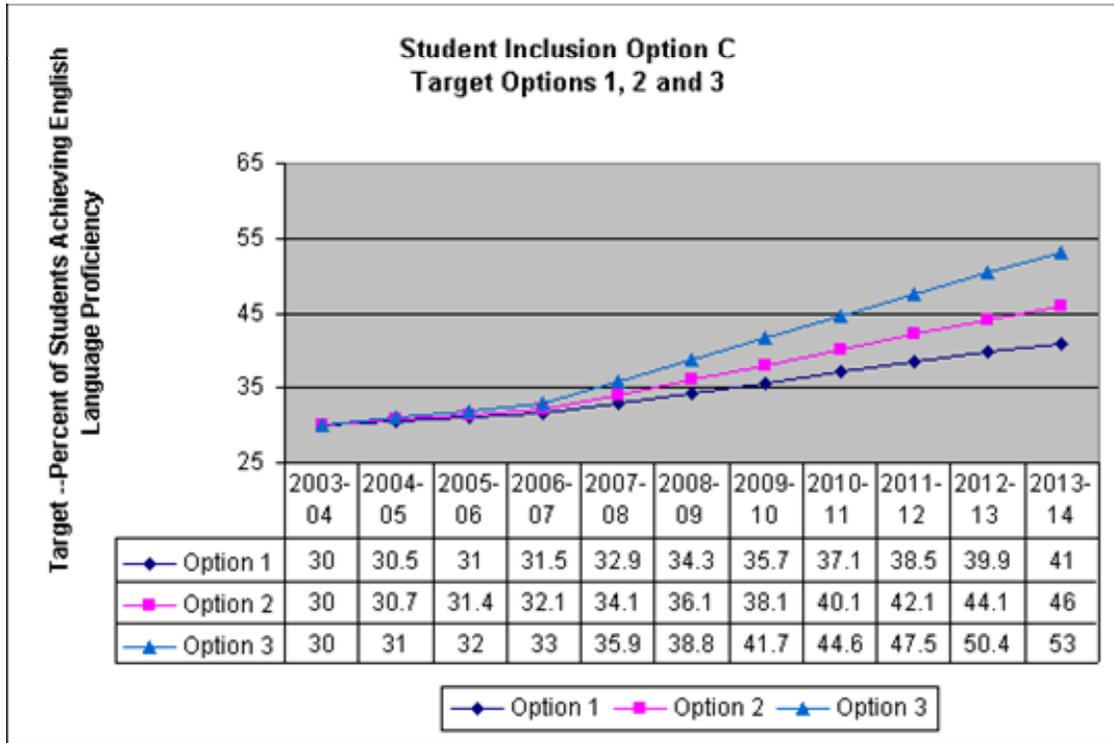
**Student Inclusion Option A  
Target Options and the Percent of LEAs Meeting Targets**



**Student Inclusion Option B  
Target Options and the Percent of LEAs Meeting Targets**



### Student Inclusion Option C Target Options and the Percent of LEAs Meeting Targets



### Student Inclusion Option D Target Options and the Percent of LEAs Meeting Targets

