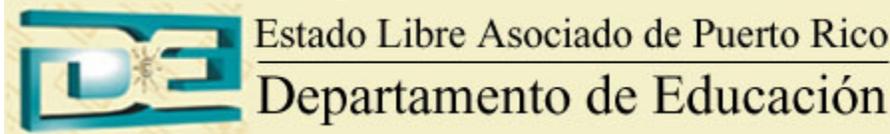


# Puerto Rico Department of Education



## Consolidated State Application Accountability Workbook

for State Grants under Title IX, Part C, Section 9302 of the Elementary and  
Secondary Education Act (Public Law 107-110)

May 1, 2003



U. S. Department of Education  
Office of Elementary and Secondary Education  
Washington, D.C. 20202

## **Instructions for Completing Consolidated State Application Accountability Workbook**

By January 31, 2003, States must complete and submit to the Department this Consolidated State Application Accountability Workbook. We understand that some of the critical elements for the key principles may still be under consideration and may not yet be final State policy by the January 31 due date. States that do not have final approval for some of these elements or that have not finalized a decision on these elements by January 31 should, when completing the Workbook, indicate the status of each element which is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the Consolidated State Application Accountability Workbook.

### **Transmittal Instructions**

To expedite the receipt of this Consolidated State Application Accountability Workbook, please send your submission via the Internet as a .doc file, pdf file, rtf or .txt file or provide the URL for the site where your submission is posted on the Internet. Send electronic submissions to [conapp@ed.gov](mailto:conapp@ed.gov).

A State that submits only a paper submission should mail the submission by express courier to:

Celia Sims  
U.S. Department of Education  
400 Maryland Ave., SW  
Room 3W300  
Washington, D.C. 20202-6400  
(202) 401-0113

## **PART I: Summary of Required Elements for State Accountability Systems**

### **Instructions**

The following chart is an overview of States' implementation of the critical elements required for approval of their State accountability systems. States must provide detailed implementation information for each of these elements in Part II of this Consolidated State Application Accountability Workbook.

For each of the elements listed in the following chart, States should indicate the current implementation status in their State using the following legend:

- F:** State has a final policy, approved by all the required entities in the State (e.g., State Board of Education, State Legislature), for implementing this element in its accountability system.
  
- P:** State has a proposed policy for implementing this element in its accountability system, but must still receive approval by required entities in the State (e.g., State Board of Education, State Legislature).
  
- W:** State is still working on formulating a policy to implement this element in its accountability system.

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

**Summary of Implementation Status for Required Elements of State Accountability Systems**

Status	State Accountability System Element
<b>Principle 1: All Schools</b>	
F	1.1 Accountability system includes <i>all schools and districts in the state</i> .
F	1.2 Accountability system holds <i>all schools to the same criteria</i> .
F	1.3 Accountability system incorporates the <i>academic achievement standards</i> .
F	1.4 Accountability system provides <i>information in a timely manner</i> .
F	1.5 Accountability system includes <i>report cards</i> .
P	1.6 Accountability system includes <i>rewards and sanctions</i> .
<b>Principle 2: All Students</b>	
F	2.1 The accountability system includes <i>all students</i>
F	2.2 The accountability system has a consistent definition of <i>full academic year</i> .
F	2.3 The accountability system properly includes <i>mobile students</i> .
<b>Principle 3: Method of AYP Determinations</b>	
F	3.1 Accountability system expects <i>all student subgroups, public schools, and LEAs to reach proficiency by 2013-14</i> .
F*	3.2 Accountability system has a method for determining whether <i>student subgroups, public schools, and LEAs made adequate yearly progress</i> .
F*	3.2a Accountability system establishes a <i>starting point</i> .
F*	3.2b Accountability system establishes <i>statewide annual measurable objectives</i> .
F*	3.2c Accountability system establishes <i>intermediate goals</i> .
<b>Principle 4: Annual Decisions</b>	
F	4.1 The accountability system <i>determines annually the progress</i> of schools and districts.

**STATUS Legend:**

F – Final state policy

P – Proposed policy, awaiting State approval

W – Working to formulate policy

\*Pending results from 2002-2003 assessment as approved by U.S. Department of Education

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**Principle 5: Subgroup Accountability**

F	5.1	The accountability system <i>includes all the required student subgroups</i> .
F	5.2	The accountability system holds <i>schools and LEAs accountable for the progress of student subgroups</i> .
F	5.3	The accountability system includes <i>students with disabilities</i> .
F	5.4	The accountability system includes <i>limited English proficient students</i> .
F*	5.5	The State has determined the minimum number of students sufficient to yield statistically reliable information for each purpose for which disaggregated data are used.
F	5.6	The State has strategies to protect the privacy of individual students in reporting achievement results and in determining whether schools and LEAs are making adequate yearly progress on the basis of disaggregated subgroups.

**Principle 6: Based on Academic Assessments**

F	6.1	Accountability system is based <i>primarily on academic assessments</i> .
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**Principle 7: Additional Indicators**

F	7.1	Accountability system includes <i>graduation rate for high schools</i> .
F	7.2	Accountability system includes an <i>additional academic indicator for elementary and middle schools</i> .
F	7.3	Additional indicators are valid and reliable.

**Principle 8: Separate Decisions for Reading/Language Arts and Mathematics**

F	8.1	Accountability system holds students, schools and districts separately accountable for <i>reading/language arts and mathematics</i> .
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**Principle 9: System Validity and Reliability**

F*	9.1	Accountability system produces <i>reliable decisions</i> .
F	9.2	Accountability system produces <i>valid decisions</i> .
F	9.3	State has a plan for addressing <i>changes in assessment and student population</i> .

**Principle 10: Participation Rate**

F	10.1	Accountability system has a means for calculating the <i>rate of participation</i> in the statewide assessment.
F	10.2	Accountability system has a means for <i>applying the 95% assessment criteria to student subgroups and small schools</i> .

**STATUS Legend:**

- F – Final policy
- P – Proposed Policy, awaiting State approval
- W– Working to formulate policy

## **PART II: State Response and Activities for Meeting State Accountability System Requirements**

### **Instructions**

In Part II of this Workbook, States are to provide detailed information for each of the critical elements required for State accountability systems. States should answer the questions asked about each of the critical elements in the State's accountability system. States that do not have final approval for any of these elements or that have not finalized a decision on these elements by January 31, 2003, should, when completing this section of the Workbook, indicate the status of each element that is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the Consolidated State Application Accountability Workbook.

**PRINCIPLE 1. A single statewide Accountability System applied to all public schools and LEAs.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.1 How does the State Accountability System include every public school and LEA in the State?</p>	<p>Every public school and LEA is required to make adequate yearly progress and is included in the State Accountability System.</p> <p>State has a definition of “public school” and “LEA” for AYP accountability purposes.</p> <ul style="list-style-type: none"> <li>• The State Accountability System produces AYP decisions for all public schools, including public schools with variant grade configurations (e.g., K-12), public schools that serve special populations (e.g., alternative public schools, juvenile institutions, state public schools for the blind) and public charter schools. It also holds accountable public schools with no grades assessed (e.g., K-2).</li> </ul>	<p>A public school or LEA is not required to make adequate yearly progress and is not included in the State Accountability System.</p> <p>State policy systematically excludes certain public schools and/or LEAs.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**How does the State Accountability System include every public school and LEA in the State?**

Beginning in school year 2002-03, Puerto Rico will implement a single statewide accountability system that will be applied to all public schools in Puerto Rico and to Puerto Rico as a Local Educational Agency (LEA). For purposes of the No Child Left Behind Act (NCLB), the Commonwealth of Puerto Rico serves as both a single LEA and as the State Educational Agency (SEA).

All public schools will be held accountable for the performance of all students, and of student subgroups, including economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with Limited Spanish Proficiency (LSP). Accountability decisions will be based primarily on Puerto Rico's new assessment system, the Pruebas Puertorriqueñas de Aprovechamiento Académico (PPAA), in addition to the graduation rate (at the high school level) or proficiency in English as a second language (for elementary and intermediate school level) criteria.

