



**TO:** Indiana State Board of Education  
**FROM:** Indiana Department of Education  
**RE:** Freeway Schools, Applicability of Accountability Model & Public Assignment of A-F Accountability Grades  
**DATE:** December 13, 2013

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Attached:

1. Memorandum regarding determination on whether freeway accredited schools are to be publicly placed in a school performance and improvement category under Ind. Code § 20-31-8-4 and 511 IAC 6.2-6-4.
2. Memorandum regarding appropriate model to be used to determine school performance for two schools who do not fit in either the High School or Small High School model
3. Memorandum explaining the Department's A-F pre-placement appeal process

You will also receive summary pages of all school grades and school movement data along with spreadsheets containing the Department's findings for each school. However, given the sensitive nature of the data contained in the summary and spreadsheets, you will receive these via a secure link ftp server.



**TO:** Indiana State Board of Education  
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**RE:** Freeway Schools & Public Assignment of A-F Accountability Grades  
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### **SUMMARY**

The Indiana Department of Education (Department) requests that the Indiana State Board of Education (Board) make a determination on whether freeway accredited schools are to be publicly placed in a school performance and improvement category under and Ind. Code § 20-31-8-4 and 511 IAC 6.2-6-4.

### **BACKGROUND**

Pursuant to Ind. Code § 20-31-8-4 and 511 IAC 6.2-6-4, the Board shall annually place schools and school corporations in a school performance and improvement category based on the Department's findings. The schools that are required to be placed by the Board are public schools and nonpublic schools that voluntarily become accredited under Ind. Code § 20-19-2-8.<sup>1</sup> Nonpublic schools that voluntarily become accredited under Ind. Code § 20-19-2-8 are required to comply with the same legal standards and requirements as a public school, as established by the Board through adoption of administrative rules.<sup>2</sup>

Ind. Code § 20-26-15 provides for an alternative form of accreditation that is outside Ind. Code § 20-19-2-8 called "freeway" accreditation. Both public and nonpublic schools may be accredited as freeway schools. This type of accreditation is governed by a contract entered into by and between the Board and the school, and provides a school with more flexibility

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<sup>1</sup> 511 IAC 6.2-1-1; Ind. Code § 20-31-1-1.

<sup>2</sup> Ind. Code § 20-19-2-8(a)(6) states that, "The state board may not establish an accreditation system for nonpublic schools that is less stringent than the accreditation system for public schools."

in regard to curriculum and instruction; curricular materials; and performance based accreditation. Currently, there are 156 nonpublic freeway schools.

Ind. Code § 20-31-8-4 and 511 IAC 6.2-6-4 are not applicable to nonpublic schools with freeway accreditation because these schools do not meet the definition of either a public school or a nonpublic school accredited under Ind. Code § 20-19-2-8.<sup>3</sup> Additionally, Ind. Code § 20-26-15-7 outlines a different accountability system for freeway schools from that under 511 IAC 6.2, which focuses on average attendance rate, successful completion rate of ISTEP, and an increasing graduation rate.<sup>4</sup> Nothing under Ind. Code § 20-26-15 references the placement of freeway schools in a school performance and improvement category.

### **DETERMINATION**

The Department calculated school performance and improvement category grades for nonpublic freeway schools to use for internal deliberative reasons such as Choice scholarship eligibility, and to maintain a record that allows the Department to compare performance of all Indiana schools on similar metrics. These schools were given the opportunity to appeal the calculated grade in order to ensure the Department has accurate information.

Because freeway contracts are held between the Board and the school, the Department requests that the Board, as a party to the contract, make a determination as to whether it wishes to formally and publicly place nonpublic freeway schools in a school performance and improvement category. Please note that a review of current freeway contracts indicated that there is no language stating that these schools would be evaluated under Ind. Code § 20-31-8 and 511 IAC 6.2.

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<sup>3</sup> Public freeway schools would still fall under this b/c they meet the definition of a public school provided for under IC 20-18-2-15

<sup>4</sup> See "Attachment I".

