Montana

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)

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Linda McCulloch
State Superintendent

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.

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
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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.

Summary of Implementation Status for Required Elements of State Accountability Systems

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

STATUS Legend:
F – Final state policy
P – Proposed policy, awaiting State approval
W – Working to formulate policy

Principle 5: Subgroup Accountability

~~P~~ F	5.1	The accountability system *includes all the required student subgroups*.
~~P~~ F	5.2	The accountability system holds *schools and LEAs accountable for the progress of student subgroups*.
~~P~~ F	5.3	The accountability system includes *students with disabilities*.
~~P~~ F	5.4	The accountability system includes *limited English proficient students*.
~~P~~ 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.
~~P~~ 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

~~P~~ F	6.1	Accountability system is based *primarily on academic assessments*.

Principle 7: Additional Indicators

~~P~~ F	7.1	Accountability system includes *graduation rate for high school*s.
~~P~~ F	7.2	Accountability system includes an *additional academic indicator for elementary and middle school*s.
~~P~~ F	7.3	Additional indicators are valid and reliable.

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

~~P~~ F	8.1	Accountability system holds students, schools and districts separately accountable for *reading/language arts* and *mathematics*.

Principle 9: System Validity and Reliability

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

Principle 10: Participation Rate

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

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
1.1 How does the State Accountability System include every public school and LEA in the State?	Every public school and LEA is required to make adequate yearly progress and is included in the State Accountability System. State has a definition of "public school" and "LEA" for AYP accountability purposes. • 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).	A public school or LEA is not required to make adequate yearly progress and is not included in the State Accountability System. State policy systematically excludes certain public schools and/or LEAs.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

1.1 The State will move toward enhancing the current accreditation system by adding a separate Adequate Yearly Progress (AYP) achievement-based system that is congruent with the requirements of the No Child Left Behind (NCLB) Act of 2001. The Montana State Accountability System will include every public school and every school district in the state. All public schools and districts will be required to make adequate yearly progress. The State Accountability System will produce AYP decisions for all public schools, including public schools with variant grade configurations (e.g., K-1, K-2, K-3, 5–6, etc.). There are no public charter schools in Montana. Public schools with no grades assessed will be included in the system by examining the schools into which they feed. The State Superintendent will incorporate AYP policies and procedures into the Office of Public Instruction (OPI) State and Federal Grants Handbook.

The Montana definition for school is found at Montana Code Annotated (MCA) 20-6-501. The trustees of a district shall designate the grade assignments for the schools of the district, but for

the purposes of this title each school is known as: (1) *an elementary school* when it comprises the work of any combination of kindergarten, other preschool programs, or the first eight grades or their equivalents; a *middle school* is a school comprising the work of grades 4 through 8 or any combination of grades 4 through 8 that has been accredited as a middle school under the provisions of MCA 20-7-102. When an accredited *junior high school* is operated by the district, grades 7 and 8 or their equivalents may not be considered as elementary grades; (2) a high school when it comprises the work of one or more grades of schoolwork of the equivalents intermediate between the elementary schools and the institutions of higher education in the state of Montana. Types of high schools are designated as follows: (a) a *junior high school* is a school comprising the work of grades 7 through 9 or their equivalents that has been accredited as a junior high school under the provisions of MCA 20-7-102; (b) a *senior high school* is a school that comprises the work of grades 10 through 12 or their equivalents and that is operated in conjunction with a junior high school; and (c) a *4-year high school* is a school comprising the work of grades 9 through 12 or their equivalents.

Students who attend alternative education programs within their districts are included in their "parent" school (the public school they would have attended in the absence of the alternative program) for assessment and accountability purposes.

State operated schools are not under the jurisdiction of the State Superintendent and are not included in AYP determinations. The Department of Corrections Pine Hills School in Miles City and Riverside Facility in Boulder are correctional facilities for incarcerated youth. These two lock-up facilities for juveniles convicted of criminal offenses receive their funding through the legislative appropriation for the Department of Corrections, are operated by that department, and concentrate primarily on the detention and behavioral aspects of the inmates.

Another state operated school, the Montana School for the Deaf and Blind, receives its funding through a legislative appropriation that goes directly to the school, which is operated by the Montana Board of Public Education, not by the State Superintendent or the Office of Public Instruction. This school is also not under the jurisdiction of the State Superintendent.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
1.2 How are all public schools and LEAs held to the same criteria when making an AYP determination?	All public schools and LEAs are systematically judged on the basis of the same criteria when making an AYP determination. If applicable, the AYP definition is integrated into the State Accountability System.	Some public schools and LEAs are systematically judged on the basis of alternate criteria when making an AYP determination.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

1.2 As a Title I compliance agreement state, Montana will use its current assessment, Montana Comprehensive Assessment System (MontCAS), Phase 1, consisting of the norm-referenced Iowa Tests at grades 4, 8, and 11 as the basis for adequate yearly progress for all public schools and districts in reading and math (determined separately) during the transition period of 2002-03 until the state's new assessment (MontCAS, Phase 2) and accountability system becomes effective with the first full administration of the new assessment in April 2004, with delayed identifications for that year as described below.

2002-03 Process – Use of Previous Method

The Montana Office of Public Instruction will use its current assessment system and the former "Title I only" process to identify **all** public schools and districts in need of improvement. In terms of accountability, during the transition school year of 2002-03, each school and district must achieve an average score for all students in the school or district as a whole and for each disaggregated subgroup in the grade or grades tested in that school or district of 45 NCE or higher on the basis of combined data for up to three years (2000-01, 2001-02, and 2002-03) or the 2002-03 school year alone, dependent upon obtaining the minimum "n" of 10 students. The minimum "n" of 10 used for reporting will also be used for AYP determinations at both the school and district levels for this transition year except (The "n" was amended to 20 for 2002-03 as per emails between Linda McCulloch and Celia Sims attached to this document.) All schools and districts with an average score of less than 45 NCE in any subgroup including all students will be deemed as not making adequate progress. The following chart shows how the performance levels have been designated and applied in the past for designating percentages in each performance level and for identifying Title I schools and districts for improvement:

Chart 1

Montana Performance Categories Used With Norm Referenced Testing

	Percentile Ranking		Normal Curve Equivalent		Stanine	
	Low	High	Low	High	Low	High
Novice	1	23	1.0	34.7	1	3
Nearing Proficiency	24	40	34.8	44.9	4	4
Proficient	41	89	45.0	76.3	5	7
Advanced	90	99	46.4	99.0	8	9

In addition to the average NCE threshold of 45 NCE for each subgroup (including all students) schools and districts will be held to the following:

- 95% participation rate requirement - The 95% participation rate will be calculated by comparing the actual number of students tested to the actual enrollment at time of testing multiplied by .95.
- The other required indicator of attendance rates for elementary and middle schools will be applied. The State Superintendent will establish the attendance rate standard by July 1, 2003. Schools and districts will be considered as having met AYP if they met the standard or if they made improvement toward the standard. ***Note: This standard has now been set at 80 percent.***
- The other required indicator for high schools, graduation rate, will be applied by using the last year of complete data which are school year 2001-02 rates. Those high schools not meeting the State target will be judged on progress from the previous year toward meeting the State target. ***This target threshold has now been set at 80 percent.***

2003-04 Process

The compliance agreement specifies that Montana will set cut scores and academic achievement standards by July 31, 2004. The agreement further specifies that the state will review the standards setting work and formally adopt the cut scores and academic achievement standards by August 31, 2004. It is not possible to set cut scores earlier using pilot test data from April 2003 because only the new custom-developed items were included, not the full test. Scores from the first full administration of the new assessment will be produced in September 2004 and used to set baseline data.

In October 2004, the percent proficient and above for all subgroups in each school and district on the April 2004 assessment will be compared to the starting points in order to determine adequate yearly progress separately for reading and mathematics for each school and district. Those with percentages below the starting point as well as those not making the 95% participation rate or progress on the other indicator will be notified during late October/early November 2004 that adequate yearly progress was not made.

Since these determinations using April 2004 test results cannot be made for districts with identified Title I schools early enough to notify parents of their school choice options by the first day of school, public school choice and supplemental services will be offered to parents and students as soon as possible in the 2004-05 school year or not later than the start of the second semester. In Montana, public school choice within the district is only possible in the seven largest districts plus a handful of medium sized districts with more than one school at a particular grade span. So for the vast majority of Montana's 866 public schools and 444 districts, school choice will not be available anyway unless an interagency agreement with a neighboring district is practicable. Where public school choice is not possible, supplemental educational services will be offered in Title I schools in the first year of improvement if approved providers are available. When schools and districts are identified in July 2005 on the basis of the April 2005 assessments, they will be notified by the first week in August so those who must do so will be able to notify parents and students of their school choice and supplemental services options prior to the first day of school.

All Montana public schools and LEAs will be systematically judged on the basis of the same criteria when making an AYP determination. The accountability of public schools without grades assessed (i.e., K-2 schools) will be based on the aggregate score for all students tested in the school that the feeder school students currently attend. Students who attend alternative education programs are included in their "parent" school (the public school they would have attended in the absence of the alternative program) for assessment and accountability purposes.

2005-06 Process

Based on the need to complete a standards-setting process and develop new assessments to be administered for grades 3, 5, 6, and 7 beginning spring of 2006, we will need to make final AYP decisions following the start of the 2006-07 school year. Pending final AYP determinations, we will hold all schools and districts in their current AYP status and continue to apply NCLB consequences, as applicable. Included in these actions are the following:

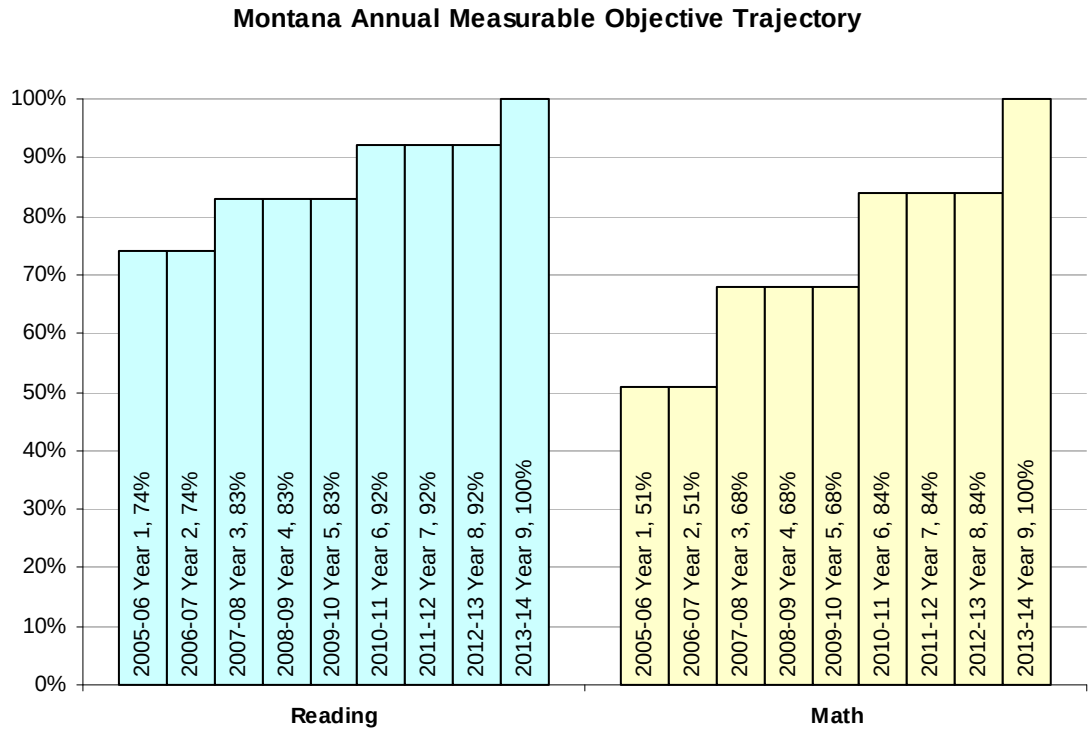
1. Any school previously identified for improvement will continue to provide that level of intervention at the beginning of the year.