Schools that have no tested grades will be part of the accountability system, based on the "feeder school" system. The AYP decisions of the "feeder schools" will be based on the assessment results of the first tested grade at the schools where the assessment is delivered. For example, School A has grades K-2 only, and their students attend 3<sup>rd</sup> grade at School B, which contains grades 3-6. The Puerto Rico assessment system will test students at grades 3, 6, 8 and 11; therefore, no assessment information will be available for students at School A, while assessment information will be available at School B for two grades, 3<sup>rd</sup> and 6<sup>th</sup>. AYP decisions for School A will be determined using the 3<sup>rd</sup> grade results of School B. However, AYP decisions for School B will be determined using both the 3<sup>rd</sup> and 6<sup>th</sup> grades. An official policy to this effect was adopted and disseminated to all schools in March 2003.

Populations from Juvenile Institutions will be excluded for accountability purposes because Juvenile Institutions are not included in the Puerto Rico definition of a public school. The Puerto Rico Juvenile Institutions Administration (JIA) was established through Puerto Rico State Law #154, signed August 15, 1988, also known as the "Organic Law of the Juvenile Institutions Administration" (Ley Orgánica de la Administración de Instituciones Juveniles)- with the purpose of "creating a government agency to administer all juvenile facilities and provide rehabilitation services and re-socialization to its population in the most effective ways". The law assigns the JIA the responsibility for all services to the served population. In addition, this law assigns to this agency the responsibility of providing specific services, educational services being one of them, through coordination with other governmental agencies. Article 5g reads as follows:

[JIA has the responsibility to] establish a coordination and integral planning system with the Departments of Health, Public Instruction, Recreation and Sports, and Services Against Addiction, and with the all other government agencies, public corporations and private institutions to provide services to its population".

JIA also has the responsibility to "appoint, transfer and remove its personnel according to the dispositions of the State Law #5 of October 14, 1975... and determine and pay the corresponding compensation of all of the appointed staff..." (Article 7c). The law provides the authority to the JIA even to privatize the educational services, which it did in 1999 through Ramsay Youth Services. The relationship between the JIA and the PR Department of Education is regulated by way of an inter-agency contract. Over 70% of all JIA teachers are on the JIA payroll, as well of 100% of the principals. The Department of Education provides teachers for special purposes as requested by the JIA. Since last year, an "Educational Functional Team" appointed by the PR Department of Justice oversees the services provided to the JIA by all government agencies to ensure and improve the quality of the services. This structure places JIA outside of the administrative authority of the Puerto Rico Department of Education.

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.2 How are all public schools and LEAs held to the same criteria when making an AYP determination?</p>	<p>All public schools and LEAs are systematically judged on the basis of the same criteria when making an AYP determination.</p> <p>If applicable, the AYP definition is integrated into the State Accountability System.</p>	<p>Some public schools and LEAs are systematically judged on the basis of alternate criteria when making an AYP determination.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>How are all public schools and LEAs held to the same criteria when making an AYP determination?</b></p> <p>Beginning in school year 2002-03, all public schools and Puerto Rico as an LEA will be held to the same criteria when making AYP determinations. These criteria will be based on Reading (in Spanish, the language of instruction in Puerto Rico) and Mathematics proficiency as determined by the new assessment system, the Pruebas Puertorriqueñas de Aprovechamiento Académico (PPAA), as well as graduation rate (at the high school level) or proficiency in English as a second language (at the elementary and intermediate school level). As stated above, schools that have no tested grades will be linked through a feeder system for purposes of accountability. AYP determinations for Puerto Rico as an LEA will also use the same criteria and will be carried out using the same methodology.</p>		

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.3 Does the State have, at a minimum, a definition of <i>basic</i>, <i>proficient</i> and <i>advanced</i> student achievement levels in reading/language arts and mathematics?</p>	<p>State has defined three levels of student achievement: <i>basic</i>, <i>proficient</i> and <i>advanced</i>.<sup>1</sup></p> <p>Student achievement levels of <i>proficient</i> and <i>advanced</i> determine how well students are mastering the materials in the State's academic content standards; and the <i>basic</i> level of achievement provides complete information about the progress of lower-achieving students toward mastering the <i>proficient</i> and <i>advanced</i> levels.</p>	<p>Standards do not meet the legislated requirements.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Does the State have, at a minimum, a definition of <i>basic</i>, <i>proficient</i> and <i>advanced</i> student achievement levels in reading/language arts and mathematics?</b></p> <p>Puerto Rico has adopted an accountability system based on three student achievement levels: basic, proficient and advanced. The PPAA includes Reading, Mathematics and English as a Second Language. While only Reading and Mathematics will be used for accountability purposes for high school students, elementary and intermediate school students will use English as a Second Language as the additional academic indicator. PRDE plans to add Science as required by the timelines contained in NCLB.</p> <p>Student achievement level will include specific descriptions of what the students must know and do in each particular level, grade and academic subject. In addition, each achievement level will indicate the cut score that separates it from another level. The student achievement levels are presently under design. The standard setting procedure to define the cut off scores is scheduled to be held in June 2003, and will be used for the scoring and classification procedure to be applied to the 2002-03 assessment data. No additional changes to the student achievement levels are expected during the NCLB 12-year timeline.</p> <p>The achievement level definitions will be applied to students at the grade level at which they are enrolled. No out-of-level testing will be allowed for accountability purposes. All students will take the tests corresponding to the grade levels at which they are enrolled.</p>		

<sup>1</sup> System of State achievement standards will be reviewed by the Standards and Assessments Peer Review. The Accountability Peer Review will determine that achievement levels are used in determining AYP.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?</p>	<p>State provides decisions about adequate yearly progress in time for LEAs to implement the required provisions before the beginning of the next academic year.</p> <p>State allows enough time to notify parents about public school choice or supplemental educational service options, time for parents to make an informed decision, and time to implement public school choice and supplemental educational services.</p>	<p>Timeline does not provide sufficient time for LEAs to fulfill their responsibilities before the beginning of the next academic year.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?</b></p> <p>Puerto Rico's Accountability System is designed so that the annual assessment results are delivered and AYP determinations are made by beginning of the school year, the first week of August.</p> <p>In order to achieve this result, the assessment will be administered in the Spring, to provide enough time for all the necessary procedures to be completed on time, such as scoring, psychometric analyses, reporting and accountability analysis. School year 2002-03 is a transition year from the old assessment system to the new PPAA. For this reason, Puerto Rico will have a delay during this school year only; however, AYP determinations will be made within the first two months of school year 2003-2004.</p>		

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.5 Does the State Accountability System produce an annual State Report Card?</p>	<p>The State Report Card includes all the required data elements [see Appendix A for the list of required data elements].</p> <p>The State Report Card is available to the public at the beginning of the academic year.</p> <p>The State Report Card is accessible in languages of major populations in the State, to the extent possible.</p> <p>Assessment results and other academic indicators (including graduation rates) are reported by student subgroups</p>	<p>The State Report Card does not include all the required data elements.</p> <p>The State Report Card is not available to the public.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Does the State Accountability System produce an annual State Report Card?**

The Puerto Rico Accountability System is designed to produce an annual State Report Card that will include all the elements required by NCLB. It will be produced in a user friendly format, maximizing the use of graphics. The Report Card will include the following information:

1. Student achievement at each proficiency level on the PPAA Reading and Mathematics assessments, in the aggregate and disaggregated for the following subgroups:

- Male students
- Female students
- Students with disabilities
- Migrant students (in the current year)
- Economically disadvantaged students
- Students with Limited Spanish proficiency (LSP)
- Major racial and ethnic groups

The actual proficiency level in the aggregate and for each of the above listed subgroups will be compared to the corresponding annual measurable objectives. Economically disadvantaged students will be compared to students who are not economically disadvantaged, and students with disabilities will be compared with students without disabilities.