## ATTACHMENT I

IC 20-26-15-7 Educational benefits required during contract period

Sec. 7. The minimum educational benefits that a freeway school corporation or a freeway school must produce under this chapter are the following:

(1) An average attendance rate that increases:

(A) not less than two percent (2%) each school year until the average attendance rate is eighty-five percent (85%); and

(B) one percent (1%) each school year until the average attendance rate is ninety percent (90%).

(2) A successful completion rate of the assessment program by meeting essential standards under the ISTEP program (IC 20-32-5) or a locally adopted assessment program established under section 6(7) of this chapter that increases:

(A) not less than two percent (2%) each school year until the successful completion rate is not less than eighty-five percent (85%); and

(B) one percent (1%) each school year until the successful completion rate is not less than ninety percent (90%);

of the students in the designated grade levels under the ISTEP assessment program (IC 20-32-5) or the locally adopted assessment program that are grades contained in the freeway school corporation or freeway school.

(3) Beginning with the class of students who expect to graduate four (4) years after a freeway school corporation or a freeway school that is a high school obtains freeway status, a graduation rate as determined under 511 IAC 6.1-1-2(k) that increases:

(A) not less than two percent (2%) each school year until the graduation rate is not less than eighty-five percent (85%); and

(B) one percent (1%) each school year until the graduation rate is ninety percent (90%).

After a freeway school corporation or a freeway school has achieved the minimum rates required under subdivisions (1) through (3), the freeway school corporation or freeway school must either maintain the minimum required rates or show continued improvement of those rates.

As added by P.L.1-2005, SEC.10.



**TO:** Indiana State Board of Education  
**FROM:** Indiana Department of Education  
**RE:** A-F Appeals Review Process  
**DATE:** December 13, 2013

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### **SUMMARY**

This document outlines the process used by the Indiana Department of Education (Department) to conduct and review A-F appeals on behalf of the Indiana State Board of Education (Board).

### **TIMELINE**

Appeals were accepted from schools between November 15, 2013 and December 2, 2013. The Department reviewed appeals on a rolling basis, and all reviews were completed by December 11, 2013. The Department's findings from the appeals were provided to the Indiana State Board of Education on December 13, 2013, along with the grades for those schools that did not appeal.

### **STAFF TRAINING**

On November 19, 2013, the Department conducted training for all staff participating in the review of appeals. The training provided background information on accountability; an explanation of grounds for appeal; a review of the policies and procedures of appeals review; and information on navigating relevant data sources.

## **APPEALS PROCESS**

Upon receipt of an appeal, an individual completed an initial review to determine if the submitted appeal met all of the compliance requirements, such as timely submission, electronic submission, signed by the Superintendent, and acceptable grounds for appeal identified (errors in data; significant demographic change in student population). If the reviewer determined that the appeal did not meet all basic compliance requirements, the appeal was dismissed.

Upon completion of an initial review, an appeal was assigned to a group consisting of two members. Each member conducted its own review and investigation into the appeal, and then met as a team to discuss each member's findings and determinations. The group would then make a final determination on the appeal. The appeal would then be assigned to an independent reviewer to review the group's determination and either agree or disagree with the findings of the group. If the group determination and the independent determination were in sync, then the appeal was complete. If the group determination and the independent determination did not coincide, then the appeal would be forwarded to a technical reviewer. The technical reviewer evaluated the findings of both the group and the independent reviews and made a final determination on the appeal.

The Department recognizes the importance of the appeals process for schools, and believes that the many layers of the process provided quality assurance and accuracy in the reviews, and ensured that all appeals were given the consideration deserved.

