



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Immediate Intervention/Underperforming Schools Program (II/USP): Waiver Policy for higher-performing II/USP schools that do not make “significant growth” and are subject to state sanctions.	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Adopt a waiver policy for higher-performing II/USP schools based upon Option 2 as presented in this item.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the January 2004 State Board of Education (SBE) meeting, two II/USP state-monitored schools (Hester Elementary and Providencia Elementary) requested that the SBE approve their waiver requests to be taken out of the sanctions/intervention process and to be placed “on watch” for another year. The waiver requests were based on the premise that the schools were higher-performing and therefore should not be subject to state sanctions. In March the SBE approved the waiver request for Providencia Elementary, but decided not to adopt a waiver policy for higher-performing II/USP schools. (Hester Elementary withdrew its waiver request.) The SBE requested that California Department of Education (CDE) staff provide additional data and waiver options for higher-performing II/USP schools for the SBE to consider at the May Board meeting.

SUMMARY OF KEY ISSUES

In 1999, the Legislature enacted II/USP, which provides schools in decile ranks 1-5 an opportunity to apply for funding to improve student achievement in exchange for greater accountability. Schools participating in the program received \$50,000 in the first year to develop an improvement plan and \$200 per student annually to implement the plan for two to three years. In return for the funding, schools agreed to be held accountable for steadily increasing student achievement. According to the law, schools that do not demonstrate “significant growth” as defined by the SBE become subject to state sanctions/intervention at the end of the two or three year period. Based on the recommendation of the Public Schools Accountability Act (PSAA) Advisory Committee, the SBE defined “significant growth” as making at least one point of growth on the schoolwide Academic Performance Index (API).

Three cohorts of approximately 430 schools each have participated, or are still participating, in II/USP. Twenty-four II/USP Cohort I schools were identified as state-monitored in 2002-03 and therefore became subject to state interventions. One of the schools has subsequently closed. In the current year, 32 schools (26 in II/USP Cohort I

and 6 in II/USP Cohort II) have been identified as state-monitored.

All schools currently identified as state-monitored have been assigned a School Assistance and Intervention Team (SAIT). SAITs verify the results of an Academic Program Survey (APS) that focuses on the essential components for instructional success. Based on the results, the SAIT recommends corrective actions to improve student achievement and provides the school with the necessary support to implement the corrective actions.

There have been a few occasions where higher-performing schools have become subject to state sanctions. For instance, a school may have made substantial growth in its first and second year of participation in II/USP, but not made all of its growth targets, and then dropped a few points on its API in its third year of participation. Even though the school has an API decile rank of 6 or higher, the school would be subject to state interventions/sanctions because it did not meet the “significant growth” criterion in its third year, or in subsequent years while “on watch.”

At the March 2004 SBE meeting, members reviewed and discussed three options presented for a waiver policy that could be applied to schools that are subject to state sanctions but are considered higher-performing schools. All three options presented would have allowed schools to waive out of the sanction process and be placed “on watch.” In addition, all three options required schools to have a decile rank of 6 or higher.

One of the options presented at the March 2004 SBE meeting required a school to meet Adequate Yearly Progress (AYP) to qualify for the waiver. The Board members expressed concern about imposing federal accountability requirements within the state accountability program. In response to that concern, AYP is not a proposed criterion for any of the waiver policy options presented in this item.

Also a concern by several SBE members during the March meeting was the use of decile rank 6 or higher as a constant criterion for all three proposed waiver options. SBE members indicated that they would like to consider waiver options with a lower decile rank requirement (e.g., decile rank 5 or decile rank 4). Therefore, three options that allow schools to have a rank below decile 6 are included for consideration. Once again, all five options would allow the school to waive out of the sanction process and be placed “on watch.”