**(answer continued on following page)**

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**Does the State Accountability System produce an annual State Report Card? (continued)**

2. Percentage of students not tested for the categories and subjects above mentioned.
3. The two-year trend in student achievement in each subject area for each tested grade level.
4. Aggregate information, as well as disaggregated subgroup information, on graduation rates for high schools and proficiency in English as a second language for elementary and intermediate schools.
5. Whether or not the Puerto Rico as an LEA made AYP
6. Percentage of schools that made AYP
7. Percentage of schools that failed to made AYP
8. A list of the schools identified for school improvement
9. A breakdown of classroom teachers by their professional qualifications for:
  - a. All teachers
  - b. Percentage of teachers teaching with emergency or provisional credentials
10. Percentage of classes not taught by highly qualified teachers
  - a. in the aggregate
  - b. disaggregated by high poverty and low poverty schools

The Puerto Rico State Report Card will be disseminated through the PRDE web site. It will be produced in the Spanish language for two reasons: 1) PRDE data shows that Spanish is the language spoken by 99% of the families that send their children to the public schools in Puerto Rico, and 2) even in homes where Spanish is not the dominant language, there is some understanding of the Spanish language.

Puerto Rico has submitted to the USED a copy of the 2001-02 PR State Report Card to illustrate the general appearance and content of the future Report Cards. We are aware that there are some NCLB elements missing in that report because the data required by NCLB was not available. However, Puerto Rico has aligned the 2002-03 assessment with NCLB to ensure that all the above listed information is included in future State Reports. The Puerto Rico 2002-03 Report Card will be disseminated on or before the last day of September 2003, as required by Puerto Rico's timeline waiver. Report Cards for subsequent years will be disseminated on or before the first day of school.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.6 How does the State Accountability System include rewards and sanctions for public schools and LEAs?<sup>2</sup></p>	<p>State uses one or more types of rewards and sanctions, where the criteria are:</p> <ul style="list-style-type: none"> <li>• Set by the State;</li> <li>• Based on adequate yearly progress decisions; and,</li> <li>• Applied uniformly across public schools and LEAs.</li> </ul>	<p>State does not implement rewards or sanctions for public schools and LEAs based on adequate yearly progress.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>How does the State Accountability System include rewards and sanctions for public schools and LEAs?</b></p> <p>Because virtually all public schools in Puerto Rico receive Title I funds, all public schools will be included in the rewards and sanctions system. Because the Puerto Rico Department of Education serves as both an LEA and the SEA, PRDE will serve both functions as required under NCLB.</p> <p><u>Recognition and Rewards for Public Schools</u></p> <ul style="list-style-type: none"> <li>• Recognition, rewards and monetary incentives for schools that earn the excellent achievement recognition</li> <li>• Recognition and rewards for schools that earn the high achievement recognition</li> <li>• Recognition for schools that meet AYP criteria</li> </ul> <p><u>Sanctions and Consequences for Public Schools</u></p> <p>The level of intervention of PRDE will increase depending on the time the schools fail to meet AYP criteria and the lower the designation as per the requirements of NCLB.</p> <p>State participation in planning and implementing improvement initiatives will increase in proportion to the length of time schools fail to meet AYP standards, and will be more intensive in lower designated schools. Planning, implementation and improvement initiatives will be tailored to the individual context of each school.</p>		

<sup>2</sup> The state must provide rewards and sanctions for all public schools and LEAs for making adequate yearly progress, except that the State is not required to hold schools and LEAs not receiving Title I funds to the requirements of section 1116 of NCLB [§200.12(b)(40)].

**PRINCIPLE 2. All students are included in the State Accountability System.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
2.1 How does the State Accountability System include all students in the State?	All students in the State are included in the State Accountability System.  The definitions of “public school” and “LEA” account for all students enrolled in the public school district, regardless of program or type of public school.	Public school students exist in the State for whom the State Accountability System makes no provision.

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**How does the State Accountability System include all students in the State?**

PRDE has instituted a formal policy requiring all public school students to participate in the state assessment system. While the vast majority of students that participate in the assessment system take the standard form of the assessment, PRDE recognizes that it is educationally more appropriate for certain students with severe cognitive disabilities to participate in an alternate assessment system.

As referenced in questions 1.1 and 1.2, students in schools where there are no grades tested will be linked to Puerto Rico’s accountability system through a “feeder” model.

The PRDE Office of the Assistant Secretary for Planning and Educational Development is required to keep a centralized database (PRDE Master Directory) of all public schools. Each school is assigned a unique identification number according to its administrative/geographical region. Through this system, it is ensured that all public schools within Puerto Rico are accounted for by PRDE. Information regarding school participation in the annual assessment is provided by this database to ensure statewide participation.

In addition, to ensure that all students are accounted for in its Accountability System, PRDE is implementing the following strategies: 1) special public communication efforts to urge parents to motivate their children to participate; 2) including additional testing sessions (make up sessions) specifically reserved to administer the tests for students that were absent during the regular assessment sessions; 3) special accommodations, where appropriate and consistent with federal law for students with disabilities or limited Spanish proficiency; 4) students with severe cognitive disabilities that are unable to participate in the PPAA, even with accommodations, will participate in the PRDE Alternate Assessment program, consistent with federal regulations on alternate assessments.

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>2.2 How does the State define “full academic year” for identifying students in AYP decisions?</p>	<p>The State has a definition of “full academic year” for determining which students are to be included in decisions about AYP.</p> <p>The definition of full academic year is consistent and applied statewide.</p>	<p>LEAs have varying definitions of “full academic year.”</p> <p>The State’s definition excludes students who must transfer from one district to another as they advance to the next grade.</p> <p>The definition of full academic year is not applied consistently.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>How does the State define “full academic year” for identifying students in AYP decisions?</b></p> <p>For accountability purposes, a full academic year is defined as continuous enrollment from the September enrollment reporting date, a date during the first week of September (the actual day varies each calendar year) through the test administration period. All students officially enrolled at the same school from the September enrollment reporting date through the test administration period will be included in the school AYP determination. Students that do not meet the full academic year criteria for AYP determination at the school level, will be included for AYP purposes at the Puerto Rico LEA level if they meet the full academic year criteria. “Continuous enrollment” is not affected by, and remains unchanged by, the student’s attendance. That is, if a student appears on the “September count” (the official September enrollment) and has not officially transferred to another school or system when the tests are administered, he or she will be included in the accountability system (at the school and/or system level, as applicable) regardless of his or her attendance.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>2.3 How does the State Accountability System determine which students have attended the same public school and/or LEA for a full academic year?</p>	<p>State holds public schools accountable for students who were enrolled at the same public school for a full academic year.</p> <p>State holds LEAs accountable for students who transfer during the full academic year from one public school within the district to another public school within the district.</p>	<p>State definition requires students to attend the same public school for more than a full academic year to be included in public school accountability.</p> <p>State definition requires students to attend school in the same district for more than a full academic year to be included in district accountability.</p> <p>State holds public schools accountable for students who have not attended the same public school for a full academic year.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>How does the State Accountability System determine which students have attended the same public school and/or LEA for a full academic year?</b></p> <p>The statewide student information system will enable PRDE to track student enrollment at any public school. Each student will be assigned a unique ID number that allows the system to track mobility within the public school system. Additional information will be gathered from student responses to the assessment system’s answer booklet, including responses to a specific question regarding the student’s continuous enrollment in the school and in the public school system.</p>		

**PRINCIPLE 3. State definition of AYP is based on expectations for growth in student achievement that is continuous and substantial, such that all students are proficient in reading/language arts and mathematics no later than 2013-2014.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.1 How does the State's definition of adequate yearly progress require all students to be proficient in reading/language arts and mathematics by the 2013-2014 academic year?</p>	<p>The State has a timeline for ensuring that all students will meet or exceed the State's proficient level of academic achievement in reading/language arts<sup>3</sup> and mathematics, not later than 2013-2014.</p>	<p>State definition does not require all students to achieve proficiency by 2013-2014.</p> <p>State extends the timeline past the 2013-2014 academic year.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>How does the State's definition of adequate yearly progress require all students to be proficient in reading/language arts and mathematics by the 2013-14 academic year?</b></p> <p>Puerto Rico is adopting an official policy that requires all students to be proficient in Reading and Mathematics by the 2013-14 academic year. Puerto Rico has defined starting points, intermediate goals, and annual measurable objectives separately for Reading and Mathematics.</p> <p>Puerto Rico will combine data across grades at the school and LEA level. As required by NCLB, Puerto Rico's AYP definition is based primarily on the State academic assessment. Puerto Rico will reach the required 100% proficiency goals by 2013-14.</p>		

<sup>3</sup> If the state has separate assessments to cover its language arts standards (e.g., reading and writing), the State must create a method to include scores from all the relevant assessments.

