

**Georgia Proposal for Differentiated Accountability**

**Submitted to the U.S. Department of Education  
for consideration on May 2, 2008**

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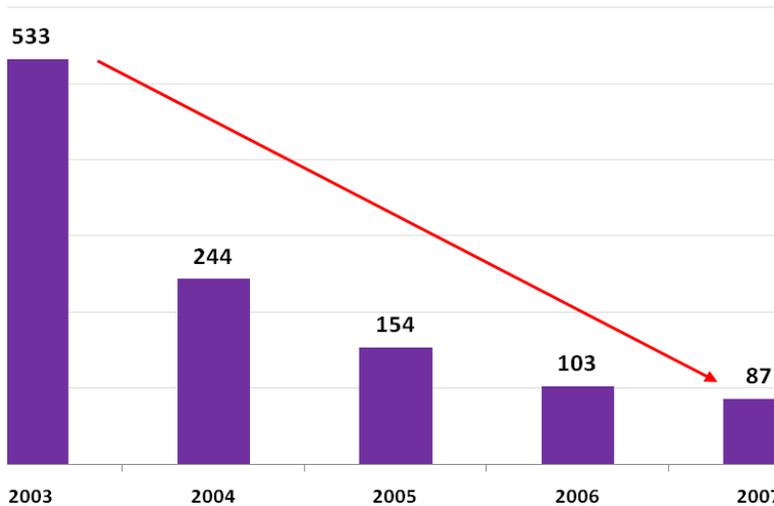
## **Initial Eligibility Criteria for the 2009 Georgia Differentiated Accountability Plan**

- State standards and assessment system has received full approval.
  - Please see the attached October 5, 2007 Approval Letter for Georgia's State Assessment System (p. 30).
  
- State's highly qualified teacher plan has received full approval.
  - Please see the attached December 14, 2006 approval letter for Georgia's Highly Qualified Teacher Plan (p. 31).
  
- Georgia's Title I program was monitored in March 2006.
  - Please see the attached January 30, 2008 Title I monitoring resolution letter (p.32).
  
- Georgia's IDEA program was verified in July of 2003.
  - Please see the attached OSEP verification report (p. 33).

**Twenty Percent of the Title I Schools in Needs Improvement**

As of the 2007-2008 AYP Determinations, Georgia had 17.0 percent (1,019/1,237) of its Title I schools in Needs Improvement. While this does not quite meet the 20 percent school threshold outlined by ED, Georgia should not be eliminated from consideration simply because its statewide school improvement network successfully helped 446 of Georgia’s 533 Title I schools get off the Needs Improvement list from 2003 to 2007.

**2003 Title I Needs Improvement Cohort**



For the 2007-2008 school year over 57.6 percent (186/323) of the Georgia schools in Needs Improvement were Title I schools. Moreover, 100 percent of the schools currently in Restructuring (Years 5 or greater) are Title I schools (see table below). Based on the state’s Needs Improvement numbers, Georgia believes that its differentiated accountability should be submitted for peer review.

**Georgia 2007-2008 NI School Status by NI Year and School Type (n=323)**

Number of Schools	NI Status	Title I Schools	Non-Title I Schools
<b>323</b>	<b>Years 1-8</b>	<b>186 (57.6%)</b>	<b>137 (42.4%)</b>
130	Year 1	60 (46.2%)	70 (53.8%)
78	Year 2	40 (51.3%)	38 (48.7%)
39	Year 3	21 (53.8%)	18 (46.2%)
30	Year 4	19 (63.3%)	11 (36.7%)
<b>13</b>	<b>Year 5</b>	<b>13 (100%)</b>	<b>0 (0%)</b>
<b>12</b>	<b>Year 6</b>	<b>12 (100%)</b>	<b>0 (0%)</b>
<b>9</b>	<b>Year 7</b>	<b>9 (100%)</b>	<b>0 (0%)</b>
<b>10</b>	<b>Year 8</b>	<b>10 (100%)</b>	<b>0 (0%)</b>

## Overview

The proposed federal flexibility comes at an opportune time for Georgia. The state was already in the process of updating all elements of the its Single Statewide Accountability System (SSAS), due in part to the work of the state’s school improvement collaborative which has yielded valuable data since its creation that has been informing our revision to SSAS as well as our state and local school improvement efforts. Revisions to SSAS currently center on the collapsing of our consequence and intervention structure in order to push into schools sooner and resolve outstanding deficiencies quicker. As part of this effort, the state will be involving itself more directly in local decision-making and governance issues as early as Corrective Action (Needs Improvement Year 4).