Two of the options provided below are based on the requirement that schools must be in a decile rank of 6 or higher. This requirement matches the Public Schools Accountability Act, which defines high priority (underperforming) schools as schools below decile rank 6. The other three options provide criteria that would allow schools to be in a rank below decile 6 (i.e., decile rank 5 or decile rank 4), as requested by the Board members. The following five options are explained in more detail below:

- Option 1 was included in the March board item
- Option 2 introduces the use of decile rank 5 as a cutoff for significant student groups but retains the schoolwide decile rank 6
- Option 3 lowers the schoolwide decile rank to 5 and significant student groups API score to decile rank 4
- Option 4 lowers the schoolwide decile rank to rank 4

- Option 5 lowers the significant student group API scores to decile rank 3

The set of options presented in the chart below preserve a commitment to intervene in the lowest performing schools (e.g., schools in decile ranks 1, 2, and 3). Each option also has the same multi-year growth requirement, which requires a school to exceed its growth target in the prior year to the extent that the growth covered the total growth expectation for both years. (For example, the growth target was 6 points the current year and 5 points the prior year. Therefore, in the prior year the school must have grown by at least 11 points, accounting for the current year’s schoolwide API point deficit on its schoolwide API to cover the growth expectation for the current year.) Each of the options below differs based upon schoolwide decile ranks and the API scores of significant student groups.

The options below are presented from the highest decile rank to the lowest decile rank. As the decile rank decreases, the number of schools that meet the criteria and potentially qualify for a waiver increases. The potential impact was calculated using the most current data available for the 396 II/USP schools currently on watch.

Waiver Options for Higher-Performing II/USP Schools				
Options	Multi-Year Growth	School-wide API Decile Rank	Significant Student Groups Indicator	Potential Impact for Schools Currently Under Watch
1	Yes	6	Majority of student groups showed positive growth on the API for each of the previous two years	9 schools meet the criteria (4 Elementary, 2 Middle, and 3 High)
2	Yes	6	All student groups have an API score that would place them in API decile rank 5	3 schools meet the criteria (2 Elementary and 1 Middle)
3	Yes	5	All student groups have an API score that would place them in API decile rank 4	15 schools meet the criteria (12 Elementary and 3 Middle)
4	Yes	4	All student groups have an API score that would place them in API decile rank 4	20 schools meet the criteria (15 Elementary and 5 Middle)
5	Yes	4	All student groups have an API score that would place them in API decile rank 3	54 schools meet the criteria (36 Elementary, 13 Middle, and 5 High)

The CDE recommends Option 2.

The criteria in all five options ensure that schools with steadily declining API scores will not be waived out of the sanctions process because only the previous year’s API scores may be used. For instance, if the SBE looked at the previous two years of API growth, a

school could significantly exceed its growth target the first year, only make “significant growth” the second year and make negative growth the third year. In this scenario, the school would still qualify for a waiver if the growth in the first year were sufficient to cover the total growth expectation for the three years, even though the API growth trend is downward. All five options also require that all student groups’ API scores be reviewed. This is important because schools with large achievement gaps between significant student groups would likely benefit from the SAIT process.

However, only Options 1 and 2 require that schools no longer qualify as high priority schools as defined by the Public Schools Accountability Act (PSAA). Therefore, waiving schools that are in decile rank 6 out of the sanctions process does not violate the intent of the PSAA.

CDE is recommending Option 2 because it requires schools to be in decile rank 6, but provides some flexibility regarding student groups. This aligns with the current API structure that sets API growth targets for student groups at 80% of the schoolwide growth target. In addition, allowing student groups to have an API score that would place them in decile rank 5 also takes into consideration that API scores for the decile ranks increases annually as schools continue to improve academically. For example, in 1999, the first year of II/USP, a school with an API score between 587 and 628 was in decile rank 5. In 2003, in order to be in decile rank 5 a school must have an API score between 702 and 728.