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2 How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?</p>	<p>For a public school and LEA to make adequate yearly progress, each student subgroup must meet or exceed the State annual measurable objectives, each student subgroup must have at least a 95% participation rate in the statewide assessments, and the school must meet the State's requirement for other academic indicators.</p> <p>However, if in any particular year the student subgroup does not meet those annual measurable objectives, the public school or LEA may be considered to have made AYP, if the percentage of students in that group who did not meet or exceed the proficient level of academic achievement on the State assessments for that year decreased by 10% of that percentage from the preceding public school year; that group made progress on one or more of the State's academic indicators; and that group had at least 95% participation rate on the statewide assessment.</p>	<p>State uses different method for calculating how public schools and LEAs make AYP.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?**

As required by NCLB, AYP decisions will use the same criteria for all public schools and for Puerto Rico as an LEA and SEA. The general methodology to be used will be as follows:

- A) For all public schools, tests will be administered at grades 3, 6, 8 and 11,
  - 1) For each subject (Reading and Math) the percent proficient will be calculated; computations will be performed for the total population tested as well as for all subgroups required by NCLB; in each school, the percent proficient will be calculated based on the number of students that were enrolled for the full academic year;
  - 2) Because assessment results from previous years up to 2001-02 are not comparable to the 2002-03 data, a uniform averaging procedure using the most recent three years will be gradually phased in: 2002-03 decisions will be based in 2002-03 results only; 2003-04 decisions will take into consideration the 2002-03 and 2003-04 average; 2004-05 and beyond will take into consideration the most recent three year average. The AYP decisions will be based on the higher of the current year performance or the computed average for that particular year;
  - 3) The results for the total student population and for each subgroup will be compared to the AYP target to determine if AYP was met on all comparisons;
  - 4) Whenever a school fails to make AYP in any comparison, PRDE will examine if there has been an improvement in performance, in particular whether there has been at least a 10 percent increase in proficiency between the current and the previous year, and progress on one of the additional academic indicators. In such a cases, an AYP decision will be assigned to that particular comparison;
  - 5) A school will be assigned an AYP status if AYP is met in all comparisons and a 95% participation rate is achieved at all comparisons (total school population and for each subgroup);
- B) Data will be aggregated to the State level and the same procedures will be applied.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2a What is the State's starting point for calculating Adequate Yearly Progress?</p>	<p>Using data from the 2001-2002 school year, the State established separate starting points in reading/language arts and mathematics for measuring the percentage of students meeting or exceeding the State's proficient level of academic achievement.</p> <p>Each starting point is based, at a minimum, on the higher of the following percentages of students at the proficient level: (1) the percentage in the State of proficient students in the lowest-achieving student subgroup; or, (2) the percentage of proficient students in a public school at the 20<sup>th</sup> percentile of the State's total enrollment among all schools ranked by the percentage of students at the proficient level.</p> <p>A State may use these procedures to establish separate starting points by grade span; however, the starting point must be the same for all like schools (e.g., one same starting point for all elementary schools, one same starting point for all middle schools...).</p>	<p>The State Accountability System uses a different method for calculating the starting point (or baseline data).</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**What is the State's starting point for calculating Adequate Yearly Progress?**

USED authorized the Puerto Rico Department of Education, based on the timeline waiver granted on January 31, 2002, to define its Starting Points based on 2002-03 data. While PRDE could establish starting points for Reading and Mathematics based on 2001-02 data, PRDE believes that data from the new assessment, the PPAA, to be delivered in Spring 2002-03, will yield significantly more valid and reliable results. PRDE stresses that it plans to fully comply with the requirement that all students meet the goal of 100% proficiency by 2013-14.

Starting points will be determined separately for each subject, as follows: 1) the 20<sup>th</sup> percentile of the total enrollment on all schools that participated on the 2002-03 assessment will be determined; 2) the 2002-03 data set will be ranked by the percentage of students at or above the proficient level in the specific subject; 3) the school containing the 20<sup>th</sup> percentile of the enrollment will be identified; 4) the percentage of proficiency of the selected school will be selected as the possible starting point for the specific subject; 5) the data will be disaggregated by subgroups and the lowest value of the percentage of students at or above the proficient level will be identified; 6) the Starting Point will be the highest of the two values determined on step 4 or step 5.

To demonstrate PRDE's capacity to apply this method, a simulation was performed using 2001-02 assessment data. The results of this simulation are included in principles 3.2b and 3.2c (see below) for illustration purposes only.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
3.2b What are the State's annual measurable objectives for determining adequate yearly progress?	<p>State has annual measurable objectives that are consistent with a state's intermediate goals and that identify for each year a minimum percentage of students who must meet or exceed the proficient level of academic achievement on the State's academic assessments.</p> <p>The State's annual measurable objectives ensure that all students meet or exceed the State's proficient level of academic achievement within the timeline.</p> <p>The State's annual measurable objectives are the same throughout the State for each public school, each LEA, and each subgroup of students.</p>	<p>The State Accountability System uses another method for calculating annual measurable objectives.</p> <p>The State Accountability System does not include annual measurable objectives.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**What are the State's annual measurable objectives for determining adequate yearly progress?**

Consistent with the response at 3.1 and 3.2a, PRDE will calculate its statewide annual measurable objectives using the 2002-03 assessment data, which will be available in July 2003. The Puerto Rico annual measurable objectives will identify a minimum percentage of students that must meet the proficient level of academic achievement. The statewide annual measurable objectives will be applied to all public schools in the aggregate as well as to each disaggregated subgroup. These objectives will be calculated separately for Reading and Mathematics. The values for the annual measurable objectives will be set at the same value of the most recent intermediate goal. Table A shows -for illustration purposes only- a simulation of this procedure using 2001-02 assessment data for Reading and Mathematics. Shaded years represent the years where annual measurable objectives will be defined. For example, school years 2005-06 and 2006-07, annual measurable objectives for Reading and Math show the values 61 and 50, respectively, which correspond to the values of the most recent intermediate goal (2004-05).

Table A. Simulation of Puerto Rico Statewide Annual Measurable Objectives using 2001-02 data

	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
<b>Spanish</b>	52.00	52.00	64.00	64.00	64.00	76.00	76.00	76.00	88.00	88.00	88.00	100.00
<b>Mathematics</b>	39.00	39.00	54.25	54.25	54.25	69.50	69.50	69.50	84.75	84.75	84.75	100.00

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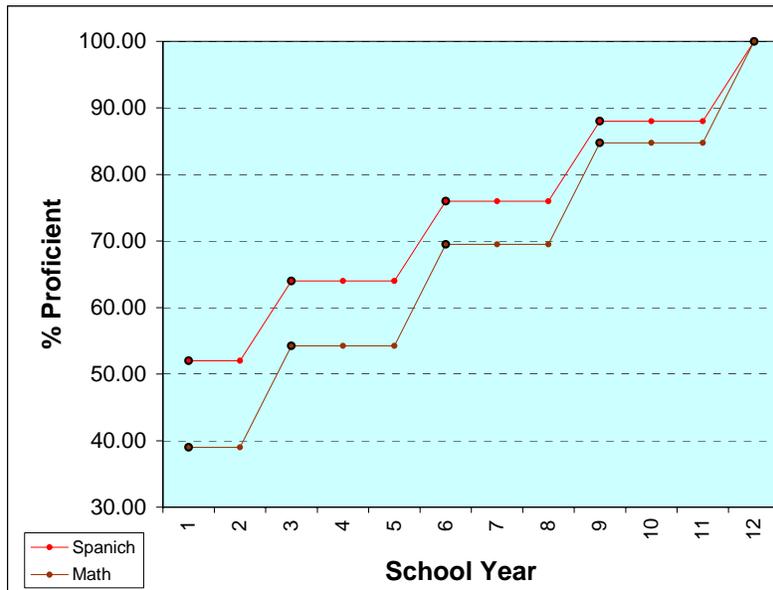
CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2c What are the State's intermediate goals for determining adequate yearly progress?</p>	<p>State has established intermediate goals that increase in equal increments over the period covered by the State timeline.</p> <ul style="list-style-type: none"> <li>• The first incremental increase takes effect not later than the 2004-2005 academic year.</li> <li>• Each following incremental increase occurs within three years.</li> </ul>	<p>The State uses another method for calculating intermediate goals.</p> <p>The State does not include intermediate goals in its definition of adequate yearly progress.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**What are the State’s intermediate goals for determining adequate yearly progress?**