2. Any school that is identified for improvement, or that may be identified for improvement based upon the 2005-2006 results, will begin preparing to offer the next level of interventions.
3. Schools will act immediately on the preliminary data when it is released in November.
4. Schools that begin offering interventions at the start of the school year will continue to offer those interventions for the remainder of the school year, even if the school is no longer identified for improvement.

As part of this process, we will be establishing annual measurable objectives to reach 100% proficiency by 2013-14. The AYP determinations will be made in accordance with the following timeline. Montana will observe all timelines for reporting AYP decisions as listed in Attachment B of the USED letter of March 7, 2006, from Dr. Henry Johnson.

June and July, 2006	Conduct standards setting (cut scores) for grades 3-8 and 10
October 2006	Test scores for grades 3-8 and 10 scheduled to be received from contractor
November 2006	Set new starting points for AYP and issue AYP decisions, subject to appeal
December 2006	30 day review period for schools and districts to appeal, with all post-appeal AYP decisions made before start of second semester

New starting points, AMO's, and intermediate goals are shown in the below chart:



All students with disabilities in Montana public schools as defined under section 602(3) of the Individuals with Disabilities Education Act (IDEA) amendments of 1997 and limited English proficiency (LEP) participate in the Montana Comprehensive Assessment Program. The Individualized Education Program (IEP) Team determines how students with disabilities will participate in the statewide assessment program. A team of educators familiar with the language abilities of LEP students determines how LEP students will participate. These requirements are contained in ARM 10.56.101, the assessment rules of the Board of Public Education found in the Administrative Rules of Montana (ARM). The Montana ***CRT*** Alternate Assessment Program ***(based on alternate achievement standards)*** yields reading and mathematics assessment results ***for students with the most significant cognitive disabilities*** for inclusion in AYP determination***s, utilizing Montana's approved exception to the 1% rule.*** **Note: This approval has been extended for use in AYP determinations for 2006-2007. Note: This approval has been extended for use in AYP determinations for 2007-2008.**

~~Guidance will be provided for use by LEP teams in determining whether an LEP student should be included in the Alternate Assessment Program. Most~~ LEP students will be included in the regular assessment with accommodations if necessary. ~~This additional option is intended to be limited to the very few newly arrived immigrant students and will provide criteria to be used in making judgments about a student's abilities and the need to utilize the Alternate Assessment Program in extreme cases.~~

Montana has identified four performance levels for the new assessments (MontCAS, Phase 2). See response 1.3. MontCAS, Phase 2 is comprised of partially custom-developed criterion-referenced assessments that include multiple measures in the areas of reading, mathematics and science. The assessments will be administered in grades 3 through 8 and grade 10 on the following timetable:

April 2004 – Reading and Mathematics, Grades 4, 8, and 10
April 2005 – Reading and Mathematics, Grades 4, 8, and 10
April 2006 – Reading and Mathematics, Grades 3, 4, 5, 6, 7, 8, and 10
April 2007 – Reading and Mathematics, Grades 3, 4, 5, 6, 7, 8, and 10
April 2008 – Reading and Mathematics, Grades 3, 4, 5, 6, 7, 8, and 10 and Science, Grades 4, 8, and 10

With MontCAS, Phase 2 data of April 2004, student scores from the Montana ***CRT*** Alternate Assessment Program will be aggregated with those from the MontCAS, Phase 2 for all students and each subgroup in reading and mathematics. ***Montana's approved exception to the 1% rule will be used.*** **Note: This approval has been extended for use in AYP determinations for 2006-2007. Note: This approval has been extended for use in AYP determinations for 2007-2008.** All of the required subgroups, including students with disabilities and LEP students, who are enrolled in a public school for a full academic year will be included in the performance measures that determine AYP for reading and mathematics separately ***(except as noted in Section 5.4 with regard to LEP students in their first year in a United States school)***.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
1.3 Does the State have, at a minimum, a definition of *basic*, *proficient* and *advanced* student achievement levels in reading/language arts and mathematics?	State has defined three levels of student achievement: *basic*, *proficient* and *advanced*.[1] Student achievement levels of *proficient* and *advanced* determine how well students are mastering the materials in the State's academic content standards; and the *basic* level of achievement provides complete information about the progress of lower-achieving students toward mastering the *proficient* and *advanced* levels.	Standards do not meet the legislated requirements.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

[1] 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.

1.3 Administrative Rules of Montana (ARM) 10.54.2502 (3) provide the following definitions of performance levels for Montana Content and Performance Standards in five subjects including reading and mathematics:

a) "Performance level" means the level of achievement in broad, general terms;
b) "Advanced level" means superior performance;
c) "Proficient level" means solid academic performance for each benchmark, reaching levels of demonstrated competency over challenging subject matter, including subject-matter knowledge, application of such knowledge to real-world situations, and analytical skills appropriate to the subject matter;
d) "Nearing proficiency level" means a student has partial mastery of the prerequisite knowledge and skills fundamental for proficient work at each benchmark; and
e) "Novice level" means a student is beginning to attain the prerequisite knowledge and skills that are fundamental for work at each benchmark.

For each of the content standards in reading and mathematics, four levels of performance descriptors have been developed. All of the MontCAS, Phase 2 assessments will be aligned to the content standards and descriptors.

The performance levels are applied to the current assessment in terms of standardized test scores and will also apply to tests under development and scheduled for implementation starting in 2004, as specified in the compliance agreement between Montana and the U.S. Department of Education by establishing cut scores and academic achievement standards using Bookmark methodology in July 2004 after the first full administration of reading and math assessments in grades 4, 8, and 10. The same method will be used in July 2006 after the first full administration of reading and math assessments in grades 3, 5, 6, and 7. The same method will be used in July 2008 after first full administration of science assessments in grades 4, 8, and 10.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?	State provides decisions about adequate yearly progress in time for LEAs to implement the required provisions before the beginning of the next academic year. 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.	Timeline does not provide sufficient time for LEAs to fulfill their responsibilities before the beginning of the next academic year.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

1.4 As a compliance agreement state, Montana will continue using the current system with 2002-03 data to identify schools not making one or more years of progress with identification for improvement designation after two years of not making progress in the same subject area. Norm-referenced tests (the ITBS in grades 4 and 8 and the ITED in grade 11) were given in middle to late March 2003 with results returned to LEAs and schools prior to the end of the school year. District and school personnel begin to examine their aggregate data provided by the test publisher at this point. In addition, the state provides statewide reports under the following timeline:

Mid-July	Statewide aggregated results
Mid to late July	Statewide disaggregated results by school and district
Late July	Notification of AYP status to schools and districts and beginning

of 30 day period for Appeals Process (See Chart 2, bottom row).

<u>New Assessments; MontCAS, Phase 2</u>

Results for tests currently under development with implementation beginning in April 2004 are scheduled for return to LEAs and schools prior to the end of the school year; however, in the first years of implementation of each new set of grades to be tested (2004 for grades 4, 8, and 10; 2006 for grades 3, 5, 6, and 7), the results will be delayed until after standard setting in the summers as per Montana's compliance agreement with the U.S. Department of Education.

Montana will provide decisions about adequate yearly progress in time for LEAs to implement the required provisions of *No Child Left Behind* before the beginning of the next academic year except as noted above for school year 2004-05.

For the purpose of determining AYP, the Montana Office of Public Instruction will ensure that results of the new State academic assessments will be available to the LEAs in a timely manner. (See chart 2 below.)

Chart 2. Timeline for Use with New Assessments (MontCAS, Phase 2)

Timeline	Activity
~~Mid April~~ ***February-March*** Test Administration Window (annually)	Statewide ***CRT*** Assessment Administration Window ***(MontCAS Phase 2)***
Anytime during Test Administration Window, Make-Ups will be done (annually)	Statewide Assessment Make-Up Window
At the beginning of the testing window (annually)	Collection of information on students enrolled on this date and for full academic year
Six to Eight Weeks from Assessment Administration	Assessment vendor required to provide assessment results to the OPI
~~July~~ ***May*** (annually)	Schools receive assessment results
Late July (annually)/early August	Schools will be notified of ~~preliminary~~ proposed AYP status. District/LEA Appeals Process Begins
No later than the first day of school	LEA notification to parents regarding school choice and supplemental services
No later than 30 days after ~~preliminary~~ ***proposed*** identification of Schools/LEAs not meeting AYP (annually)	~~District/LEA Appeals Process Begins~~ OPI renders final determination in response to appeal

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

1.5 The State Superintendent developed the first Montana Statewide Education Profile in April 1999. Montana citizens participated in a series of town meetings with the State Superintendent to determine the indicators of quality they wanted included in the Montana Statewide Education Profile. The second edition of the statewide profile was developed in May 2001. The data included in the profile is posted on the Montana Office of Public Instruction Web site (www.opi.state.mt.us). Student achievement on the Iowa Tests (MontCAS, Phase 1), in the aggregate and disaggregated for each of the required subgroups, is included on the Web site. Data elements required by the NCLB, as listed in Appendix A, not currently included on the Web site will be collected and reported. An NCLB Report Card for schools, LEAs, and the state will be published annually according to NCLB requirements for state reporting. The Montana Office of Public Instruction currently utilizes the Internet Reporting and Information Service (IRIS), a reporting tool for all schools, LEAs, and the public to access assessment results.

As a compliance agreement state, Montana will complete a Web based School, District, and State Report Card using the current assessment data (MontCAS, Phase 1) as well as other required data by September 2003. The OPI has a specific plan, detailed requirements, and listed work products that have been released in an RFP that was due April 30, 2003. Work will begin in June 2003 and is expected to be complete by September 2003. See Attachment B for the Web Report Card RFP as originally released. Due to incomplete responses by the original due date, the RFP was re-released on April 21, 2003. (English is the language of the major populations in the state and district, but efforts will be made to make the report cards available in other languages present for which translation is possible and practicable.)

The ~~2004~~ ***2003-04*** Montana Report Card (which will be issued in ~~October 2004~~ ***January 2005***) will include information on student achievement at each proficiency level on the new state academic assessment (MontCAS, Phase 2) including the Montana ***CRT*** Alternate Assessment Program, disaggregated by (1) all students, (2) race/ethnicity, (3) gender, (4) disability, (5) migrant status, (6) limited English proficiency status, and (7) economically disadvantaged status. After the second year of MontCAS, Phase 2 test administration, the report card will include the most recent two-year results in student achievement in reading and mathematics performance levels. The percent of students not tested, graduation rates for secondary schools, and attendance rates for elementary/middle schools will be reported in aggregate and in disaggregated subgroups except in the case of graduation rates because it will be four years before disaggregated data will be fully available on graduates.

The professional qualifications of teachers in the State and the number of such teachers teaching with emergency or provisional credentials will be provided on the State report card. The percent of classes not taught by highly qualified teachers will be disaggregated by high-poverty compared to low-poverty schools.

The Montana Report Card will contain information on schools not making AYP according to NCLB, Section 1116. A listing of all schools that failed to make AYP for the year will be reported on both the district report card and the state report card. Each school report card will indicate whether that school made AYP or not.

As specified in the Montana Title I Compliance Agreement, statewide assessment results from the April 2004 administration of MontCAS, Phase 2 will be provided to the Montana Office of Public Instruction by the testing vendor in September 2004 and the NCLB Report Card will be made available to schools ~~in October 2004. In fall 2004,~~ as soon as possible. The new assessment data will ***then*** be available for publication in the Report Card and Montana will become fully compliant with the NCLB legislation.

While the Montana Office of Public Instruction is operating under the Title I Compliance Agreement, the OPI will report by school, district, and state the following information on the September 2003 report cards:

- The Iowa Tests - Total Reading and Total Math Scores
  The percent of students scoring in each performance level for each subgroup for the school (See Chart 1 in this document) and aggregate NCE score for school
  The percent of students scoring in each performance level for each subgroup for the district (See Chart 1 in this document) and aggregate NCE score for district
  The percent of students scoring in each performance level for each subgroup for the state (See Chart 1 in this document) and aggregate NCE score for state
- AYP Determination

A listing of all schools that failed to make AYP for the year will be reported on both the district report card and the state report card; each school report card will indicate whether that school made AYP or not.