## Implementation Time Line

Georgia releases its annual AYP determinations for all schools and systems in early July each year before the new school year begins. Consequently, the state does not see how it can be expected to reasonably and responsibly implement its differentiated accountability plan for 2008 when final federal approval may not be forthcoming until late June or early July. Under the stated federal approval time line, the state would not have adequate time to notify schools, systems, and, most importantly, the parents of our 1.6 million public school students about the changes in the state’s consequence structure.

While Georgia submitted its differentiated accountability plan for the 2009-2010 school year, the state understands that to the greatest extent possible, it is expected to implement its approved differentiated plan for the 2008-2009 school year.

## Changes Requested

In its proposed plan, Georgia is requesting four changes to the current NCLB consequence structure that would be implemented with Georgia’s 2008 AYP determinations for the 2008-2009 school year.

1) Georgia’s Identification labels will change in one case – Restructuring to State-Directed.

NCLB Labels	Needs Improvement Year	Georgia’s Proposed Labels
Improvement	NI-1 and NI-2	Improvement
Corrective Action	NI-3 and NI-4	Corrective Action
Restructuring	NI-5 >	State Directed

2) Similar to previous federal flexibility offered to some school systems in several states wherein supplemental education services (SES) was flipped with public school choice in the consequence order, Georgia LEAs will be able to flip NI-1 and NI-2 consequences for schools in needs improvement if they so choose. If and LEA decides to flip the NI-1 and NI-2 consequences, supplemental education services (SES – Title I supported tutoring) will serve as the initial consequence for Title I schools in needs improvement year one (NI-1), as opposed to public school choice. Schools in NI-2 will still be required to offer both SES and Choice. The state will collect and report information regarding all LEA decisions to flip the NI-1 and NI-2 consequences or not.

3) Georgia will expand supplemental educational services (SES – Title I funded tutoring) to students at Title I schools who do not meet standards on state tests if they are enrolled in schools identified for improvement (needs improvement years 1 and 2) and subsequently for Corrective Action, and State Directed (referred to in NCLB as Restructuring). Georgia will assure that LEAs give first priority for SES to low-income students and then serve other students if funds are available.

4) Schools in Corrective Action would be placed into one of three differentiated tiers based on their AMO subgroup performance in Reading/English Language Arts and Math. Based on that performance or lack thereof, the schools will be rank ordered and placed in quintiles:

- The top twenty percent of the schools in corrective action (those in Tier 1) would select and implement one of the NCLB Corrective Actions from the following list:
  - Appoint an outside expert to advise the school on its progress toward making AYP, based on its improvement plan;
  - Extend the school year or school day for the school;
  - Restructure the internal organizational structure of the school;
- Sixty percent of the schools in corrective action (those in Tier 2) would be required to select a corrective action off the NCLB Corrective Action list; and
  - Institute a new curriculum would not be an option since all schools should be implanting the new Georgia Performance Standards.
- The bottom 20 percent (those in Tier 3) would have their corrective action(s) chosen for them from the NCLB Corrective Action list by the GaDOE as part of an initial loss of governance that would escalate in State Directed status.
  - Institute a new curriculum would not be an option since all schools should be implementing the new Georgia Performance Standards.

A side by side perspective of these changes can be found on pages 18-22.

### **Transition**

The state will ensure that students participating in public school choice (PSC) and supplemental educational services (SES) during the 2007-2008 school year will continue to have those options available to them during and after the transition to the state's differentiated accountability model in 2008-2009.