Consistent with the response at 3.1, 3.2a and 3.2b, PRDE will establish separate Reading and Mathematics statewide intermediate goals using the 2002-03 assessment data which will be available in July 2003. The statewide intermediate goals will identify a minimum percentage of students that must meet the proficient level of academic achievement. Three intermediate goals will be set for the 2004-05, 2007-08 and 2010-11 school years. The first increase will take place during the 2004-05 school year. In addition, all values will increase in equal increments over the 12-year timeline. Figure 1 shows -for illustration purposes only- a simulation of this procedure using 2001-02 assessment data for Reading and Mathematics. The Intermediate Goals are shown in enlarged dots, while the Annual Measurable Objectives are shown in small points.

Figure 1. Simulation of Puerto Rico Intermediate Goals and Annual Measurable Objectives using 2001-02 data



**PRINCIPLE 4. State makes annual decisions about the achievement of all public schools and LEAs.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
4.1 How does the State Accountability System make an annual determination of whether each public school and LEA in the State made AYP?	AYP decisions for each public school and LEA are made annually. <sup>4</sup>	AYP decisions for public schools and LEAs are not made annually.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p><b>How does the State Accountability System make an annual determination of whether each public school and LEA in the State made AYP?</b></p> <p>PRDE will make performance determinations every year for all public schools and for Puerto Rico as an LEA. As discussed in the response at 1.1 and 2.1 above, students in schools where no grades are tested will be included in the accountability system through a “feeder” system, and students with severe cognitive disabilities will be included in the accountability system through PRDE’s alternate assessment system.</p> <p>Student data collected through the PPAA annual assessment will be matched with data from the statewide student information system. This will enable Puerto Rico to analyze results, at the school and LEA level, for all required subgroups, and for all students in the aggregate. AYP decisions will be made based on the annual measurable objectives and participation rates, consistent with NCLB requirements.</p> <p>PRDE will produce and deliver reports to every public school describing whether the school has made or failed to make AYP based on the criteria discussed at 3.2. The report will also explain the way in which the decision was reached.</p>		

<sup>4</sup> Decisions may be based upon several years of data and data may be averaged across grades within a public school [§1111(b)(2)(J)].

**PRINCIPLE 5. All public schools and LEAs are held accountable for the achievement of individual subgroups.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>5.1 How does the definition of adequate yearly progress include all the required student subgroups?</p>	<p>Identifies subgroups for defining adequate yearly progress: economically disadvantaged, major racial and ethnic groups, students with disabilities, and students with limited English proficiency.</p> <p>Provides definition and data source of subgroups for adequate yearly progress.</p>	<p>State does not disaggregate data by each required student subgroup.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>How does the definition of adequate yearly progress include all the required student subgroups?</b></p> <p>The Puerto Rico Accountability system will make AYP decisions in the aggregate and based on the following subgroups, consistent with the minimum sample size discussed at 5.5:</p> <ul style="list-style-type: none"> <li>Students with disabilities</li> <li>Migrant students (in the current year)</li> <li>Economically disadvantage students</li> <li>Students with Limited Spanish proficiency (LSP)</li> </ul> <p>Racial and ethnic minority groups in Puerto Rico do not configure in the same manner as in the mainland United States. Accordingly, PRDE will identify the following subgroups:</p> <ul style="list-style-type: none"> <li>Puerto Rican students</li> <li>Hispanic students (other than Puerto Rican)</li> <li>White non-Hispanic students</li> <li>Other origin</li> </ul> <p>Providing that the minimum sample size is met, each subgroup must meet the annual measurable objectives, or meet the “Safe Harbor Provision,” in order for the school, or PRDE as an LEA, to make AYP.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>5.2 How are public schools and LEAs held accountable for the progress of student subgroups in the determination of adequate yearly progress?</p>	<p>Public schools and LEAs are held accountable for student subgroup achievement: economically disadvantaged, major ethnic and racial groups, students with disabilities, and limited English proficient students.</p>	<p>State does not include student subgroups in its State Accountability System.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**How are public schools and LEAs held accountable for the progress of student subgroups in the determination of adequate yearly progress?**

As explained in item 5.1, results will be disaggregated by each of the above mentioned subgroups for each public school and for Puerto Rico as an LEA. The student data collected through the PPAA annual assessment will be matched with the data from the statewide student information system. This will enable Puerto Rico to analyze results for all required subgroups at each school and for Puerto Rico as an LEA. AYP decisions will take into consideration all existent subgroups at each level of accountability: school, LEA, and SEA.

Information on subgroups will be included in AYP decisions only if the minimum size requirement for accountability is met. Each student subgroup that meets the minimum size requirement for accountability, and all students in the aggregate, will be compared to the annual measurable objectives for that year. Each subgroup that achieves the year’s objective, or meets the criteria for the “safe harbor provision,” will be deemed as having made AYP. In addition, participation rates will be computed for each subgroup and for all students in the aggregate. A 95 percent participation rate will be required to achieve AYP. AYP must be met independently at all comparisons for the school to meet AYP as a whole.

Similar criteria will be applied at the LEA and the SEA level.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>5.3 How are students with disabilities included in the State’s definition of adequate yearly progress?</p>	<p>All students with disabilities participate in statewide assessments: general assessments with or without accommodations or an alternate assessment based on grade level standards for the grade in which students are enrolled.</p> <p>State demonstrates that students with disabilities are fully included in the State Accountability System.</p>	<p>The State Accountability System or State policy excludes students with disabilities from participating in the statewide assessments.</p> <p>State cannot demonstrate that alternate assessments measure grade-level standards for the grade in which students are enrolled.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>How are students with disabilities included in the State’s definition of adequate yearly progress?</b></p> <p>Over 99 percent of students with disabilities participate in the annual assessment with accommodations according to their specific needs as indicated on their Individualized Educational Plan (IEP). Several types of accommodations are provided: special settings and/or seating, additional time, enlarged print or Braille booklets, or other appropriate accommodations. All disabled students who take the annual standard assessment are included in the determination of AYP, both at the school level as well as at the LEA and SEA level. Students with severe intellectual or cognitive disabilities participate in an Alternate Assessment Program.</p> <p>Puerto Rico is committed to comply with the federal guidelines for the assessment of students with disabilities and their inclusion in the accountability system. All students with disabilities that are able to take the regular assessment with accommodations will do so. Students with disabilities for whom the regular assessment, even with accommodations, is inappropriate, will take an alternate assessment. Puerto Rico is reviewing its current alternate assessment in consultation with the USED staff in order to bring it into full compliance with NCLB requirements. PRDE’s next step will be to design a set of Alternate Achievement Standards in Math and Reading that will be congruent with our Academic Standards, but applicable to the particular needs of students with significant disabilities. Technical assistance has been officially requested to USED and PRDE will proceed in accordance with such assistance, as soon as it is made available. Puerto Rico expects to be in full compliance by the 2003-04 school year. For 2002-03 school year, all students that take the existing alternate assessment will be included in the accountability system using a provisional scoring system that yields a classification similar to NCLB achievement levels (Basic, Proficient and Advanced), so that these students can be included in the current year accountability procedures, AYP decisions and reports.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>5.4 How are students with limited English proficiency included in the State's definition of adequate yearly progress?</p>	<p>All LEP student participate in statewide assessments: general assessments with or without accommodations or a native language version of the general assessment based on grade level standards.</p> <p>State demonstrates that LEP students are fully included in the State Accountability System.</p>	<p>LEP students are not fully included in the State Accountability System.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>How are students with limited English proficiency included in the State's definition of adequate yearly progress?</b></p> <p>In Puerto Rico, Spanish is the language of instruction, as well as the predominant language used in commerce and social interaction. Therefore, limited Spanish proficiency, or LSP, is the category that holds academic significance in Puerto Rico.</p> <p>Accordingly, for purposes of Puerto Rico's accountability system, LSP will be substituted wherever there is a reference to Limited English Proficiency (LEP) in the accountability provisions of NCLB. PRDE is currently re-designing its system to identify LSP students at the beginning of the school year. All LSP students are required to participate in the assessment program with appropriate accommodations as needed.</p>		