## **ISTEP INTERRUPTION & INVALIDATION APPEALS**

Due to ISTEP interruption issues during the Spring 2013 testing window, the Department anticipated a high volume of appeals based on ISTEP interruptions and invalidations. If a school appealed on the grounds that ISTEP interruptions and invalidations negatively impacted a school's grade, then the appeal was immediately forwarded for technical review. A group of six technical reviewers with expertise in accountability, data and assessment met to establish grounds for reviewing all ISTEP appeals in order to ensure that each appeals were handled consistently. The established review grounds considered Dr. Richard Hill's "An Analysis of the Impact of Interruptions on the 2013 Administration of the Indiana Statewide Testing for Educational Progress - Plus (ISTEP+)", and CTB's evaluation on interruptions and invalidations because the Department considered both reports to be reliable and valid.

## **GENERAL POLICY ISSUES**

The Department received appeals that questioned the rounding precision policy of the Department in calculating points to determine grade assignments. The Department reviewed its rounding policy, and determined to uphold this policy, which provides that:

It is the policy of the Indiana Department of Education to round any and all calculations for performance and improvement categories to be consistent with what is cited in 511 IAC 6.2. Therefore, if the language of the administrative rule states that a point shall be deducted if at least 39.8% of students taking the ISTEP+ English/language arts test demonstrated low growth, then the performance and improvement calculation shall be rounded to the tenth decimal. The Indiana Department of Education adopts basic mathematical rounding principles when making these determinations.

## **ISOLATED CALCULATION UPDATES**

A review conducted by the Department identified isolated issues in calculations that affected grade calculations for six (6) schools. The Department submitted its findings from this review to LSA, which confirmed the errors noted by the Department and concurred with the suggested updates. The Department notified each school individually of the update outside of the appeal process. Below is a summary of the changes made and the implicated schools.

### **1. Model Change**

- 6202 The Academy of Science & Entrepreneurship (D -> C) Incorrectly identified as a Small High School. Inaccurate calculation of N size count for schools. Affected 1 school state wide. Should be High School model.
- 8326 New Tech Institute ( D -> B) Incorrectly identified as a High School when missing grade 12. Should be 910 model.

### **2. Participation Change**

Each of these schools has a bottom 25% N size less than 40. The calculation is slightly different for these schools. Invalid and Undetermined tests were not being handled properly. This would result in participation percent changes for several schools, but only grade changes for the following 4.

- 0213 Nebraska Elementary School (B -> A)
- 4711 Renaissance Academy Charter School (B -> A)
- 6888 Thomas Jefferson Elementary School (C -> B)
- D140 Saint Mary Elementary School (D -> C)



**TO:** Indiana State Board of Education  
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### **SUMMARY**

The Indiana Department of Education's ("Department") findings regarding the appeals of two schools ("School A" and "School B", respectively) resulted in the determination that these schools do not fit into the small high school model outlined in 511 IAC 6.2-6-5.7 or the high school model outlined in 511 IAC 6.2-6-5.3. Because 511 IAC 6.2 does not provide an applicable model for these schools, the Department requests that the Indiana State Board of Education ("Board") apply the Department's findings to determine how to calculate the school performance and improvement category for School A and School B so that the Board may place each school in a category.

### **BACKGROUND**

511 IAC 6.2-6-5.3 outlines the model used to determine school performance and improvement grades for high schools. A high school is a school with grade 9, 10, 11, and/or 12.<sup>1</sup> The grade for a high school is based on English 10 and Algebra I scores ("ECA scores"), graduation rate score, and college and career readiness score.<sup>2</sup> In order to obtain ECA scores, a high school must have at least 30 students in the grade 10 cohort. Additionally, in order to obtain a graduation rate score and a college and career readiness score, a high school must have at least 10 students in the graduation cohort.

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<sup>1</sup> 511 IAC 6.2-6-0.5(14).

<sup>2</sup> 511 IAC 6.2-6-5.3.