- Schools with the designation of NI-1 or higher for the 2007-2008 school year will still have to offer public school choice in future school years until each school makes AYP for two years in a row and moves off the Needs Improvement list.
- Schools with a designation of NI-2 or higher for the 2007-2008 school year will have to offer SES in future school years until each school makes AYP for two years in a row and moves off the Needs Improvement list.

### **Eligibility for Supplemental Education Services**

Georgia's plan would expand Supplemental Educational Services (SES) to students who do not meet standards on state tests if they are in Title I schools identified for improvement (needs improvement years 1 and 2) and subsequently for Corrective Action, and State Directed (referred to in NCLB as Restructuring).

Students in Needs Improvement schools will be eligible to receive SES based on low income status and their individual student scores on state assessments. School systems must prioritize Title I SES funding and services to the students in NI schools based on the following federal priority order:

1. Students who are eligible for free or reduced priced meals **and not** meeting standards as identified by state assessment results; and if funding levels allow
2. Other students **not** meeting standards as identified by state assessment results.

The state must insure that LEAs prioritize and serve low-income students at NI schools first; and The state must insure that the participation rate for low income students receiving SES each year continues to increase.

State and Local Education Agencies (SEA and LEA) responsibilities for notification, approving providers, and publicly reporting results will remain unchanged.

**Georgia's participation rates for eligible students in SES have continually increased over the last three years.**

- 2004-2005 Participation Rate: 9.0%
- 2005-2006 Participation Rate: 10.4%
- 2006-2007 Participation Rate: 12.6%

The Georgia Department of Education (Department) has implemented a SES State Board Rule, policies, and procedures that address barriers which limit student participation in SES. In addition, the Department offers regional meetings for LEAs to discuss strategies and requirements to increase SES participation. GaDOE SES at [http://public.doe.k12.ga.us/tss\\_title\\_parent.aspx?PageReq=TSSTitleSES](http://public.doe.k12.ga.us/tss_title_parent.aspx?PageReq=TSSTitleSES).

These strategies and requirements include:

1. Require LEAs to notify parents of the availability of services at least twice annually.
2. Assist parents to choose a provider.
3. Assist LEAs in using local media to notify parents of services. For example, the Cobb County School District notifies parents by advertising SES through local cinemas.
4. Assist LEAs to offer provider fairs where parents may meet with potential providers.
5. Assist LEAs as they collaborate with parent teacher student organizations and other parent organizations to ensure wide dissemination of the availability of SES.
6. Assist LEAs as they work with local chambers of commerce to devise additional strategies to notify eligible parents of SES.
7. The Department provides posters advertising SES to providers and LEAs for display in areas where eligible students exist.

In order to increase future participation in SES the GaDOE will:

1. Revise the SES State Board Rule to minimize the incentive to delay providing SES to students by increasing the minimum participation rate in SES from 50 percent to 70 percent before the LEA may amend unobligated SES funds into the General Title I budget.
2. The Department will randomly monitor provider fairs to ensure:
  - a. The SES provider is marketing services in accordance with the Provider Code of Ethics.
  - b. The LEA is implementing the provider fairs at a time and place to maximize parent participation.
3. During regional meetings with the LEAs, the Department will collect marketing best practices implemented by the LEAs and distribute these strategies.
4. Develop a task force specifically designed to create strategies for increasing participation in SES. The task force will include members of community and faith based organizations that encompass a cross section of Georgia.
5. The SES State Board Rule requires LEAs to allow SES providers access to local schools for the purpose of providing services if the LEA uses its facilities to provide SES itself.
6. The Department will conduct a statewide media blitz during the following timeframe:
  - a. By April 2008, Communications will distribute an information piece (newsletter format) to parents across the state based on a targeted direct mail list. The newsletter will include:
    - i. Promotion/Retention information for grades 3, 5, and 8
    - ii. Graduation Rule information
    - iii. Math curriculum information
    - iv. AYP/Grad Rate chart and a section on NAEP/AP scores
  - b. Communications and Parent Outreach will develop Public Service Announcements for the following topics:
    - i. Lexiles (Reading in the summer) - May 2008
    - ii. Adequate Yearly Progress (AYP) - June 2008

- iii. Supplemental Education Services (SES) - August/September 2008 and December/January 2008-2009
- 7. The Department will notify approved SES providers of underserved areas in the state.
- 8. The Department will offer additional technical assistance workshops for SES providers.
- 9. By proposing to allow all students in Needs Improvement schools that did not meet standards on state assessments to participate in SES.