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<b>CRITICAL ELEMENT</b>	<b>EXAMPLES FOR MEETING REQUIREMENTS</b>	<b>EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS</b>
<p>5.5 What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?</p>	<p>State defines the number of students required in a subgroup for reporting and accountability purposes, and applies this definition consistently across the State.<sup>5</sup></p> <p>Definition of subgroup will result in data that are statistically reliable.</p>	<p>State does not define the required number of students in a subgroup for reporting and accountability purposes.</p> <p>Definition is not applied consistently across the State.</p> <p>Definition does not result in data that are statistically reliable.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		

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<sup>5</sup> The minimum number is not required to be the same for reporting and accountability.

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?**

PRDE has established four (4) different minimum sample size requirements based on the specific purpose for which the calculation is made, as follows:

Purpose	Min. n
1. Reporting results	20
2. Calculating participation rate	40
3. AYP determinations for all subgroups except students with disabilities	30
4. AYP determinations for the subgroups of students with disabilities	45

Reporting results. There were two considerations in the determination of reporting results. The first was to protect the confidentiality of the individual students. When a subgroup is relatively small, the possibility that individual members could be identified with a particular set of scores by virtue of demographic characteristics is substantially increased. Therefore, because small subgroups in any school could lead to the identification of individual students, n should be large enough to protect confidentiality. The second consideration was the fact that educators, the public and the press will likely use any reported information to make comparisons. Again, relatively small n's will carry a relatively large sampling error, which will make any comparison unreliable for practical purposes, and will misinform the untrained user, which are, in general, the population for which the reports are intended. For these reasons, a minimum sample size of 20 was agreed upon for reporting purposes.

Calculating participation rate. Certain reductions in the participation rate fall beyond the control of educators, such as illness, injury, or personal/family emergency. In an average classroom of 30 students, in order to comply with a 95 percent participation rate, no more than one student could miss the test. In order to compensate for a reduction on the participation rate due to extenuating circumstances, participation rate calculations will use a minimum size of 40 for all subgroups.

AYP determinations for subgroups other than students with disabilities. Certain compromises must be made when setting a minimum n for accountability purposes. Simulations performed by some states using the same data set with different minimum n's suggest that, in general, lowering the minimum n will yield a higher number of schools failing to make AYP. However, raising the minimum n causes some schools with small groups of low-performing students to not be held accountable. From a statistical perspective, it has been argued that reliability should not be of concern because in order for minimum n to have a noticeable effect on reliability, it would need to be so large that it would be impractical. Subsequently, the issue seems to rely on "consequential validity", because a higher minimum n may permit small schools (which will generally be reflected by small subgroups) to make AYP easier than large schools. Linn (2002) suggested that an n of approximately 25 would be a reasonable balance between the extremes. Others have argued that a minimum n of 30 would be adequate for decision making because it relates to the point in z or t statistical tables where "things start to level off" (c.f. *Making Valid Decisions in Determining Adequate Yearly Progress*, a publication of the Council Chief State School Officers).

Based on these considerations, PRDE has set a minimum n of 30 to be used on all AYP determinations, except for subgroups of disabled students.

**(answer continued on following page)**

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes? (continued)**

AYP determinations for subgroups of students with disabilities. There is a heterogeneity factor that relates mostly to the students with disabilities subgroup. "Disabilities" is a term that includes a wide universe of conditions, ranging from mild to severe, from single to multiple. On the other hand, accuracy in the identification (i.e. diagnosis) of the wide range of disabilities substantially adds to the heterogeneous quality of this subgroup. Consequently, a similar situation exists in the effective teaching/learning process as it relates to this particular population. Increasing the minimum n will compensate for the unreliable inferences that are inherent to this heterogeneous population, the large variety of accommodations provided, and the required departures from uniformity in test administration and other related measurement issues. PRDE has set a minimum n of 45 to be used on all AYP determinations for the subgroups of disabled students to account for variations within this heterogeneous population.

Puerto Rico will review the above proposed minimum sample sizes based on an impact analysis that will be performed in July 2003 when the 2002-03 assessment data becomes available. An impact analysis was performed using 2001-02 assessment data, and the results are included in Appendix A. We are providing seven tables, one for each of the following subgroups: students with disabilities, high poverty students, LSP, PR origin, mainland USA origin, Hispanic origin and Other origins. As previously mentioned, PRDE used the 2001-02 assessment data to develop these tables, which PRDE does not consider reliable for this purpose. In addition, the subgroups that were analyzed are not identical to the categories that will be used in PRDE's accountability system because the 2001-02 data was collected under different operational definitions. Therefore, the analysis should be considered only as a "good faith analysis". As stated earlier, Puerto Rico will be performing a similar analysis on the 2002-03 data in July 2003 and will review its minimum Ns proposal accordingly, before conducting the AYP determinations.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.6 How does the State Accountability System protect the privacy of students when reporting results and when determining AYP?	Definition does not reveal personally identifiable information. <sup>6</sup>	Definition reveals personally identifiable information.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p><b>How does the State Accountability System protect the privacy of students when reporting results and when determining AYP?</b></p> <p>As stated above, PRDE will not report any subgroup with fewer than 20 students to protect their confidentiality. In addition, access to individual data is restricted to authorized personnel and kept in secure and safe conditions to guarantee any intentional or accidental dissemination.</p>		

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<sup>6</sup> The Family Education Rights and Privacy Act (FERPA) prohibits an LEA that receives Federal funds from releasing, without the prior written consent of a student's parents, any personally identifiable information contained in a student's education record.

**PRINCIPLE 6. State definition of AYP is based primarily on the State’s academic assessments.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>6.1 How is the State’s definition of adequate yearly progress based primarily on academic assessments?</p>	<p>Formula for AYP shows that decisions are based primarily on assessments.<sup>7</sup></p> <p>Plan clearly identifies which assessments are included in accountability.</p>	<p>Formula for AYP shows that decisions are based primarily on non-academic indicators or indicators other than the State assessments.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>How is the State’s definition of adequate yearly progress based primarily on academic assessments?</b></p> <p>Puerto Rico’s definition of adequate yearly progress is primarily based on the PPAA academic assessment; in addition, PRDE will consider the NCLB required additional academic indicators of graduation rates (in the aggregate for AYP status decisions at high school level) and proficiency in English as a second language (in the aggregate for AYP status decisions at elementary and intermediate school level), participation rates, and the safe harbor provision.</p>		

<sup>7</sup> State Assessment System will be reviewed by the Standards and Assessments Peer Review Team.

**PRINCIPLE 7. State definition of AYP includes graduation rates for public High schools and an additional indicator selected by the State for public Middle and public Elementary schools (such as attendance rates).**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>7.1 What is the State definition for the public high school graduation rate?</p>	<p>State definition of graduation rate:</p> <ul style="list-style-type: none"> <li>• Calculates the percentage of students, measured from the beginning of the school year, who graduate from public high school with a regular diploma (not including a GED or any other diploma not fully aligned with the state’s academic standards) in the standard number of years; or,</li> <li>• Uses another more accurate definition that has been approved by the Secretary; and</li> <li>• Must avoid counting a dropout as a transfer.</li> </ul> <p>Graduation rate is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause<sup>8</sup> to make AYP.</p>	<p>State definition of public high school graduation rate does not meet these criteria.</p>

<sup>8</sup> See USC 6311(b)(2)(I)(i), and 34 C.F.R. 200.20(b)

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**What is the State definition for the public high school graduation rate?**

The official State definition for the public high school graduation rate to the present has been as follows:

$$HSGR = (TG11 + TG12) / (M1 + M1T + M2 + RM - T - B) \times 100$$

where...