Each school and district will be evaluated to see if the 45 NCE standard for assessment in 2003 has been met for all subgroups including all students. There will be an indicator on the school report card as to whether the school and the district made AYP.

- Participation Rate

Participation rate for the state, each school, and district and percentage not tested will be displayed disaggregated for all subgroups including all students.

- Additional Indicators

The graduation rate for high schools or the attendance rate for elementary/middle schools will be displayed in the aggregate on the September 2003 Report Card as disaggregated data on these elements is not yet available

- Teacher Quality (This will be added to Report Cards posted in September 2003 by early November 2003 in order to display current school year information. It will be added each subsequent year in early November for this same reason.)

The professional qualifications of teachers, the percentage of teachers teaching with emergency or provisional credentials, and the percentage of classes taught by teachers who are not highly qualified in that school, district, and the state, in the aggregate and disaggregated by high-poverty compared to low-poverty schools

The first production of the new revised Report Card will be ~~in October 2004,~~ after the administration of the new statewide assessments, standards setting, ~~and~~ receipt of scores***, and final AYP determinations***. This publication will include all that is required by NCLB. The trend data for the new assessments will be included as Montana administers the test in future years.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
1.6 How does the State Accountability System include rewards and sanctions for public schools and LEAs?	State uses one or more types of rewards and sanctions, where the criteria are: • Set by the State; • Based on adequate yearly progress decisions; and, • Applied uniformly across public schools and LEAs.	State does not implement rewards or sanctions for public schools and LEAs based on adequate yearly progress.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

~~Although~~ T~~t~~he state superintendent's policy is ~~not~~ complete, and she will review all schools and districts in the state following the definition for Adequate Yearly Progress (AYP) as contained in this document. In other words, the required criteria for AYP as contained in the No Child Left Behind Act ~~will be~~ is followed with all school and districts. The Superintendent will provide rewards to those school districts and schools that meet or exceed the AYP requirements for two consecutive years. These rewards may include, but are not limited to, the following:

1. Public recognition, including recognition at Montana Board of Public Education meetings, on the Montana Office of Public Instruction (OPI) website, and through the news media of the state.
2. Preference for appointments to serve on task forces and advisory committees that advise the state superintendent; and
3. Designation by the State Superintendent as a "School (and/or District) of Progress"

In addition, the State Superintendent will provide sanctions to those school districts and schools that do not meet the AYP requirements for two consecutive years. The sanctions may include, but are not limited to, the following:

1. Provision of a plan of improvement to be included in the Five-Year Comprehensive Education Plan required of all schools and districts by the Montana Accreditation Standards;
2. Regular reporting of information concerning implementation of the Five-Year Comprehensive Education Plan.
3. Notification, through the news media and OPI website, concerning the schools' and districts' failure to meet AYP; and
4. School personnel will be required to participate in intensive and sustained professional development.
5. In addition to the above sanctions, all Title I districts and schools will be subject to the sanctions established in NCLB Section 1116.

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

2.1 Administrative Rules of Montana (ARM) 10.56.101(7) require that all students in the public schools shall participate in the state level assessments. This accounts for all students enrolled in public schools regardless of program or type of public school. The same definition from MCA 20-6-501 for public schools cited in Sec. 1.1 applies here.

For the current statewide assessment, *The Montana Guide for Test Coordinators and Administrators with 2003 Updates* http://www.opi.state.mt.us/PDF/Assessment/02Guide&03Update.pdf lists options for participation, including alternate assessment on page 1. In addition, the *Assessment Handbook, Volume 3* includes a section, "Options and Accommodations to Support All Students in the StatewideAssessment" http://www.opi.state.mt.us/pdf/Assessment/2002handbookV3.pdf Similar options will be developed for tests currently in development and scheduled to begin April 2004.

A similar policy will be developed for inclusion in the OPI State and Federal Grants Handbook to include all students in the accountability system. Public schools with no grades assessed will be included in the system by examining the schools into which they feed. Students who attend alternative education programs are included in their "parent" school (the public school they would have attended in the absence of the alternative program) for assessment and accountability purposes.

All students with disabilities in Montana public schools as defined under section 602(3) of the Individuals with Disabilities Education Act (IDEA) amendments of 1997 and limited English proficiency (LEP) participate in the Montana Comprehensive Assessment Program. The Individualized Education Program (IEP) Team determines how students with disabilities will participate in the statewide assessment program. A team of educators familiar with the language abilities of LEP students determines how LEP students will participate. These requirements are contained in ARM 10.56.101, the assessment rules of the Board of Public Education found in the Administrative Rules of Montana (ARM). The Montana ***CRT*** Alternate Assessment ***(based on alternate achievement standards)*** yields Reading and Mathematics assessment results ***for students with significant cognitive disabilities*** for inclusion in AYP determination***s, utilizing***

Montana's approved exception to the 1% rule. **Note: This approval has been extended for use in AYP determinations for 2006-2007. Note: This approval has been extended for use in AYP determinations for 2007-2008.**

All of the required subgroups, including students with disabilities and with limited English proficiency, who are enrolled in a school for a full academic year will be included in the performance level measures that determine AYP for the school. The same will apply for all those enrolled in the district for a full academic year in measures that determine AYP for the district.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
2.2 How does the State define "full academic year" for identifying students in AYP decisions?	The State has a definition of "full academic year" for determining which students are to be included in decisions about AYP. The definition of full academic year is consistent and applied statewide.	LEAs have varying definitions of "full academic year." The State's definition excludes students who must transfer from one district to another as they advance to the next grade. The definition of full academic year is not applied consistently.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

2.3 Full academic year is defined as continuous enrollment from the October enrollment reporting date (first Monday in October) through the March test administration (current assessment). Continuous enrollment means that a student is enrolled in the school unless he or she has withdrawn, been expelled, or dropped out.

The same definition will apply for tests currently in development except it will be the "April test administration." This definition is applied separately at both the school and district level when determining if adequate yearly progress has been made at the school level and at the district level.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
2.4 How does the State Accountability System	State holds public schools accountable for students who	State definition requires students to attend the same public school

determine which students have attended the same public school and/or LEA for a full academic year?	were enrolled at the same public school for a full academic year. 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.	for more than a full academic year to be included in public school accountability. State definition requires students to attend school in the same district for more than a full academic year to be included in district accountability. State holds public schools accountable for students who have not attended the same public school for a full academic year.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

2.3 Montana began collecting information on full-year/partial-year attendance (see 2.2) on the norm-referenced tests' (ITBS and ITED) answer documents in 2002. Guidelines for coding that information are available in *The Montana Guide for Test Coordinators and Administrators with 2003Updates* http://www.opi.state.mt.us/PDF/Assessment/02Guide&03Update.pdf . Similar procedures will be employed for tests currently in development and scheduled to begin April 2004.

For inclusion in AYP determination on the current assessment (MontCAS, Phase 1:

All student subgroups, including all the students group, will be held accountable to the AYP indicators:

A student who is enrolled continuously in that school from the first Monday in October through the March testing administration will be included when determining if the school has made adequate yearly progress.

A student who is enrolled continuously in the district from the first Monday in October through the March testing administration will be included when determining if the school has made adequate yearly progress.

For inclusion in AYP determination on the new assessments (MontCAS, Phase 2:

All student subgroups, including all the students group, will be held accountable to the AYP indicators:

A student who is enrolled continuously in that school from the first Monday in October through the April testing administration will be included when determining if the school has made adequate yearly progress.

A student who is enrolled continuously in the district from the first Monday in October

through the April testing administration will be included when determining if the school has made adequate yearly progress.

Montana does not have a system for determining if a student has been continuously enrolled in the state. As a result, all students tested will be included when determining if the state has made adequate yearly progress.

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
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?	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[2] and mathematics, not later than 2013-2014.	State definition does not require all students to achieve proficiency by 2013-2014. State extends the timeline past the 2013-2014 academic year.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS **In accordance with the requirements of NCLB**		

[2] 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.

3.1 As a compliance agreement state, Montana will establish a timeline for determining whether all students meet or exceed the proficient level of academic achievement in reading and mathematics, not later than the 2013-14 school year based on new assessments first administered in April 2004. See response to question 1.2 with regard to establishing the starting points, annual measurable objectives, and intermediate goals as a result of a new assessment being implemented in spring 2004 and additional grades added in spring 2006. The starting points and targets will be set separately for reading and math.

Montana's definition of adequate yearly progress (AYP) requires all students to be proficient in reading and mathematics by the end of the 2013-14 school year and requires all students and each subgroup to be held accountable to meet all of the academic indicators used to measure AYP (percent proficient in reading and mathematics; percent of participation in the assessments; graduation rate for secondary schools; and attendance rate for elementary and middle schools.) (See Chart 3 below.)

The Montana definition of AYP will be included in the OPI State and Federal Grants Handbook.

Chart 3. Accountability Subgroups and Academic Indicators

	Academic Indicators		Participation Rate		Graduation/Attendance Rate *
	Reading % Meeting Standard	Mathematics % Meeting Standard	Reading	Mathematics	
All Students					
Economically Disadvantaged					
R/E White					
R/E Black					
R/E Hispanic					
R/E Asian					
R/E Am. Indian/Alaskan					
Students with Disabilities					
LEP Students					

* The school/LEA will not be required to disaggregate graduation rate and attendance rate data into the subgroups for accountability unless the school /LEA is using the "Safe Harbor" provision to meet AYP. Until the disaggregations on these indicators are available at the state level, schools and districts will be asked to provide the data needed for "Safe Harbor"

determinations.

All subgroups identified in Chart 3 will be held accountable to the academic indicators of reading and mathematics. Montana's Compliance Agreement with the U.S. Department of Education specifies that a timeline be established for public schools to reach the goal of 100% of students proficient in reading and mathematics by the end of the 2013-14 school year. Annual and intermediate goals will be established, using the school year 2005–06 data from grades 3-8 and 10 as soon as it is available, to assure increases in the percent of students proficient in reading and math over the next eight years.

As Montana defines annual measurable objectives and intermediate goals, the first increase is expected in 2005-06, followed by intermediate incremental increases to assure that Montana public schools and districts meet the goal of 100% proficiency in 2013-14.

The development of intermediate goals includes the following assumptions for Montana:

1) Calculate the starting point for determining AYP based on 2003-04 assessment data that follows the recommendations of the U.S. Department of Education. This percent will serve as the standard for AYP determinations for the 2004-05 school year.
2) Based on the starting points, establish first intermediate goal and incremental increase.
3) Recalculate the starting point, using the 2005-06 data from grades 3 through 8 and 10. These averages will be used to determine intermediate goals and annual measurable objectives by grade configuration for the next seven years. This trajectory will assure that all students will reach the proficient level of performance by 2013-14.

Montana will use the process for calculating the initial starting points that is outlined in Chart 5 in section 3.2a, using assessment results from the MontCAS, Phase 2 that will be administered in spring 2004 in grades 4, 8, and 10. The same method will be used to reestablish new starting points when assessment data from grades 3-8 and 10 are incorporated.

Note: This work was completed and the resulting new starting points, AMOs, and Intermediate Goals are shown on page 11, Section 1.2.