FISCAL ANALYSIS (AS APPROPRIATE)

Schools that receive a waiver to be taken out of the state sanctions/intervention process will be placed “on watch” and will not receive additional funding allocated for state-monitored schools. This includes \$75,000 for elementary and middle schools and \$100,000 for high schools to conduct the SAIT process and \$150 per student annually for the implementation of the corrective actions for two to three years. Placing higher-performing II/USP schools “on watch” will reduce the cost of state sanctions and interventions.

ATTACHMENT

[Attachment 1](#): California State Board of Education Policy: Waiver guidelines for higher-performing II/USP schools that do not make “significant growth” and are subject to state intervention. (2 pages)



California State Board of Education Policy

POLICY #
XX-04
DATE
DRAFT

WAIVER GUIDELINES
Immediate Intervention/Underperforming Schools Program (II/USP): Higher-performing II/USP schools that do not make “significant growth” and are subject to state intervention

REFERENCES: Authority: Authority: Education Code Section 33050 Purpose: To waive provisions of Education Code Sections <i>52055.5 (b) and (h)</i>
HISTORICAL NOTES None

Education Code (EC) Section(s) involved:

Education Code Sections 52055.5 (b) and (h)

(b) Twenty-four months after receipt of funding pursuant to Section 52054.5, a school that has not met its growth targets each year and has failed to show significant growth, as determined by the State Board of Education, shall be deemed a state-monitored school.

(h) A school that has not met its growth targets within 36 months of receiving funding pursuant to Section 52054.5, but has shown significant growth, as determined by the State Board of Education, shall continue to be monitored by the Superintendent of Public Instruction until it meets its annual growth target or the statewide performance target. If, in any year between the third year of implementation funding and the first year the school meets its growth target, the school fails to make “significant growth”, as determined by the State Board of Education, that school shall be deemed a state-monitored school and subject to the provisions of paragraphs (1) to (10), inclusive, of subdivision (b).

Background

In 1999, the State Legislature enacted II/USP, which provides schools in decile ranks 1-5 an opportunity to apply for funding to improve student achievement in exchange for greater accountability. Schools participating in the program received \$50,000 in the first year to develop an improvement plan and \$200 per student annually to implement the plan for two to three years. In return for the funding, schools agreed to be held accountable for steadily increasing student achievement. According to the law, schools that do not demonstrate “significant growth” as defined by the State Board of Education become subject to state sanctions/intervention at the end of the two or three year period. Based on the recommendation of the Public Schools Accountability Act (PSAA) Advisory Committee, the State Board has defined “significant growth” as making at least one point of growth on the schoolwide API.



California State Board of Education Policy

WAIVER GUIDELINES

Page 2 of 2

POLICY

#

DATE

There have been a few occasions where higher-performing schools have become subject to state sanctions. For instance, a school may have made substantial growth in its first and second year of participation in the II/USP, but not made its growth targets, and then dropped down a few points on its API in its third year of participation. Even though the school has an API decile rank of 6 or higher, the school would be subject to state sanctions because it did not meet the “significant growth” criterion in its third year, or in subsequent years while “on watch.”

Waiver Guidelines/Criteria

In order to evaluate a waiver request to release higher-performing II/USP schools from the state sanctions/intervention process and be placed “on watch,” the State Board of Education (SBE) requests that those Local Educational Agencies (LEAs) applying for a waiver provide documentation which the California Department of Education (CDE) professional staff will then use to review and make recommendations about the waiver request. The waiver request should include the following:

1. Verification that the school has a statewide rank of 6 or higher
2. Verification that the school exceeded its growth target in the prior year to the extent that the growth covered the total growth expectation for both years. (For example, the growth target was 6 points the current year and 5 points the prior year. Therefore, in the prior year the school must have grown at least 11 points accounting for the current year’s schoolwide API point deficit on its schoolwide API to cover the growth expectation for the current year.)
3. Verification that all student groups have an API score which would place them in the decile rank 5 (e.g., if a elementary school must have a schoolwide API score of 702 to be placed in decile rank 5, than all student groups must also have an API score of 702 to qualify for the waiver).