- HSGR = High School Graduation Rate
- TG11 = Total graduates from 11<sup>th</sup> grade
- TG12 = Total graduates from 12<sup>th</sup> grade
- M1 = Total 12<sup>th</sup> grade enrollment at the beginning of the school year
- M1T = 12<sup>th</sup> grade enrollment after beginning of the school year of students living in PR
- M2 = 12<sup>th</sup> grade enrollment after beginning of the school year of students from outside PR
- RM = 12<sup>th</sup> grade enrollment after beginning of the school year of students coming from other public schools in PR
- T = 12<sup>th</sup> grade students that move to other schools in or outside PR
- B = 12<sup>th</sup> grade dropout students

However, for accountability purposes, PRDE will be computing the high school graduation rate (HSGR) using and adaptation of the method recommended by the National Center for Education Statistics, as follows:

$$HSGR(i) = TG(i) / TNC(i) \times 100$$

where...

$$TG(i) = NG(i) + NGS(i)$$

$$TNC(i) = NG(i) + NGS(i) + N10DO(i-2) + N11DO(i-1) + N12DO(i)$$

and...

- i* = The specific school year for which the computation is made
- HSGR(*i*) = High School Graduation Rate for school year *i*
- TG(*i*) = Total graduates with regular diploma who completed high school in three years for school year *i*
- TNC(*i*) = Estimated size of the high school cohort for school year *i*
- NG(*i*) = Number of graduates with regular diploma who completed high school in three years during the regular school year *i*
- NGS(*i*) = Number of graduates with regular diploma who completed high school in three years during the summer of school year *i*
- NG10DO(*i*-2) = Number of grade 10 dropouts in school year *i*-2
- NG11DO(*i*-1) = Number of grade 11 dropouts in school year *i*-1
- NG12DO(*i*) = Number of grade 12 dropouts in school year *i*
- Dropouts = Students who leave school prior to graduation for reasons other than transfer to another school in PR or moving from the Island

Although Puerto Rico believes in the adequacy of the proposed formula, its application may be problematic during the first two years because accurate dropout rates from previous years may be difficult to obtain. Puerto Rico has agreed to technical assistance from USED on this issue. As a transitional matter, Puerto Rico will: a) make every effort to collect dropout data from previous years; b) in the event accurate dropout data is not available, PRDE will estimate the dropout values for year 2000-01/grade 10 and 2001-02/grade 11 using the 2002-03 proportions for both parameters multiplied by the 2000-01 and 2001-02 total enrollment, respectively. This will be done for the 2002-03 and 2003-04. Simultaneously, PRDE will collect dropout data for these two years and will be able to apply the formula for 2004-05 and subsequent years.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>7.2 What is the State's additional academic indicator for public elementary schools for the definition of AYP? For public middle schools for the definition of AYP?</p>	<p>State defines the additional academic indicators, e.g., additional State or locally administered assessments not included in the State assessment system, grade-to-grade retention rates or attendance rates.<sup>9</sup></p> <p>An additional academic indicator is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause to make AYP.</p>	<p>State has not defined an additional academic indicator for elementary and middle schools.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>What is the State's additional academic indicator for public elementary schools for the definition of AYP? For public middle schools for the definition of AYP?</b></p> <p>PRDE will use "proficiency in English as a second language" as the State's additional academic indicator for elementary and intermediate schools for AYP purposes. "Proficiency in English as a second language" will be measured through the English as a second language (ESL) test. The ESL test has been newly developed along with the Math and Reading test, and is aligned with the Puerto Rico ESL Academic Standards of 2000. Therefore, it provides excellent validity and reliability results. NCLB proficiency levels for grades 3, 6, 8 and 11 will be developed by June 2003 through a standard setting procedure. Because it will be administered with the Math and Reading tests, Puerto Rico will have the capacity to disaggregate the results.</p>		

<sup>9</sup> NCLB only lists these indicators as examples.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>7.3 Are the State's academic indicators valid and reliable?</p>	<p>State has defined academic indicators that are valid and reliable.</p> <p>State has defined academic indicators that are consistent with nationally recognized standards, if any.</p>	<p>State has an academic indicator that is not valid and reliable.</p> <p>State has an academic indicator that is not consistent with nationally recognized standards.</p> <p>State has an academic indicator that is not consistent within grade levels.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Are the State's academic indicators valid and reliable?</b></p> <p>The academic indicators to be used are the assessment results in Reading and Mathematics, graduation rates for high schools, and proficiency in English as a second language for all other schools. PRDE has secured the services of a highly qualified assessment contractor to develop the PPAA assessment system and to ensure that the test development process and the final product are of the highest quality. The assessment contractor will gather all validity and reliability information necessary and document all procedures and results. The present contract calls for the strictest psychometric analyses to evidence the validity and reliability of the testing instruments, results and inferences.</p> <p>Because both the assessment system and the accountability system are new, PRDE will design a research plan to collect evidence of validity and reliability, not only of the assessment instruments, but also of the accountability system.</p>		

**PRINCIPLE 8. AYP is based on reading/language arts and mathematics achievement objectives.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>8.1 Does the state measure achievement in reading/language arts and mathematics separately for determining AYP?</p>	<p>State AYP determination for student subgroups, public schools and LEAs separately measures reading/language arts and mathematics.<sup>10</sup></p> <p>AYP is a separate calculation for reading/language arts and mathematics for each group, public school, and LEA.</p>	<p>State AYP determination for student subgroups, public schools and LEAs averages or combines achievement across reading/language arts and mathematics.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>Does the state measure achievement in reading/language arts and mathematics separately for determining AYP?</b></p> <p>PRDE measures achievement separately in Reading and Mathematics. The annual measurable objectives in Reading and Mathematics will be applied to each school, to Puerto Rico as an LEA, and to Puerto Rico as an SEA. Responses to 1.1, 3.1, and 3.2 further explain how AYP will be determined in Puerto Rico.</p>		

<sup>10</sup> If the state has more than one assessment to cover its language arts standards, the State must create a method for including scores from all the relevant assessments.

**PRINCIPLE 9. State Accountability System is statistically valid and reliable.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>9.1 How do AYP determinations meet the State's standard for acceptable reliability?</p>	<p>State has defined a method for determining an acceptable level of reliability (decision consistency) for AYP decisions.</p> <p>State provides evidence that decision consistency is (1) within the range deemed acceptable to the State, and (2) meets professional standards and practice.</p> <p>State publicly reports the estimate of decision consistency, and incorporates it appropriately into accountability decisions.</p> <p>State updates analysis and reporting of decision consistency at appropriate intervals.</p>	<p>State does not have an acceptable method for determining reliability (decision consistency) of accountability decisions, e.g., it reports only reliability coefficients for its assessments.</p> <p>State has parameters for acceptable reliability; however, the actual reliability (decision consistency) falls outside those parameters.</p> <p>State's evidence regarding accountability reliability (decision consistency) is not updated.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p><b>How do AYP determinations meet the State’s standard for acceptable reliability?</b></p> <p>PRDE will be implementing several procedures to ensure reliability of its AYP determinations as follows:</p> <ul style="list-style-type: none"> <li>• Comparing the average of the three most recent years with the current year’s performance*</li> <li>• Using the safe harbor provision to identify and acknowledge special efforts and achievement that would otherwise go unnoticed</li> <li>• Using different minimum n’s for different purposes (reporting, calculating participation rates, and making AYP determinations for students with and without disabilities)</li> <li>• Using an AYP panel to review and certify AYP decisions before notifying schools</li> <li>• Using an appeal procedure</li> </ul> <p>In addition, PRDE is currently reviewing whether AYP decisions should rely on the use of raw proportions because of the large sampling error and the consequential negative effect on reliability. PRDE is evaluating the possible use of a statistical criterion, such as a z test for identifying statistically significant change in proportions, as well as an effect size that targets changes in percentages. This issue will be further discussed in the next Technical Advisory Panel meeting.</p> <p>PRDE has reviewed information from other state’s accountability systems and has incorporated the features that were reported as contributing the most to the consistency of AYP decisions. PRDE has also incorporated some of the recommendations from <i>Making Valid Decisions in Determining Adequate Yearly Progress</i> (a publication of the Council of Chief State School Officers). Research will be systematically conducted to examine the reliability and validity of the AYP decisions made about schools and Puerto Rico as an LEA and SEA, and necessary changes will be incorporated into the accountability system.</p> <p>*See section 3.2</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
9.2 What is the State's process for making valid AYP determinations?	State has established a process for public schools and LEAs to appeal an accountability decision.	State does not have a system for handling appeals of accountability decisions.