GROWTH OBJECTIVE ("Safe Harbor" Provision)

If any student sub-groups do not meet or exceed the state annual measurable objectives, the public school or LEA may be considered to have met AYP if the percent of students in the non-proficient subgroup:

1) Decreased by 10% on the reading and mathematics indicators from the preceding school year, and
2) Made progress on the other indicator, or is at/above the target goal for that indicator.
3) Meets the participation rate.
4) ***Moreover, beginning with testing data from spring 2005, Montana will use a limited, smaller, 75 percent confidence interval for "safe harbor" determinations, only where the given subgroup, school, or district has shown positive progress in reducing from the prior year the percentage of students scoring below proficiency (and the only question is whether that progress constitutes a 10 percent reduction).***

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
3.2 How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?	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. 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	State uses different method for calculating how public schools and LEAs make AYP.
	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.	
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS

~~With the new assessments in place,~~ Montana's assessment system is fully in place, and Montana's State Accountability System ~~will~~ bases the ~~its~~ annual determination of whether each subgroup, public school and LEA makes AYP on the achievement of all students, including these subgroups: economically disadvantaged, racial/ethnic, students with disabilities, and limited English proficient. Categories for racial/ethnic are as follows:

R/E White
R/E Black
R/E Hispanic
R/E Asian
R/E Am. Indian/Alaskan

Montana's AYP calculation also incorporates the other academic indicators of graduation rate (for secondary schools) and attendance rate (for elementary and middle schools) and participation rate for all. (See Chart 3.)

(NOTE: For accountability purposes, the school or LEA will not be required to disaggregate graduation rate and attendance rate data into the subgroups unless the school or LEA is using the "Safe Harbor" provision to meet AYP.)

Montana will use a decreasing trend calculation under the "Safe Harbor" provision to identify schools that failed to meet AYP by the method outlined in Chart 4. A Montana public school or LEA may be considered to have made AYP if the percent of students in the non-proficient subgroup:

1) Decreased by 10% from the preceding school year, and
2) Made progress on the other academic indicator, or is at/above the target for that academic indicator, and
3) Attained a 95% participation rate (to be calculated as explained previously)
4) ***Moreover, beginning with testing data from spring 2005, Montana will use a limited, smaller, 75 percent confidence interval for "safe harbor" determinations, only where the given subgroup, school, or district has shown positive progress in reducing from the prior year the percentage of students scoring below proficiency (and the only question is whether that progress constitutes a 10 percent reduction).***

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS

Chart 4. "Safe Harbor" Provision for AYP Determination with Accountability Subgroups and Indicators

	Academic Indicators		Participation Rate		Graduation/Attendance Rate*
	Reading % Meeting Standard	Mathematics % Meeting Standard	Reading	Mathematics	
	Decrease by 10% that percent of non-proficient students from the preceding year in the school	Decrease by 10% that percent of non-proficient students from the preceding year in the school	Attained a 95% Participation Rate	Attained a 95% Participation Rate	Meets or shows progress toward this indicator by that sub-group
All Students					
Economically Disadvantaged					
R/E White					
R/E Black					
R/E Hispanic					
R/E Asian					
R/E Am. Indian/Alaskan					
Students with Disabilities					
LEP Students					

***The school/LEA will not be required to disaggregate graduation rate and attendance rate data into the subgroups for accountability unless the school/LEA is using the "Safe Harbor" provision to meet AYP.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
3.2a What is the State's starting point for calculating Adequate Yearly Progress?	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	The State Accountability System uses a different method for calculating the starting point (or baseline data).

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
	meeting or exceeding the State's proficient level of academic achievement. 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 20th percentile of the State's total enrollment among all schools ranked by the percentage of students at the proficient level. 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…).	

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

3.2a Starting with data from the 2003–04 school year on the new assessment, Montana ~~will~~ set separate starting points for reading and mathematics for public schools based on MontCAS, Phase 2 and Montana Alternate Assessment results. The starting points calculated based on 2004 assessment data ~~will~~ served as the AYP standard for 2003-04, 2004-05, and the basis for an increased intermediate goal set for 2005-06. As outlined in Sec. 3.1, starting points ~~will be~~ were recalculated in the fall of 2006 to incorporate results from grades 3, 5, 6, and 7. The new starting points ~~will be~~ were used to determine intermediate goals and annual measurable objectives for the remaining years to reach 100% proficiency by 2013-14.

Chart 5. Calculating the Starting Point for AYP

The calculation of each starting point ~~will be~~ was based on the higher of the following percentages of students at or above proficient: (1) the percentage of students at or above proficient in the public school at the 20th percentile of the State's total enrollment among all schools ranked in ascending order by the percentage of students at or above proficient; or, (2) the statewide percentage of students at or above proficient in the lowest-achieving student subgroup.

Method 1

In ~~summer~~ ***fall*** 2004, rank all Montana public schools in order according to the percent of students who scored at the proficient level or above in reading. Montana may wish to calculate different starting points for public elementary, middle and high schools. The same process is used to calculate the starting point for mathematics. (In Steps 1 through 5, references are made to Chart 5a, Example A, found on the following page.)

1. In a chart similar to Example A, record the total students in the enrollment records for each school after they have been ordered based on the percent of students who scored at the proficient level or above.

2. Beginning with the school with the smallest percent of proficient students in reading, calculate the cumulative enrollment. Referring to Example A, the cumulative enrollment for School X is 397 {200 (School Z) + 65 (School Y) + 132 (School X)}.

3. Multiply the total student enrollment for Montana public schools (top cumulative enrollment number) by 20 percent (.20) to find 20 percent of the total student enrollment. In the example, 20 percent of 1619 is 323.8. Rounding yields 324.

4. Count up from the school with the smallest percent of students proficient in reading to identify the public schools whose combined school populations represent 20 percent of the total student enrollment (cumulative enrollment). From Example A, 20 percent of the total student enrollment is 324. To reach this number, the student populations from School X, School Y, and School Z are combined.

5. Use the percent of students who scored at the proficient level in reading and mathematics from the public schools identified in Step 4. This percent is the minimum starting point for reading and mathematics. In Chart 5a, Example A, the minimum starting point is 30 percent (the percent of proficient students at School X).

Method 2

In ~~summer~~ ***fall*** 2004, calculate the statewide percentage of students at or above proficient in the lowest-achieving student subgroup for each subject tested.

For each subject tested, use the greater of the percentages calculated using Method 1 and Method 2 as the starting point

.

Chart 5a. Example A- Method 1

School Name	Percent of Students Proficient in Reading	Total students in enrollment records	Cumulative enrollment
School A	54 %	235	1619 (1384 + 235)
School B	40 %	400	1384 (984 + 400)
School W	38 %	587	984 (397 + 587)
School X	30 %	132	397 (265 + 132)
School Y	29 %	65	265 (200 + 65)
School Z	20 %	200	200

Each intermediate goal will reflect annual measurable objectives based on state performance as defined in the federal legislation. Additionally, the school growth ("Safe Harbor" provision described in Section 3.1) calculation will be applied if the school or LEA did not meet AYP state annual objectives. The intermediate goals and annual objectives established by Montana will guide public schools in reaching the target goal of 100% proficiency by the end of the 2013-14 school year.

Note: Starting points ~~have now been~~ were set using Method 1 with CRT data for grades 4, 8, and 10. The starting points ~~are~~ were as follows:
Reading (grades 4, 8, and 10) – 55% proficient or above
Math (grades 4, 8, and 10) – 40% proficient or above
These were the annual measurable objectives (AMOs) for 2003-2004 and 2004-2005. For 2005-2006, the starting points were set using Method 1 with CRT data for grades 3-8 and grade 10. The new starting points were as follows:
Reading (grades 3-8 and 10) 74% proficient or above
Math (grades 3-8 and 10) 51% proficient or above.
The AMOs and Intermediate Goals are shown in Section 1.2 on page 11.

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?	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. The State's annual measurable objectives ensure that all students meet or exceed the State's proficient level of academic achievement within the timeline. The State's annual measurable objectives are the same throughout the State for each public school, each LEA, and each subgroup of students.	The State Accountability System uses another method for calculating annual measurable objectives. The State Accountability System does not include annual measurable objectives.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

3.2b As Montana defines annual and intermediate goals, the first increase is expected in 2005-06, followed by incremental increases in the intermediate goals and annual goals that may remain the same for more than one year to assure that Montana public schools and districts meet the goal of 100% proficiency in 2013-14. These will identify a single percent of students who must annually meet or exceed the proficient level of performance on MontCAS, Phase 2 or the Montana Alternate Assessment.

The development of intermediate goals and annual measurable objectives includes the following assumptions for Montana:

1) Calculate the starting point for determining AYP based on 2003-04 assessment data that follows the recommendations of the United States Department of Education. (See Chart 3 in this document.) This percent will serve as the standard for AYP determinations for the 2004-05 school year.
2) Based on the starting points and data from 2003-04 and 2004-05, establish first intermediate goal and incremental increase.
3) Recalculate the starting point, using the 2005-06 data from grades 3-8 and 10. These averages will be used to determine intermediate goals and annual measurable objectives by grade configuration for the next seven years. This trajectory will assure that all students will reach the proficient level of performance by 2013-14.

Montana will use the process for calculating the initial starting points that is outlined in Chart 5 in this document, using assessment results from the MontCAS, Phase 2 that will be administered in spring 2004 in grades 4, 8, and 10. The same method will be used to reestablish new starting points when assessment data from grades 3-8 and 10 are incorporated.

Note: This work was completed and the resulting new starting points, AMOs, and Intermediate Goals are shown on page 11, Section 1.2.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
3.2c What are the State's intermediate goals for determining adequate yearly progress?	State has established intermediate goals that increase in equal increments over the period covered by the State timeline. • The first incremental increase takes effect not later than the 2004-2005 academic year. • Each following incremental increase occurs within three years.	The State uses another method for calculating intermediate goals. The State does not include intermediate goals in its definition of adequate yearly progress.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

3.2c Same answer as 3.2b

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.[3]	AYP decisions for public schools and LEAs are not made annually.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

4.1 The State will make an annual determination of whether each public school and district in the State achieved AYP.

Information used for AYP determination includes:

- the proficiency status of each student tested in the state based on the assessment results for the student. (Each student will have a total mathematics and a total reading score and students' proficiency will be determined for each test as provided by the testing company contracted to score and report test results.);
- whether each student has completed a full academic year at the school, or LEA level as determined by a comparison of the roster of students enrolled in October who were continuously enrolled through the testing window for the spring assessments;
- the number of students enrolled for a full academic year determined by comparing the number of continuously enrolled students with the number of tested students;
- the percent of students enrolled for a full academic year;
- the graduation rate for public high schools as determined by the formula indicated in Section 7.1;
- the attendance rate for public elementary and middle schools as determined through the ADA process (average daily attendance); and
- disaggregated test results, percent tested, graduation rate, and attendance rate across the required subgroups.

All required subgroups will be identified based on subgroup membership indicated in the spring enrollment collection. Montana will notify schools/LEAs of any subgroup that initially does not meet AYP in one year on any indicator (i.e., reading, mathematics, ***including*** participation rate ***for each***, attendance rate, or graduation rate); however, if that school/LEA successfully meets AYP for that same indicator the following year, that school/LEA will be considered to have met

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

the AYP standard and will not be identified for school improvement.

Each school, LEA and sub-group will be required to meet the annual objectives and intermediate goals. Each school and LEA, including all subgroups, will be required to meet the 95% assessment participation rate indicator.

Montana will establish a statewide standard for the graduation rate indicator (for secondary schools) and the attendance rate indicator (for elementary and middle schools). Montana will apply a growth standard to public schools that did not meet or exceed the standard for graduation or attendance. (See Principle 7.) ***These standards have been set at 80 percent or progress toward 80 percent in both indicators.***

Public schools will be accountable for all students who have been enrolled in the school for a full academic year. The LEA is accountable for all students who have been enrolled for a full academic year in that LEA. The SEA is accountable for all students who were tested in the spring assessments regardless of whether enrolled for a full academic year in the state. (See Section 2.2.)

The decision about whether a school has made AYP is currently the responsibility of the Office of Public Instruction (OPI). All accountability decisions will be based on the information collected by the OPI through its various fiscal and non-fiscal data information systems:

October and February Enrollment/ADA through Montana Automated Education Finance and Information Reporting System (MAEFAIRS)
Spring Enrollment of Students (Validation Form)
Annual Data Collection (ADC) in October
Assessment Results by Student

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
5.1 How does the definition of adequate yearly progress include all the required student subgroups?	Identifies subgroups for defining adequate yearly progress: economically disadvantaged, major racial and ethnic groups, students with disabilities, and students with limited English proficiency. Provides definition and data source of subgroups for adequate yearly progress.	State does not disaggregate data by each required student subgroup.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

5.1 Montana's definition of AYP includes measuring and reporting the achievement of subgroups of students by the indicators and subgroups that appear in Chart 6 (Accountability Subgroups and Academic Indicators). Currently, Montana reports school, LEA, and state performance by the required student subgroups on MontCAS, Phase 1 (The Iowa Tests). This report can be viewed at the Montana Office of Public Instruction Web site at http://www.opi.state.mt.us.