511 IAC 6.2-6-5.7 outlines the model used to determine school performance and improvement grades for small high schools. A small high school is a high school that does not offer grade 12, and has fewer than thirty (30) students in the grade 10 cohort who were enrolled for at least 162 days in the year being assessed; tested on both the English 10 and Algebra I ECA or ISTAR; and not excluded based on being a Limited English Proficient student that has been enrolled in school in the United States for less than 12 months.<sup>3</sup> The grade for a small high school is based on student performance on English 10 and Algebra I ECAs; however, in order to receive a score for English 10 and Algebra I ECAs, there must be at least 30 students in the 10<sup>th</sup> grade cohort. If a small high school does not have 30 students in its 10<sup>th</sup> grade cohort, then the English 10 and Algebra I scores are to be based on the results of a cumulative aggregate of students.<sup>4</sup>

### **DEPARTMENT FINDINGS**

Both School A and School B have grades 9, 10, 11 and 12. However, neither School A nor School B had at least 30 students in its Grade 10 cohort; therefore, ECA scores were not able to be obtained. In calculating accountability grades for the 2012-2013 school year, the Department applied the “Small High School” model to both School A and School B. Both schools are appealing the application of the “Small High School” model because each respective school offers grades 9, 10, 11 and 12, and a small high school, by definition, does not offer grade 12; and because each respective school has a graduation cohort of more than 10 students, which would allow for the obtainment of graduation rate and college and career readiness scores.

The Department agrees with School A and School B that the “Small High School” model should not have been applied each school in order to calculate accountability grades, and therefore approves each appeal. However, in review of these appeals, the Department identified that there is no applicable model for School A and School B. This is because the “High School” model requires a 10<sup>th</sup> grade cohort size that Schools A and B do not have, and does not provide for high schools to base ECA scores on the a cumulative aggregate of students; and the “Small High School” model does not apply to any school that includes grade 12, which both School A and B offer.

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<sup>3</sup> 511 IAC 6.2-6-0.5(28).

<sup>4</sup> Pursuant to 511 IAC 6.2-6-5.7(e), the cumulative aggregate is comprised of students who met the criteria outlined in 511 IAC 6.2-6-5.3(g) in the school year being assessed and in each school year immediately preceding the year being assessed until the cumulative aggregate is equal to or greater than 30 students. In order to meet the criteria outlined in 511 IAC 6.2-6-5.3(g), a student must have been enrolled for at least 162 days in the school year being assessed; been tested on the English 10 ECA; was not excluded due to status as a Limited English Proficient student enrolled in the United States for less than 12 months; and must have obtained a valid test result.

Please note that School A and School B are not the only schools in the state that do not fit into either the “Small High School” or “High School” model. There are 28 other schools to which the “Small High School” model has been applied even though these schools offer grade 12 and have enough students in the graduation cohort to obtain graduation rate and college and career readiness scores, but not enough students in the grade 10 cohort to obtain ECA scores. However, the Department only received appeals from School A and School B regarding appropriate model application.

### **RECOMMENDATIONS**

Based upon these findings, the Department recommends that the Board select one of the following options to apply in the calculation of grades for both School A and School B:

**Option 1:** Apply the “High School” model, including ECA scores, graduation rate scores and college and career readiness scores. In calculating ECA scores, the calculation would consider the 10<sup>th</sup> grade cohort’s true size rather than aggregating the data to reach 30 students. This option is more consistent with the true “High School” model, but ignores the set minimum cohort size. Basing scores on a number less than the state minimum may compromise the ECA calculations and result in an irregular and unfair school rating.

**Option 2:** Apply the “High School” model, including ECA scores, graduation rate scores and college and career readiness scores. In calculating ECA scores, the data would be aggregated in order to reach 30 students. This is similar to what is used under the “Small High School” model, but the overall grade includes more than just ECA scores. Therefore, this would result in the creation of a new model that fuses the “Small High School” and “High School” models together. This option is less consistent with the true “High School” model, but likely provides a better result in the ECA score calculation because the minimum cohort size of 30 students will be used in the calculation.

In applying both of the above calculation options to School A and School B, the Department found that there would be no difference in the 2012/2013 accountability grade between each option. Therefore, the 2012/2013 accountability grades for School A and School B would be the same regardless of which model is applied, but the points value slightly differs between the two model options.