Q & A on AYP Freeze Waiver

The North Dakota Department of Public Instruction (NDDPI) has received numerous inquiries related to the Adequate Yearly Progress (AYP) Freeze Waiver and its ramifications on the AYP report and program improvement requirements. Therefore, this Q & A has been developed to provide information to school personnel on the most frequently asked questions on this topic.

Q. How did North Dakota come to apply for the AYP Freeze Waiver?

A. On February 27, 2015, the U.S. Department of Education (USDE) announced they were permitting states administering new college and career-ready aligned assessments during the 2014-2015 school year to not assign schools new ratings based on those assessments and to waive accountability determinations based on achievement results for assessments administered in the 2014-2015 school year. Bottom line, this would freeze the AYP consequences for the 2015-2016 school year, which the NDDPI believes would be a great benefit to our schools and districts. North Dakota applied for and received approval of this waiver.

Q. What benefits are established through the AYP Freeze Waiver?

A. Under this AYP Freeze Waiver, the key benefits include:

1. The NDDPI will generate an AYP report for every school and district; however, the NDDPI is not required to report achievement data on the AYP report. Rather, the AYP report will only indicate if the school or district met AYP based on the following three indicators: participation rate, graduation rate, and attendance rate.

2. Schools and districts currently identified for improvement that meet the three indicators noted will be allowed to continue implementing the same program improvement interventions in the 2015-2016 school year, that were required to be implemented in the 2014-2015 school year and will not move to the next category in the program improvement sanctions timeline.

   Resubmission of program improvement plans, corrective action, and alternative governance documents are not required for schools and districts that meet AYP based on the three indicators for the 2015-2016 school year.

3. Schools and districts currently identified for improvement can be removed from program improvement if they make AYP for two consecutive years. All schools and districts identified for program improvement that make AYP on the 2014-2015 report are one step closer to being removed from improvement in the event reauthorization doesn't occur.

Q. When will the AYP reports for the 2014-2015 North Dakota State Assessment (NDSA) be available?

A. The NDDPI anticipates having the AYP reports available for review at the end of August 2015.

Q. How will the AYP Freeze Waiver impact a school's or district's Program Improvement status?

A. All schools and districts previously identified for improvement must continue to implement interventions consistent with Section 1116 of the ESEA. However, as long as they meet AYP on participation, graduation, and attendance rates, they will not move to the next category in the program improvement timeline.

Q. Are there any schools or districts that will not be protected by the AYP Freeze Waiver?

A. Possibly. Schools and districts that do not meet one or more of the three indicators (participation rate, graduation rate, or attendance rate) may not be protected by the AYP Freeze Waiver and could move to the next category on the program improvement sanctions timeline for the 2015-2016 school year.

Q. Will schools be able to access data showing how students performed on the spring NDSA testing?

A. Yes. Schools will receive information and reports directly from Measured Progress regarding the 2015 NDSA this fall.

Q. Will the NDDPI still create the Report Cards/Profiles for every school and district based on the 2014-2015 NDSA?

A. Yes. States that received an approved AYP Freeze Waiver are still required to generate the annual school/district report cards (i.e., profiles) outlining the achievement results on the 2014-2015 NDSA testing. However, we don't anticipate having the 2014-2015 report cards/profiles data available until late fall 2015.

Q. Do we have to explain the AYP Freeze Waiver to parents?

A. Under the *No Child Left Behind* Act, all districts and schools are required to send written correspondence to the parents/guardians of each child enrolled in the district and/or school regarding their AYP status and program improvement identification. This notice must include a copy of the AYP report and should take place once the AYP reports are officially released. This applies to all Title I and non-Title I schools and districts.

The Office of Federal Title Programs is working on guidance regarding the AYP dissemination requirements. This information will soon be disseminated via email to all school building principals and district superintendents. This guidance will provide sample language on how to explain the AYP Freeze Waiver to parents.

As part of a compliance agreement with the USDE, your contact person in the Division of Student Support & Innovation must review your AYP correspondence to ensure the letters contain all of the required information specified in the federal law. The school/district must electronically submit their AYP correspondence letter to their contact person for review before it is disseminated to parents/guardians.

Bottom line, schools and districts need to wait for the AYP reports to be released in late August. After reviewing the AYP report, schools and districts need to generate their AYP parent letter and then have it reviewed by your contact person in the Division of Student Support & Innovation before disseminating it to parents.

Q. Does the AYP Freeze Waiver affect the science assessment in the fall of 2015?

A. No. The science assessment is not affected by the AYP Freeze Waiver as science achievement is not reported on the AYP report.

Q. What if it is more advantageous for a school or district to not be frozen in the program improvement timeline and they want to move to the next category?

A. In some schools and districts, progressing forward on the program improvement timeline may better meet the school and/or district needs. For example, when a school or district moves into year 3 of program improvement, they are no longer required to set aside 10% for professional development. Some schools or districts may find the relief from the 10% set-aside is more important than moving into corrective action. If a school or district wants to move forward, a form has been developed that must be completed and submitted to the Office of Federal Title Programs. The Request to Decline AYP Freeze form is available on the website at www.nd.gov/dpi/administrators/FTP/Programs_initiatives/TitleI/PI/.

The due date to submit the Request to Decline AYP Freeze is August 28, 2015. Completed requests should be submitted through the Secure File Transfer System (SFTS) at https://apps.nd.gov/itd/filetransfer/login.htm. For questions on the form, please contact Lauri Nord at lnord@nd.gov or (701) 328-2282.

Q. Who can I contact for questions pertaining to the AYP Freeze?

A. If you have any questions on the school or district AYP reports, contact Paula Gabel at pgabel@nd.gov or (701) 328-2296.

If you have any program improvement or AYP dissemination requirements questions, contact Laurie Matzke at lmatzke@nd.gov or (701) 328-2284, or your assigned Student Support & Innovation contact person which can be found online at www.nd.gov/dpi/uploads/126/contacts.pdf.