Chart 6. Accountability Subgroups and Academic Indicators

	Academic Indicators		Participation Rate		Graduation/Attendance Rate*
	Reading % Meeting Standard	Mathematics % Meeting Standard	Reading	Mathematics	
All Students					
Economically Disadvantaged					
R/E White					
R/E Black					
R/E Hispanic					
R/E Asian					
R/E American Indian/Alaskan					
Students with Disabilities					
LEP Students					

* The school/LEA will not be required to disaggregate graduation rate and attendance rate data

into the subgroups for accountability unless the school/LEA is using the "Safe Harbor" provision to meet AYP.

Montana's definition of adequate yearly progress (AYP) requires all student subgroups to be proficient in reading and mathematics by the end of the 2013-14 school year.

Montana has several data collection systems that maintain all student, school, LEA, and state data. This data is disaggregated and reported for all schools, LEAs, and the state currently using the IRIS system ***(for Iowa Test results used for 2002-03 determinations)***.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
5.2 How are public schools and LEAs held accountable for the progress of student subgroups in the determination of adequate yearly progress?	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.	State does not include student subgroups in its State Accountability System.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

5.2 In determining whether each school and district, as well as the state as a whole, meets statewide annual measurable objectives, Montana will calculate, for each subgroup, the percent of the tested students who achieve the proficient level or higher, examine participation rates, examine progress on the other indicator (graduation for high schools/attendance rate for elementary and middle schools) and employ the safe harbor provision. The State may decide at a future time to employ uniform averaging procedures to obtain valid data for small sample sizes over time. Each subgroup within the school or LEA must meet the objective for each indicator in order to make AYP.

The participation rate is determined as having been achieved by either verifying that the number of students tested is equal to or greater than 95% of the actual enrollment.

Montana will notify schools/LEAs of any subgroup that initially does not meet AYP in one year on any indicator (i.e., reading, mathematics (***including*** participation rate ***in each***), attendance rate, or graduation rate); however, if that school/LEA successfully meets AYP for that same indicator the following year, that school/LEA will be considered to have met the AYP standard and will not be identified for school improvement.

The Montana Report Card will chart the progress of all groups of students and the status of each group in relation to annual measurable objectives based on the percent of students at the proficient level for reading and mathematics, the participation rate and the other academic indicators.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
5.3 How are students with disabilities included in the State's definition of adequate yearly progress?	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. State demonstrates that students with disabilities are fully included in the State Accountability System.	The State Accountability System or State policy excludes students with disabilities from participating in the statewide assessments. State cannot demonstrate that alternate assessments measure grade-level standards for the grade in which students are enrolled.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

5.3 Note: This answer addresses both students with disabilities and LEP.

All students with disabilities in Montana public schools as defined under section 602(3) of the Individuals with Disabilities Education Act (IDEA) amendments of 1997 and limited English proficiency (LEP) participate in the Montana Comprehensive Assessment Program. The

Individualized Education Program (IEP) Team determines how students with disabilities will participate in the statewide assessment program. A team of educators familiar with the language abilities of LEP students determines how LEP students will participate. These requirements are contained in ARM 10.56.101, the assessment rules of the Board of Public Education found in the Administrative Rules of Montana (ARM). Most students with disabilities and ***all*** LEP ***students*** are included in the regular assessment with the use of allowable accommodations. Only for those ***students with significant cognitive disabilities*** not able to participate in the regular assessment, the Montana ***CRT*** Alternate Assessment Program ***(based on alternate achievement standards)*** yields reading and mathematics assessment results for inclusion in AYP determination***s, utilizing Montana's approved exception to the 1% rule.*** **Note: This approval has been extended for AYP determinations for 2006-2007. Note: This approval has been extended for AYP determinations for 2007-2008.**

~~The achievement standards for Montana's Alternate Assessment Program for students with disabilities and LEP are the same achievement standards applied to all students. Unlike many states, Montana chose not to establish an alternate assessment that measured performance of students with disabilities or LEP against a separate set of standards. Through a process of teacher rating scales, students are assessed on their proficiency by measuring their competence utilizing the performance goals and indicators as established in the state standards.~~

~~As a result of establishing a system that relies on the standards-based performance descriptors for the alternate assessment, there is a direct one-to-one relationship between the state standards and the alternate assessment. This methodology not only allows the direct correspondence between the student's measures of proficiency toward the state standards, but also permits direct measures of the student's performance at all levels of proficiency, novice through advanced.~~

All of the required subgroups, including students with disabilities and LEP, who are enrolled in a school for a full academic year will be included in the performance measures that determine AYP for that school. All of the required subgroups, including students with disabilities and LEP, who are enrolled in a district for a full academic year will be included in the performance measures that determine AYP for that district. ***(Note: except for LEP students who are in the first year in a United States school as noted in Section 5.4.)***

Also, in making AYP determinations for schools and districts that otherwise would not make AYP solely on the basis of the students with disabilities subgroup for assessments conducted during the 2005-2006 school year, Montana calculates the percent proficient for each such school's or district's students with disabilities subgroup as follows: We divide 2.0 % by the percentage of students in the State of Montana who have disabilities and round it to the nearest whole number. This number equals 17%. We then calculate for each covered school or district the sum of the actual percent of proficient scores for the students with disabilities subgroup and the proxy percent of 17%. This approach is consistent with transition option 1, as transmitted to the States by the U.S. Department of Education on May 10, 2005.
Note: Montana has been approved to continue the use of the 2% rule for 2006-2007 AYP determinations. Note: Montana has been approved to continue the use of the 2% rule for 2007-2008 AYP determinations.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
5.4 How are students with limited English proficiency included in the State's definition of adequate yearly progress?	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. State demonstrates that LEP students are fully included in the State Accountability System.	LEP students are not fully included in the State Accountability System.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

5.4 See answer 5.3 above. In the development of Montana's accountability system LEP students will be included in the determination of adequate yearly progress in the same manner as all other students.

Montana requires students who have been identified as limited English proficient (LEP) to participate in the statewide assessment program. (Administrative Rules of Montana ARM 10.56.101) Coding on the statewide assessment provides for the identification of LEP students. Scores for LEP students are reported and disaggregated at the school, district, and state level. Accommodations ~~or the Montana Alternative Assessment Program~~ are provided for students ***as needed.*** ~~who have received fewer than three years of instruction in English.~~ ***LEP students who are enrolled in a United States school for the first school year will be tested and included in participation rates but the scores will not be used in proficiency for AYP determinations.***

All of the required subgroups, including students with LEP, who are enrolled in a school for a full academic year will be included in the performance measures that determine AYP for that school. All of the required subgroups, including students with LEP, who are enrolled in a district for a full academic year will be included in the performance measures that determine AYP for that district.

Deleted.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
5.5 What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?	State defines the number of students required in a subgroup for reporting and accountability purposes, and applies this definition consistently across the State.[4] Definition of subgroup will result in data that are statistically reliable.	State does not define the required number of students in a subgroup for reporting and accountability purposes. Definition is not applied consistently across the State. Definition does not result in data that are statistically reliable.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

5.5 Reporting: For reporting purposes there must be at least 10 students in any student subgroup.

Accountability: The State faces unique problems in the design and implementation of an accountability system that will meet the requirements of AYP, particularly with respect to the statistical significance of sample sizes. Montana is extremely rural and covers a very large geographical area. This results in the state having a large number of very small schools and districts.

~~The following table illustrates this characteristic clearly:~~

~~Enrolled 2003~~	~~School Count~~	~~District Count~~
~~<=100~~	~~482~~	~~218~~
~~<=50~~	~~332~~	~~145~~
~~<=25~~	~~181~~	~~95~~
~~<=10~~	~~77~~	~~55~~
~~<=5~~	~~34~~	~~25~~
~~=1~~	~~3~~	~~1~~
~~>=500~~	~~46~~	~~63~~
~~>=1000~~	~~14~~	~~31~~

~~Well over half of Montana's 864 schools have enrollments under 100, and the same pattern applies to districts.~~

[4] The minimum number is not required to be the same for reporting and accountability.

~~The impact of this on our AYP determination is that any arbitrary number the state might set as a lower threshold of statistical significance results in a very large number of schools falling below the limit for analysis. For example, if we were to choose 25 as a minimum sample size, only a fraction of one percent of our schools would qualify for analysis of the students with disabilities subgroup for student achievement.~~

~~In view of the large proportion of schools that a) fall below even an admittedly low limit for purposes of statistical significance, and b) are often those most in need of assistance for a variety of other reasons, the state system for measuring AYP must be designed with explicit attention to this group. For these reasons, Montana chooses not to select a single arbitrary number representing statistical significance, but will employ an AYP determination based on confidence intervals at the .95 level of confidence. A one-tailed method will be utilized.~~

Montana will use a minimum of 30 for the All group and each subgroup in making AYP determinations with regard to percent proficient in reading and math.

Montana will use a 95 percent confidence interval in determining AYP, only with regard to the determination of percent proficient in reading and math (and not with regard to either participation rate or the other academic indicators). Moreover, beginning with testing data from spring 2005, Montana will use a limited, smaller, 75 percent confidence interval for "safe harbor" determinations, only where the given subgroup, school, or district has shown positive progress in reducing from the prior year the percentage of students scoring below proficiency (and the only question is whether that progress constitutes a 10 percent reduction). In addition, Montana will use a 99 percent confidence interval only as a filter for determining general inclusion of schools and districts in Montana's broader state accountability process.

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.[5]	Definition reveals personally identifiable information.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

[5] 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.

5.6 The State neither publishes nor releases any data pertaining to school performance or other matters for any group or subgroup with fewer than 10 members. The SEA's Web site allows any interested person to look up assessment and other data by school and by subgroup, but masks any results with counts below this limit.

Individual student results are never reported to the public. In order to assure that individual students cannot be identified, school results are not publicly reported or displayed when the number of students in a subgroup is less than 10. Asterisks will be used on the Montana Report Card when data has been suppressed.

~~Results greater than 95% will be reported as ">95%" and results less than 5% will be reported as "<5%" in order to prevent the reporting of information that would violate the privacy of individual students.~~

The State does maintain a password-protected version of the query utility for use by persons in the schools with a legitimate educational interest in accessing their own data for smaller groups. A given school or district, however, cannot access any data through this utility other than their own.

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
6.1 How is the State's definition of adequate yearly progress based primarily on academic assessments?	Formula for AYP shows that decisions are based primarily on assessments.[6] Plan clearly identifies which assessments are included in accountability.	Formula for AYP shows that decisions are based primarily on non-academic indicators or indicators other than the State assessments.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

[6] State Assessment System will be reviewed by the Standards and Assessments Peer Review Team.

6.1 Reading and mathematics assessment scores are the predominant determinant of AYP. While the required additional academic indicators (NCLB Section 1111 (b)(2)(C)(vi)) are part of the AYP determination, in determining whether each subgroup, school, and district, as well as the state overall meets the annual measurable objectives, Montana will calculate the percent of the tested students who achieve the proficient level or higher, examine participation rates, examine the other indicators, and employ the safe harbor provision.

To meet or exceed AYP, all student subgroups are required to meet the state's definition of proficient for reading and mathematics.