### **AYP Determinations**

AYP determinations are made for all public schools in the state, as required by NCLB and as described in the state's Consolidated Accountability plan. The state's accountability system continues to hold schools accountable and ensure that all students are proficient by 2013-14.

- Neither Georgia's AYP determination process nor its trajectories to 2014 will change as result of its proposed differentiated accountability plan.

AYP determination process (p. 23) will not change as a result of any provision in Georgia's proposed differentiation plan.

- A school will still be identified as in Needs Improvement status if the school has not made AYP for any subgroup or the All Students group in the same subject for two consecutive years.
- A school will still be removed from Needs Improvement status if the school has made AYP for two consecutive years.

Escalation in levels of Needs Improvement status shall be based on the school's failure to make AYP in the same subject for two or more consecutive years.

- A school that fails to make AYP, but does not fail to make AYP in the same subject for two consecutive years, will remain in its existing Needs Improvement status for the following school year.
- A school that makes AYP for one year will also remain in its existing Needs Improvement status for the following year.

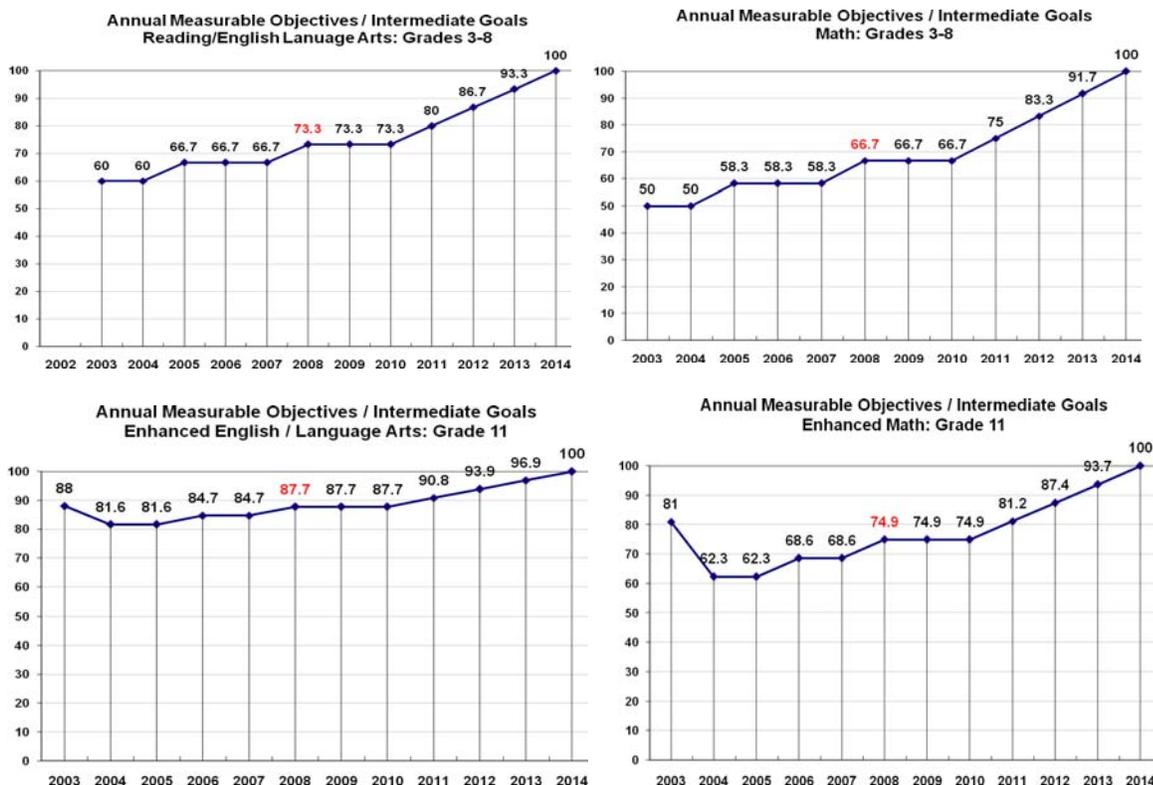
Only schools identified for Corrective Action status (NI-3 and NI-4) will have their Reading and Math AMO data processed to determine appropriate tier placement.