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

**What is the State's process for making valid AYP determinations?**

PRDE's contract with its assessment contractor requires the PPAA assessment instrument to yield valid and reliable results. AYP decisions based upon these results are also subject to a review and appeals process.

Starting at the beginning of the current school year, 2002-03, PRDE established a process for public schools to appeal an accountability decision. The process consists of several steps, as follows:

- 1) once an accountability decision is made, the decision is reviewed and confirmed or invalidated by a AYP review panel at PRDE;
- 2) if confirmed, the school is notified of the decision in writing. This notification includes a detailed description of how the decision was reached and all the parameters that were considered and their configuration; the written notice is mailed no later than 7 days after the confirmation by the AYP review panel;
- 3) the school is given the opportunity to review the data used to make the decision; if the school feels that the decision is incorrect due to statistical or other substantive reasons, it may appeal the decision and submit evidence to substantiate such an appeal no later than 15 days after receiving the notification; appeals must be submitted in writing;
- 4) the AYP review panel considers the evidence and reaches a final decision not later than 30 days after receiving the appeal from the school and notifies the school of its decision in writing.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>9.3 How has the State planned for incorporating into its definition of AYP anticipated changes in assessments?</p>	<p>State has a plan to maintain continuity in AYP decisions necessary for validity through planned assessment changes, and other changes necessary to comply fully with NCLB.<sup>11</sup></p> <p>State has a plan for including new public schools in the State Accountability System.</p> <p>State has a plan for periodically reviewing its State Accountability System, so that unforeseen changes can be quickly addressed.</p>	<p>State's transition plan interrupts annual determination of AYP.</p> <p>State does not have a plan for handling changes: e.g., to its assessment system, or the addition of new public schools.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>How has the State planned for incorporating into its definition of AYP anticipated changes in assessments?</b></p> <p>PRDE's efforts under its timeline waiver, relating to the need to align its assessment instrument to the academic content standards, and to substantially improve the instrument's validity and reliability, has had the effect of accelerating the revision of the assessment. Therefore, changes in the assessment that have a direct impact on the accountability system are being incorporated at the present time. As previously mentioned, certain adjustments will be made when 2002-03 data is available and in the following years when assessments in grades 4, 5 and 7 are phased into the accountability system. However, AYP decisions will not be affected. On the contrary, the accountability system will be strengthened with the addition of these grades. Therefore, PRDE's current plans take into consideration all changes in the assessments, including the addition of assessment in grades 4, 5, and 7, and no interruptions of the AYP decision-making process are expected.</p>		

<sup>11</sup> Several events may occur which necessitate such a plan. For example, (1) the State may need to include additional assessments in grades 3-8 by 2005-2006; (2) the State may revise content and/or academic achievement standards; (3) the State may need to recalculate the starting point with the addition of new assessments; or (4) the State may need to incorporate the graduation rate or other indicators into its State Accountability System. These events may require new calculations of validity and reliability.

**PRINCIPLE 10. In order for a public school or LEA to make AYP, the State ensures that it assessed at least 95% of the students enrolled in each subgroup.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>10.1 What is the State's method for calculating participation rates in the State assessments for use in AYP determinations?</p>	<p>State has a procedure to determine the number of absent or untested students (by subgroup and aggregate).</p> <p>State has a procedure to determine the denominator (total enrollment) for the 95% calculation (by subgroup and aggregate).</p> <p>Public schools and LEAs are held accountable for reaching the 95% assessed goal.</p>	<p>The state does not have a procedure for determining the rate of students participating in statewide assessments.</p> <p>Public schools and LEAs are not held accountable for testing at least 95% of their students.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>What is the State's method for calculating participation rates in the State assessments for use in AYP determinations?</b></p> <p>Puerto Rico has been reviewing and redesigning its process of data collection at the student level. Therefore, more updated and accurate information is expected regarding enrollment data at each school. PRDE has designed an enrollment confirmation procedure to be carried out at the beginning of the second semester. The denominator (total enrollment) for the participation rate will be derived from this count, including all student mobility during the first semester. In addition, in order to comply with the timeframe required by NCLB for the AYP decisions and production and dissemination of the State and School Report Cards, the assessments will be administered earlier in the Spring which will minimize any effect due to student mobility between the last student count and the testing date. As a result, the calculation of the participation rate is expected to be more accurate.</p> <p>The assessment contractor will generate a report of tested students that includes required socio-demographic information. In addition, students that fail to take the test for whatever reason will be accounted for on a special demographic collection sheet developed by the contractor. This will facilitate the computation of both tested and untested students in the aggregate and by subgroup. PRDE expects that through these features the participation rate for the aggregate and all subgroups will be accurately computed. Schools will be required to reach the 95% participation rate for the aggregate and for all existing subgroups in order to make AYP.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>10.2 What is the State's policy for determining when the 95% assessed requirement should be applied?</p>	<p>State has a policy that implements the regulation regarding the use of 95% allowance when the group is statistically significant according to State rules.</p>	<p>State does not have a procedure for making this determination.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p><b>What is the State's policy for determining when the 95% assessed requirement should be applied?</b></p> <p>PRDE will apply the 95% participation rate requirement to all AYP decisions, in the aggregate and for all subgroups. However, as explained in item 5.5 (see above), in order to compensate for a reduction on the participation rate due to extenuating circumstances, participation rate calculations will use a minimum size of 40 for all subgroups.</p>		

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Appendix A

<b>Students with disabilities</b>		
<i>Min. N</i>	<i># schools</i>	<i>%fall out</i>
5	585	58.8
10	234	83.5
15	109	92.3
20	55	96.1
25	28	98.0
30	16	98.9
35	15	98.9
40	7	99.5
45	7	99.5
50	5	99.6
<b>Economically disadvantaged</b>		
<i>n</i>	<i># schools</i>	<i>%fall out</i>
5	1276	10.1
10	1253	11.7
15	1166	17.8
20	1061	25.2
25	909	35.9
30	783	44.8
35	682	51.9
40	580	59.1
45	489	65.5
50	421	70.3
<b>LSP Students</b>		
<i>n</i>	<i># schools</i>	<i>%fall out</i>
5	29	98.0
10	22	98.4
15	14	99.0
20	12	99.2
25	9	99.4
30	6	99.6
35	5	99.6
40	5	99.6
45	3	99.8
50	3	99.8

<b>PR origin</b>		
<i>n</i>	<i># schools</i>	<i>%fall out</i>
5	1015	28.5
10	1005	29.2
15	956	32.6
20	856	39.7
25	751	47.1
30	640	54.9
35	571	59.8
40	489	65.5
45	420	70.4
50	366	74.2
<b>USA Origin</b>		
<i>n</i>	<i># schools</i>	<i>%fall out</i>
5	7	99.5
10	0	100.0
15	0	100.0
20	0	100.0
25	0	100.0
30	0	100.0
35	0	100.0
40	0	100.0
45	0	100.0
50	0	100.0
<b>Hispanic origin</b>		
<i>n</i>	<i># schools</i>	<i>%fall out</i>
5	28	98.0
10	10	99.3
15	4	99.7
20	1	99.9
25	1	99.9
30	0	100.0
35	0	100.0
40	0	100.0
45	0	100.0
50	0	100.0
<b>Other origin</b>		
<i>n</i>	<i># schools</i>	<i>%fall out</i>
5	3	99.8
10	0	100.0
15	0	100.0
20	0	100.0
25	0	100.0
30	0	100.0
35	0	100.0
40	0	100.0
45	0	100.0
50	0	100.0