The assessments that will be used to determine AYP calculations for schools and LEAs in Montana are designated by "X" and on the following chart once all assessments are in place for 2005 – 2006 school year:

Chart 7. Montana's Accountability Assessments

	MontCAS, Phase 2		MT Alternate Assessment Program	
Grade	**R**	**M**	**R**	**M**
K				
1				
2				
3	**X**	**X**	**X**	**X**
4	**X**	**X**	**X**	**X**
5	**X**	**X**	**X**	**X**
6	**X**	**X**	**X**	**X**
7	**X**	**X**	**X**	**X**
8	**X**	**X**	**X**	**X**
9				
10	**X**	**X**	**X**	**X**
11				
12				

The same performance level standards will be applied to public schools and LEAs, disaggregating the data into the federally-defined subgroups to determine the minimum percent of students at or above the state performance level of proficient.

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
7.1 What is the State definition for the public high school graduation rate?	State definition of graduation rate: • 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, • Uses another more accurate definition that has been approved by the Secretary; and • Must avoid counting a dropout as a transfer. Graduation rate is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause[7] to make AYP.	State definition of public high school graduation rate does not meet these criteria.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

[7] See USC 6311(b)(2)(I)(i), and 34 C.F.R. 200.20(b)

7.1 Montana currently only gathers dropout data based upon an event rate adapted from the National Center for Education Statistics (NCES) at the U.S. Department of Education. The State will be developing a new reporting system for collecting, reporting and monitoring graduation rate based upon the following criteria:

Montana's initial threshold for graduation rate will be calculated in June 2003 once the data and method have been validated.

Montana's graduation rate is an estimated cohort group rate that is calculated by the method recommended by the NCES:

$$g_t / (c + g_t + d^{12}_{t} + d^{11}_{(t-1)} + d^{10}_{(t-2)} + d^{9}_{(t-3)})$$

Where:

g = # of graduates receiving a standard high school diploma in standard # of years
c = completers of high school by other means
t = year of graduation
d = dropouts
12, 11, 10, 9 = class level

All students graduating in Montana receive a standard high school diploma and will be counted as a graduate. Students receiving a GED are not included as graduates when calculating graduation rates. Montana's definition of a dropout is consistent with the requirements of the NCES Common Core of Data (CCD) reporting. According to Montana's definition, a dropout is an individual who:

- Was enrolled in school on the date of the previous year October enrollment count or at sometime during the previous school year and was not enrolled on the date of the current school year October count; or
- Was not enrolled at the beginning of the previous school year but was expected to enroll and did not reenroll during the year ("no show") and was not enrolled on the date of the current school year October count; and
- Has not graduated from high school or completed a state- or district-approved high school educational program; and
- Has not transferred to another school, been temporarily absent due to a school-recognized illness or suspension, or died. (Montana Dropout Statistics Collector's Handbook, http://www.opi.state.mt.us/pdf/acd/dohandbook.pdf).

Since graduate and dropout data are not reported until after the beginning of the school year, the graduation rate from the previous year will be used (e.g., 2002 graduation rate in 2003) for all AYP determinations. For purposes of AYP (other than "safe harbor") the calculation of the graduation rate will apply to the school and district level, but not to the subgroup level. Schools and districts that achieve or exceed the threshold for the graduation rate, as well as those that are below the threshold but improve their graduation rate when compared to the previous year, will have met the other academic indicator for purposes of calculating AYP.

In addition to being part of the definition of AYP, schools/districts will be required to meet the graduation rate threshold or improve their graduation rate as a requirement for the "safe harbor" provision (subgroups that fail to meet AYP standards but succeed in reducing the proportion of students who are not proficient by at least ten percent). Currently, the State collects graduation and dropout data by the required disaggregations for the NCES Common Core of Data (CCD) reporting (racial/ethnic origin and gender). The State will begin collecting graduate/dropout data for the subgroups currently not collected (special education, limited English proficient, poverty) during the October ~~2003~~ ***2004*** Annual Data Collection. However, as can be seen from the graduation rate formula above, it will take four years for Montana to be able to calculate these disaggregated graduation rates. Until that time, schools/districts will be required to provide to the State graduate/dropout data for subgroups not collected by the State to enact "safe harbor" provision.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
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?	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.[8] 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.	State has not defined an additional academic indicator for elementary and middle schools.

[8] NCLB only lists these indicators as examples.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

7.2. Montana schools have reported attendance rates annually for the last nine years. The Montana Office of Public Instruction has selected attendance rate as the additional academic indicator for calculating AYP for elementary and middle schools. The calculation for the student attendance rate is based on the following:

The Montana Office of Public Instruction collects "present" and "absent" information at two points in the school year: October and February. This process establishes the "average daily attendance" or ADA as required by Administrative Rules of Montana – 10.15.103(3) and 10.20.102(6). Currently the data are not disaggregated at the state level. By October 2004, Montana will collect and analyze required categories for disaggregation for use in Safe Harbor decisions and for display on school, district, and state Report Cards. Until that time, schools/districts will be required to provide to the State attendance data for subgroups not collected by the State to enact "safe harbor" provision.

The Montana State Superintendent will establish the attendance rate standard. Schools will be considered as having met AYP if they meet or exceed the standard or if they have made improvement toward the standard. ***Note: This standard has now been set at 80 percent.***

For the AYP determination, the attendance rate calculation will be used for accountability at the school/LEA levels, but will not be used for each subgroup. However, for schools/LEAs that must use the "safe harbor" provision to meet AYP for the achievement indicator, the attendance rate standard must then be met by the subgroup(s) that failed to meet AYP on the assessment standards.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
7.3 Are the State's academic indicators valid and reliable?	State has defined academic indicators that are valid and reliable. State has defined academic indicators that are consistent with nationally recognized standards, if any.	State has an academic indicator that is not valid and reliable. State has an academic indicator that is not consistent with nationally recognized standards. State has an academic indicator that is not consistent within grade levels.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS
7.3 These defined academic indicators will be valid and reliable as demonstrated by the use of clear definitions for data elements and the use of statewide systems for data collection (ADC and MAEFAIRS). The Montana Office of Public Instruction reviews the data and monitors the databases to verify accuracy of the data. The graduation rate calculation is consistent with the NCES completer formula and the attendance rate calculation is the same as that used for Impact Aid purposes.

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

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
8.1 Does the state measure achievement in reading/language arts and mathematics separately for determining AYP?	State AYP determination for student subgroups, public schools and LEAs separately measures reading/language arts and mathematics. [9] AYP is a separate calculation for reading/language arts and mathematics for each group, public school, and LEA.	State AYP determination for student subgroups, public schools and LEAs averages or combines achievement across reading/language arts and mathematics.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

8.1 Yes. Under the current system the state measures performance levels of reading and mathematics separately at the elementary, middle, and high school level. These are the data that will be used to identify schools and districts not making AYP using the March 2003 results.

For the new assessments, AYP determinations will continue at the school, district, and state levels and for subgroups therein. The calculation will examine separately the proportion of student proficiency and participation in reading and mathematics. The State will calculate separately for reading and math the percent of tested students who achieve the proficient level or above, as well as below, for the "Safe Harbor" provision. For tests under development the performance levels and participation rate also will be measured separately for reading and mathematics at the different levels and include the subgroups.

[9] 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
9.1 How do AYP determinations meet the State's standard for acceptable reliability?	State has defined a method for determining an acceptable level of reliability (decision consistency) for AYP decisions. State provides evidence that decision consistency is (1) within the range deemed acceptable to the State, and (2) meets professional standards and practice. State publicly reports the estimate of decision consistency, and incorporates it appropriately into accountability decisions. State updates analysis and reporting of decision consistency at appropriate intervals.	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. State has parameters for acceptable reliability; however, the actual reliability (decision consistency) falls outside those parameters. State's evidence regarding accountability reliability (decision consistency) is not updated.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

9.1 In accordance with the terms of the Compliance Agreement, Montana will provide the process that creates evidence that the State Accountability System is reliable no later than November 30, 2004. The reliability of accountability system determinations will be assured through:

- uniform averaging of scale scores across grade levels within the school (where possible) and LEA to produce a single school or LEA score;
- multiple year averages using no more than 3 years of data to determine reading and mathematics proficient levels of performance for rating public schools.

- statistical tests to support the use of confidence intervals;
- methods for determining an acceptable level of reliability for consistent decisions for two years for purposes of research and investigation; and
- Safe Harbor provision and evidence that this rule increases reliability of decisions about schools.

Montana will make AYP determinations for all public schools and districts based primarily on state assessment data. Montana proposes to make AYP determinations for small schools where the total number of test scores is below the minimum number of 30 in the all students group based on a tiered process, using the state assessment/AYP data for each school and district along with a broader, qualitative review of school and subgroup performance data and other information related to student achievement where necessary to ensure the most valid and reliable AYP determinations (Small Schools Accountability Process).

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

9.2 Montana's accountability process is designed for construct validity and consequential validity.

Construct validity:

Components of the accountability system include content standards, assessment, data collection and reporting, the identification of schools for improvement, providing rewards and sanctions, and technical assistance to the purpose of improving Montana schools. The following components work in harmony to accomplish school improvement:

Assessment:

The MontCAS, Phase 2 and Montana Alternate Assessment results are the primary indicators on which AYP determinations are made for public schools and LEAs. Students with disabilities and LEP students may receive accommodations and modifications on the MontCAS, Phase 2 or be assessed through Montana Alternate Assessment, if they meet the criteria as outlined in guidance from the state and determined by the IEP or LEP Team. Our assessment system will provide technical data to include:

-Evidence of reliability and validity
-Internal and external alignment studies
-Internal and external bias studies
-Systemic procedures for quality checks

Data Collection:

Enrollment information about students and their membership in specific subgroups is determined at the school level through programs provided by OPI. Each school and LEA must verify the accuracy of the information contained in the files submitted to OPI for enrollment and group identification purposes.

Policies that will be incorporated into the OPI State and Federal Grants Handbook require that all students enrolled for a full academic year be included in the accountability formula. This policy will also outline the procedures for instituting and maintaining a valid system.

Consequential validity:

Reliable assessments aligned with content standards will result in accurate identification of schools and LEAs in need of improvement. Accurate data collection and reporting will support the inferences drawn from the accountability system. Schools and LEAs will have access to an appeals procedure following preliminary identification.

In order to increase the validity of accountability decisions, the OPI State and Federal Grants Handbook will include the following Appeals Process:

1) The OPI determines preliminary identification of all schools and LEAs that have not met AYP according to the state criteria and sends notifications.
2) Within 30 days of preliminary identification, the agency (LEA/school) reviews its data and may challenge its identification. The agency (LEA/school) not meeting AYP may appeal its status and provide evidence to support the challenge to the OPI.
3) No later than 30 days after preliminary identification, the OPI reviews the appeal and makes a final determination of identification for school improvement. {Section 1116 (b) (2) (A) (B) (C)}

A valid and reliable accountability system has been designed for the 2003-04 new assessment program that includes the requirements of NCLB. The new accountability system will be designed to create the most advantageous balance of 1) reliable results, 2) public confidence in the results, 3) including all public schools in the accountability formula, and 4) capacity building and development of resources to serve Montana students and schools.

As the new Montana Accountability System is implemented, Montana will regularly examine the validity and reliability of the data related to the determination of AYP and decision consistency for holding public schools and LEAs accountable within this system. Updated analysis and reporting of decision consistency will be shared with the public at appropriate intervals.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
9.3 How has the State planned for incorporating into its definition of AYP anticipated changes in assessments?	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.[10] State has a plan for including new public schools in the State Accountability System. State has a plan for periodically reviewing its State Accountability System, so that unforeseen changes can be quickly addressed.	State's transition plan interrupts annual determination of AYP. State does not have a plan for handling changes: e.g., to its assessment system, or the addition of new public schools.

[10] 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.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

9.3 As a Title I compliance agreement state, Montana will use its current assessment and accountability system as the basis for adequate yearly progress decisions during the transition period of 2002-03. Beginning in 2003-04, Montana will administer the new assessments to determine AYP for Montana schools, districts, and the state as described previously in this document.

The identification of schools and districts (by all subgroups including all students) not achieving an average score of 45 NCE on the 2002-03 assessment and the percent of students who meet or exceed the proficient level definition on the 2003-04 assessment, as well as participation rates and the other indicators, will be used to continuously identify schools and districts in need of improvement during the transition from the old assessment program to the new assessment program.

The State has a plan for including new public schools in the State Accountability System. New public schools will be included in each assessment and held to the same AYP standards as all other public schools. Montana follows the guidance document provided by the U.S. Department of Education on this topic. To be a "new" school, an "old" school must have a 50% or greater change in student population and/or staff.

The State periodically will review its accountability system.

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
10.1 What is the State's method for calculating participation rates in the State assessments for use in AYP determinations?	State has a procedure to determine the number of absent or untested students (by subgroup and aggregate). State has a procedure to determine the denominator (total enrollment) for the 95% calculation (by subgroup and aggregate). Public schools and LEAs are held accountable for reaching the 95% assessed goal.	The state does not have a procedure for determining the rate of students participating in statewide assessments. Public schools and LEAs are not held accountable for testing at least 95% of their students.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

10.1 For use with the current system in March 2003 and the new system beginning April 2004, Montana has developed a verification form (see Appendix C) that each school completes during the testing cycle. By school and grade level tested, the verification form validates the test day enrollment, changes in that enrollment from the official spring enrollment on the first Monday in February, and the number of students tested. Any changes in numbers that affect participation rate are explained.

For 2003 AYP determinations, using the spring enrollment, the verification forms, and answer documents coded for demographics of students not tested, the state can determine the denominator (total enrollment) for the 95% calculation for all subgroups.

The students identified as enrolled in the tested grades on the date of the verification form are those students that are expected to have taken the statewide assessment or Montana Alternate Assessment.

Once the tests are scanned and scored, the file of students tested is matched against the verified enrollment file to determine who did and who did not take the test for each academic subject. The number of tested students divided by the number of enrolled students is the percent tested. The number enrolled but not tested divided by the number enrollment is the percent not tested.

The calculation for participation rate is:

(students not tested/students enrolled) x 100 = % not tested

(students tested/students enrolled) x 100 = % tested

Participation rate will be determined for each subject and for each subgroup. Students with invalid assessment scores are counted as non-participants for the purpose of calculating participation rate.

Montana will allow 95% participation rate to be calculated based on averaged data and will permit exceptions regarding student participation in limited cases of medical emergency, which may be raised by schools or districts on appeal of AYP determinations.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF *NOT* MEETING REQUIREMENTS
10.2 What is the State's policy for determining when the 95% assessed requirement should be applied?	State has a policy that implements the regulation regarding the use of 95% allowance when the group is statistically significant according to State rules.	State does not have a procedure for making this determination.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
10.2 The participation rate is determined as having been achieved by either verifying that the number of students tested is equal to or greater than 95% of the actual enrollment.		

Appendix A
Required Data Elements for State Report Card

1111(h)(1)(C)

1. Information, in the aggregate, on student achievement at each proficiency level on the State academic assessments (disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

2. Information that provides a comparison between the actual achievement levels of each student subgroup and the State's annual measurable objectives for each such group of students on each of the academic assessments.

3. The percentage of students not tested (disaggregated by the student subgroups), except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

4. The most recent 2-year trend in student achievement in each subject area, and for each grade level, for the required assessments.

5. Aggregate information on any other indicators used by the State to determine the adequate yearly progress of students in achieving State academic achievement standards disaggregated by student subgroups.

6. Graduation rates for secondary school students disaggregated by student subgroups.

7. Information on the performance of local educational agencies in the State regarding making adequate yearly progress, including the number and names of each school identified for school improvement under section 1116.

8. The professional qualifications of teachers in the State, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the State not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which (for this purpose) means schools in the top quartile of poverty and the bottom quartile of poverty in the State.

Appendix B

STATE OF MONTANA
Office of Public Instruction
INVITATION FOR BID
(THIS IS NOT AN ORDER)

IFB Number:	IFB Title:
35060407W	Web Report Cards

IFB Due Date and Time:	Number of Pages:
April 18, 2003 2:00 p.m. local time	Eight

ISSUING AGENCY INFORMATION

Procurement Officer:	Issue Date:
Sioux Roth, Purchasing	April 7, 2003

OFFICE OF PUBLIC INSTRUCTION P O Box 202501 1227 11th Avenue Helena, MT 59620-2501	Phone: (406) 444-4404 Fax: (406) 444-1369 Website: www.opi.state.mt.us

INSTRUCTIONS TO BIDDERS

COMPLETE THE INFORMATION BELOW AND RETURN THIS PAGE WITH YOUR BID AND ANY REQUIRED DOCUMENTS TO THE ADDRESS LISTED ABOVE UNDER "ISSUING AGENCY INFORMATION."	**Mark Face of Envelope/Package:** **IFB Number: WEB REPORT CARDS, P O #35060407W** **IFB Due Date: 04/18/03, 2:00 P.M. LOCAL TIME**
	Special Instructions:

Alternate Bids:
Vendors may submit alternate bids (a bid on supplies other than specified). Alternate bids are considered only if the vendor is the lowest responsible vendor on their primary bid. Bids must be clearly identified as "Primary" and "Alternate."

BIDDERS MUST COMPLETE THE FOLLOWING	
Payment Terms: Payment upon completion	Delivery Date:
Bidder Name/Address:	Authorized Bidder Signatory: (Please print name and sign in ink)
Bidder Phone Number:	Bidder FAX Number:
Bidder Federal I.D./Social Security Number:	Bidder E-mail Address:
IMPORTANT: SEE STANDARD TERMS AND CONDITIONS	

Agency: Montana Office of Public Instruction

Project: Web Report Cards

Successful bidder will

- Successfully complete project for less than $25,000.
- Have a proven, documented Project Management model.
- Have a proven, documented Software Development model.
- Have successful experience working with state or national level education agency.
- Demonstrate product using Scalar Vector Graphics (SVG) technology that is similar to Wyoming's School Report Cards (http://www.k12.wy.us/pls/stats/esc.show_menu)
- Demonstrate ability to create SVG graphics from XML based queries (http://www.w3.org/Graphics/SVG/Overview.htm8).

Project Description
The contractor will develop web-based School Report cards for Montana schools, districts, and state. The contractor will train and provide initial support to OPI staff in the creation and maintenance of report cards. The report cards summarize assessment, demographic, and other indicators in accordance with the requirements of the No Child Left Behind Act (NCLB). Montana contains 988 schools and 465 districts.

The web-based report cars are a preferred solution because they simply and elegantly display school indicators on the web. The method of using XML and SVG provides a relatively straightforward, open source means to produce school report cards that can be used in reports by local districts as well as accessed by the general public. This solution works with OPI's existing deployment strategy. Wyoming has done most of the work of determining the formatting of school indicators in a way that is easily understandable. OPI is attempting to leverage 1.5 years of Wyoming effort. OPI wants a contractor familiar with education business context, relational databases, XML, SVG, and efficient software development process to expedite the report card development.

Montana Information Technology Plan

The project satisfies these goals of the Montana Information Technology Plan:

Objective #1 – Support schools so that all students can achieve high standards.
1.1 Provide assistance to Montana educators in the efficient and effective use of resources. The Information Technology Division will continue to provide electronic information resources (Web Report Cards) to OPI and field staff.

Objective #2 - Assess and communicate the quality and achievements of K-12 education
2.1 Develop and disseminate a Montana Statewide Educational Profile that presents information about our K-12 public schools and students across a broad range of indicators of quality. IT staff will provide portions of this profile on line and in real time so that the public and the legislature know the status of schools. Measure: the time to complete and number of profile features available.

Objective #3 - Provide access to and management of information and data related to K-12 school improvement

3.1 Develop and disseminate the Montana Statewide Education Profile and the local district formats. The web staff will deliver via the Internet. Measure: number of downloads or accesses.

3.2 Assist Montana educators in the development of local education profiles. The OPI professional staff and IT staff will work together to training staff, publish, and document local profiles. Measure: number of profiles available via OPI's web site; field feedback of process; federal audit findings.

3.5 Develop and enhance electronic systems for Montana educators to report and retrieve information and data related to K-12 education. IT staff will make summarized

information available on the web site for as many collections as possible. Measure: percent of collection reporting summarized data back to the OPI web site.

Project/Task Objectives and Requirements

In General, the contractor and client agree to:

- Great customer service to OPI
- Results in a product similar to Wyoming's Report card
- Development process follows a successfully proven model
- The OPI team will meet in advance of contractor's initial visit to hammer out a common vision
- The contractor will visit Helena for 2-4 days to lead us through our joint development process
- OPI staff will generate the data for the charts and graphs in accordance to the agreed upon specifications

Scope of Work, Deliverables and Acceptance Criteria

Contractor shall provide Services and staff, and otherwise do all things necessary for or incidental to the performance of work, as set forth below:

Phase 1:

Initial trip to Helena and meeting [Week of April 28th]

3-4 days on site to nail down analysis on what reports should look like.
Assign project roles and explain communication structure.
Set expectation that this runs currently to run through to completion.
Draw out all reports.
Get to work on detail design for each screen.

Identify products to be delivered (4-5 main SVG templates) [Week of April 28th]

Identify number of reports
Identify specific information on reports
Identify number of combinations (i.e. 988 schools x 5 school reports = 4,940)

Identify timelines:

2-3 month consecutive month commitment for team members [April 21 – July 14]
Design web pages for Report Card site [May 1-15]
Customizations to reports to distinguish from Wyoming [May 15-June 30]

Mentoring OPI staff in methods and modifications [May 15-July 14]

Implementation [June 1 – July 14]

Technical documentation [On-going]

Visually shows system
Provides help in modifying system

Phase 2 (if OPI wants to continue after Phase 1):

Create means to generate PDF pages with annotations

Option: Active reports ($3,000 -$4,000)
Option: Java reports (mostly free)

Both Phase I and II will not exceed $25,000 totally

Contractor shall produce:

Results in a product similar to Wyoming's Report card (see above web site)
Charts and text that represents Montana's school, district, and state status
Web Report Card templates in SVG format as XLS style sheets
Field level definitions needed by XLS style sheets.
Consultation on efficient means to display web report cards
Ability to cut and past SVG charts in page design programs used by newspapers
Work with OPI staff to define specific report card content and presentation format.
Training/mentoring for OPI's programming and web staff in the means and methods of working with, designing, and creating SVG files.

The following criteria will be used by the Agency to determine acceptance of the services and/or deliverables provided under this SOW.

- All report templates work with OPI XML queries to generate web report cards
  - Reports show content agreed to by OPI and the contracting staff
  - Reports show content correctly (correct calculations)
  - Report generate quickly
- Training is provided to OPI staff so OPI staff can understand, change, delete, and create their own SVG templates or modify existing templates.
  - OPI staff can demonstrate their knowledge by modifying templates

Timeline and Period of Performance

The period of performance for this project will start on April 28 and the work tasks are estimated to continue through July 14. The State has the right to extend or terminate this SOW at its sole discretion.

Compensation and Payment

Agency shall pay Contractor an amount not to exceed $25,000 dollars for the performance of all activities necessary for or incidental to the performance of work as set forth in this SOW. The contractor's hourly compensation for services rendered shall be based on Contractor's Prices as set forth in the Consulting and Services Agreement.

Agency shall reimburse Contractor for travel and other expenses as identified in this SOW, or as authorized in writing, in advance by Agency. No payment of travel expenses will be made to Contractor for routine travel to and from Agency's location. Contractor shall provide a detailed itemization of expenses as requested by Agency. The amount reimbursed to Contractor is included in calculating the "not to exceed" amount specified above.

Contractor Staff, Roles and Responsibilities

Role/Area	Who	Title	E-mail	Phone
Project Manager	To Be Named	Senior Consulting Manager		
Programming	To Be Named	Programmer		

Contact				
Technical Contact	To Be Named	Senior Technical Manager		

Additional Terms and Conditions Specific to this SOW
All work and intermediate work products will be delivered to the Montana Office of Public Instruction.

Team Guidelines
One or two individuals focused on data side.
People involved who understand the statistical reporting, so data is formatted correctly.
Response needed by e-mail and/or phone within 24-hour from all team members. (Usually simple questions)
Style and formatting leader for web report cards.

Standard Terms and Conditions

By submitting a response to this invitation for bid, request for proposal, limited solicitation, or acceptance of a contract, the vendor agrees to acceptance of the following Standard Terms and Conditions and any other provisions that are specific to this solicitation or contract.

ACCEPTANCE/REJECTION OF BIDS, PROPOSALS, OR LIMITED SOLICITATION RESPONSES: The State reserves the right to accept or reject any or all bids, proposals, or limited solicitation responses, wholly or in part, and to make awards in any manner deemed in the best interest of the State. Bids, proposals, and limited solicitation responses will be firm for 30 days, unless stated otherwise in the text of the invitation for bid, request for proposal, or limited solicitation.

ACCESS AND RETENTION OF RECORDS: The contractor agrees to provide the department, Legislative Auditor, or their authorized agents, access to any records necessary to determine contract compliance (Mont. Code Ann. § 18-1-118). The contractor agrees to create and retain records supporting the services rendered or supplies delivered for a period of three years after either the completion date of the contract or the conclusion of any claim, litigation, or exception relating to the contract taken by the State of Montana or third party.

ALTERATION OF SOLICITATION DOCUMENT: In the event of inconsistencies or contradictions between language contained in the State's solicitation document and a vendor's response, the language contained in the State's original solicitation document will prevail. Intentional manipulation and/or alteration of solicitation document language will result in the vendor's disqualification and possible debarment.

ASSIGNMENT, TRANSFER AND SUBCONTRACTING: The contractor shall not assign, transfer or subcontract any portion of the contract without the express written consent of the department. (Mont. Code Ann. § 18-4-141.)

AUTHORITY: The following bid, request for proposal, limited solicitation, or contract is issued under authority of Title 18, Montana Code Annotated, and the Administrative Rules of Montana, Title 2, chapter 5.

COMPLIANCE WITH LAWS: The contractor must, in performance of work under the contract, fully comply with all applicable federal, state, or local laws, rules and regulations, including the Montana Human Rights Act, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Any subletting or subcontracting by the contractor subjects subcontractors to the same provision. In accordance with section 49-3-207, MCA, the contractor agrees that the hiring of persons to perform the contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing the contract.

CONFORMANCE WITH CONTRACT: No alteration of the terms, conditions, delivery, price, quality, quantities, or specifications of the contract shall be granted without prior written consent of the State Procurement Bureau. Supplies delivered which do not conform to the contract terms, conditions, and specifications may be rejected and returned at the contractor's expense.

DEBARMENT: The contractor certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction (contract) by any governmental department or agency. If the contractor cannot certify this statement, attach a written explanation for review by the State.

DISABILITY ACCOMMODATIONS: The State of Montana does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Individuals, who need aids, alternative document formats, or services for effective communications or other disability-related accommodations in the programs and services offered, are invited to make their needs and preferences known to this office. Interested parties should provide as much advance notice as possible.

FACSIMILE RESPONSES: Facsimile responses will be accepted for invitations for bids, small purchases or limited solicitations ONLY if they are completely received by the State Procurement Bureau prior to the time set for receipt. Bids, or portions thereof, received after the due time will not be considered. Facsimile responses to requests for proposals are ONLY accepted on an exception basis with prior approval of the procurement officer.

FAILURE TO HONOR BID/PROPOSAL: If a bidder/offeror to whom a contract is awarded refuses to accept the award (PO/contract) or, fails to deliver in accordance with the contract terms and conditions, the department may, in its discretion, suspend the bidder/offeror for a period of time from entering into any contracts with the State of Montana.

HOLD HARMLESS/INDEMNIFICATION: The contractor agrees to protect, defend, and save the State, its elected and appointed officials, agents, and employees, while acting within the scope of their duties as such, harmless from and against all claims, demands, causes of action of any kind or character, including the cost of defense thereof, arising in favor of the contractor's

employees or third parties on account of bodily or personal injuries, death, or damage to property arising out of services performed or omissions of services or in any way resulting from the acts or omissions of the contractor and/or its agents, employees, representatives, assigns, subcontractors, except the sole negligence of the State, under this agreement.

LATE BIDS AND PROPOSALS: Regardless of cause, late bids and proposals will not be accepted and will automatically be disqualified from further consideration. It shall be solely the vendor's risk to assure delivery at the designated office by the designated time. Late bids and proposals will not be opened and may be returned to the vendor at the expense of the vendor or destroyed if requested.

PAYMENT TERM: All payment terms will be computed from the date of delivery of supplies or services OR receipt of a properly executed invoice, whichever is later. Unless otherwise noted in the solicitation document, the State is allowed 30 days to pay such invoices. All contractors may be required to provide banking information at the time of contract execution in order to facilitate State electronic funds transfer payments.

RECIPROCAL PREFERENCE: The State of Montana applies a reciprocal preference against a vendor submitting a bid from a state or country that grants a residency preference to its resident businesses. A reciprocal preference is only applied to an invitation for bid for supplies or an invitation for bid for nonconstruction services for public works as defined in section 18-2-401(9), MCA, and then only if federal funds are not involved. For a list of states that grant resident preference, see http://www.discoveringmontana.com/doa/gsd/css/Resources/ReciprocalPreference.asp.

REFERENCE TO CONTRACT: The contract or purchase order number MUST appear on all invoices, packing lists, packages and correspondence pertaining to the contract.

REGISTRATION WITH THE SECRETARY OF STATE: Any business intending to transact business in Montana must register with the Secretary of State. Businesses that are incorporated in another state or country, but which are conducting activity in Montana, must determine whether they are transacting business in Montana in accordance with sections 35-1-1026 and 35-8-1001, MCA. Such businesses may want to obtain the guidance of their attorney or accountant to determine whether their activity is considered transacting business.

If businesses determine that they are transacting business in Montana, they must register with the Secretary of State and obtain a certificate of authority to demonstrate that they are in good standing in Montana. To obtain registration materials, call the Office of the Secretary of State at (406) 444-3665, or visit their website at http://www.sos.state.mt.us.

SEPARABILITY CLAUSE: A declaration by any court, or any other binding legal source, that any provision of the contract is illegal and void shall not affect the legality and enforceability of any other provision of the contract, unless the provisions are mutually dependent.

SHIPPING: Supplies shall be shipped prepaid, F.O.B. Destination, unless the contract specifies otherwise.

SOLICITATION DOCUMENT EXAMINATION: Vendors shall promptly notify the State of any ambiguity, inconsistency, or error, which they may discover upon examination of a solicitation document.

TAX EXEMPTION: The State of Montana is exempt from Federal Excise Taxes (#81-0302402).

TECHNOLOGY ACCESS FOR BLIND OR VISUALLY IMPAIRED: Contractor acknowledges that no state funds may be expended for the purchase of information technology equipment and software for use by employees, program participants, or members of the public unless it provides blind or visually impaired individuals with access, including interactive use of the equipment and services, that is equivalent to that provided to individuals who are not blind or visually impaired. (Mont. Code Ann. § 18-5-603.) Contact the State Procurement Bureau at (406) 444-2575 for more information concerning nonvisual access standards.

TERMINATION OF CONTRACT: Unless otherwise stated, the State may, by written notice to the contractor, terminate the contract in whole or in part at any time the contractor fails to perform the contract.

UNAVAILABILITY OF FUNDING: The contracting agency, at its sole discretion, may terminate or reduce the scope of the contract if available funding is reduced for any reason. (Mont. Code Ann. § 18-4-313 (3).)

U.S. FUNDS: All prices and payments must be in U.S. dollars.

VENUE: This solicitation is governed by the laws of Montana. The parties agree that any litigation concerning this bid, request for proposal, limited solicitation, or subsequent contract, must be brought in the First Judicial District in and for the County of Lewis and Clark, State of Montana, and each party shall pay its own costs and attorney fees. (Mont. Code Ann. § 18-1-401.)

WARRANTIES: The contractor warrants that items offered will conform to the specifications requested, to be fit and sufficient for the purpose manufactured, of good material and workmanship and free from defect. Items offered must be new and unused and of the latest model or manufacture, unless otherwise specified by the State. They shall be equal in quality and performance to those indicated herein. Descriptions used herein are specified solely for the purpose of indicating standards of quality, performance and/or use desired. Exceptions will be rejected.

Revised 3/03

Appendix C

Student Participation Validation Form

«SC» «School_Name»
Grade: «Grade»

Montana Comprehensive Assessment System, Phase 1
Spring 2003

Consistent with accountability requirements under 10.56.101 ARM and the No Child Left Behind Act, validation of full participation is required. Please complete this form as you prepare your materials for scoring. If you have any questions, please contact Judy Snow at 406-444-3656 or jsnow@state.mt.us. Fax completed forms to Maria Bates at the Office of Public Instruction, 406-444-1369, **by April 7, 2003.**

This form consists of three parts. There is a separate form for each of the grades (4, 8, and 11) that you are testing.

Part I Enrollment update

Part II Participation validation

Part III Authorized signature

PART I – Enrollment Update

1. February 2003 Grade «Grade» Reported Enrollment	1. «Total»
2a. Enter the first day of testing at your school (a date within the March 10-28 testing window). 2b. Enter the TOTAL number of grade «Grade» students enrolled* on the first day of testing.	2a. First day of testing **March** ☐ **2003** 2b. ☐ Grade «Grade» Total
3. If the two enrollment numbers are different, please explain. If necessary, please attach documentation. *NOTE: Enrolled students include even those who attend only part of the school day. All enrolled students must be assessed.	3.

PART II – Participation Validation

1. Number of grade «Grade» public school students who participated fully in the 2003 statewide assessment. This number includes students who participated in all areas being assessed by the Iowa Tests (with or without accommodations), the alternate assessment, or a combination of the two.	1. ☐ Grade «Grade» Participants
2. Number of grade «Grade» public school students who were ABSENT for the ENTIRE testing period and were unable to participate in any part of the test, including the makeup. *An answer document must be submitted for each of these students.*	2. ☐ Grade «Grade» Absentees
3. Number of grade «Grade» public school students who completed some, but not all, areas of the 2003 statewide assessment.	3. ☐ Grade «Grade» Partial Testers
4. Add the numbers in boxes 1,2, and 3 above. This total should equal the number in Part I, box 2b.	4. ☐ Total of boxes 1, 2, and 3
5. If Part II, box 4 does not match Part I, box 2b, please explain. If necessary, please attach documentation.	5.

PART III – Authorized Signature

I certify that:

- an answer document has been submitted for every student enrolled;
- the information provided on this form is correct to the best of my knowledge;
- testing was completed in accordance with the directions in the "Montana Guide for Test Coordinators & Administrators 2002", the update for 2003, and The Iowa Test *Directions for Administration.*

District Name	«District_Name»		
School Name	«School_Name»	School Code	«SC»
Name: (Please print)	Title: (Principal or Supervising Teacher)		

_____

Signature Date

Dear Linda,

I spoke with Ron Tomalis, our acting Assistant Secretary, and he has approved your n-size of 20 without a confidence interval to make your AYP determinations this year. I will attach this email chain as an addendum to your approved state accountability plan indicating the use of 20 without a confidence interval this year and the use of 10 with a confidence interval in all future years. Please let me know if we can be of any further assistance to you all.

Best,
Celia

-----Original Message-----
From: McCulloch, Linda [mailto:lmcculloch@state.mt.us]
Sent: Monday, August 04, 2003 4:58 PM
To: 'celia.sims@ed.gov'
Cc: Granbery, B J; Coopersmith, Nancy
Subject: Change to Montana Plan

Hi Celia, As you've been discussing with BJ Granbery of our office, we would like to use the minimum "N" of 20 this year instead of 10. In future years we will use a confidence interval in connection with the minimum of 10. The discussion thus far with you has been that using 20 without a confidence interval would be roughly equivalent to 10 with a confidence interval. We hope you can approve right away and let us know so we can finish running our data.

Thanks so much!

***Linda McCulloch
State Superintendent
Montana Office of Public Instruction
1227 11th Avenue
PO Box 202501
Helena, MT 59620-2501