### **Georgia's Single Statewide Accountability System (SSAS)**

Implemented in 2004 under Georgia State Board Rule (160-7-1-.01; 160-7-1-.02; 160-7-1-.03; and 160-7-1-.04) in 2005, SSAS includes all Title I and all non-Title I schools, as well as all school systems in the State.

- Under the SSAS, all public schools and school systems in Georgia are required to make Adequate Yearly Progress (AYP) using the same criteria in accordance with the No Child Left Behind Act of 2001 (NCLB) and the state's approved Consolidated State Accountability Workbook.
- In accordance with NCLB, school systems are required to annually notify all parents regarding each school's AYP determination status and possible consequences.
- In accordance with NCLB, Georgia also provides all school systems, schools, and the general public with complete AYP reports and determinations based on the previous school year's test results and data every summer, before the beginning of the new school year:
  - 2008-2009 School Year AYP Reports and Determinations to be released in July, 2008
    - Based on Spring 2008 Test Results
  - 2007-2008 School Year AYP Reports and Determinations released on July 8, 2007
    - Based on Spring 2007 Test Results
  - 2006-2007 School Year AYP Reports and Determinations released on July 11, 2006
    - Based on Spring 2006 Test Results

As required in NCLB, Georgia has established trajectories for its annual measurable objectives (AMOs) that requires 100 percent of students to make AYP in Reading/English Language Arts and Math by 2014.



### Transparency and Accessibility

Each year as the state prepares to release the most recent AYP determinations, the Georgia Department of Education (GaDOE) communicates and shares AYP information with all media outlets (press, television, and radio) parent organizations (e.g., PTAs and PTOs), business organizations (e.g., Chambers of Commerce, Realtors) schools, and school systems. The GaDOE provides the public several ways to access AYP data by school, system and state.

The state provides all school systems and schools with their official AYP report. In accordance with federal law, school systems are required to notify parents about school and system AYP results, as well as consequences that might arise as a result of a Needs Improvement determination before the new school year begins.

### Accountability Specialists

The GaDOE also employs a full time team of accountability specialists who serve to improve communication between all Georgia public schools and other stakeholders regarding Georgia’s Single Statewide Accountability System.

Each school system has a dedicated GaDOE Accountability Specialist to serve as a liaison between the Local Education Agency (LEA) and the State Education Agency (SEA) to provide support for all areas of AYP including, but not limited to interpretation of the reports and the associated rewards and consequences. The Accountability Specialists also assist schools in the understanding of Georgia’s Single Statewide Accountability System (SSAS). The team also provides on-site training for AYP related issues. The Accountability Team works directly with the AskDOE Team to handle AYP concerns.

## **AskDOE**

The GaDOE also employs a team comprised of education administration specialists with over 160 combined years of service in various educational roles, including teacher, principal, system superintendent, human resources director, special education coordinator and other administrative positions. Working collaboratively with all of the Georgia Department of Education staff, the AskDOE team provides quality assistance on a variety of educational issues including AYP and NCLB. The AskDOE staff provides direct assistance to parents, students, educators, and the general public who contact the Georgia Department of Education for assistance, information, or clarification regarding AYP determinations, consequences, etc.

## **Public Access**

The GaDOE AYP website (<http://public.doe.k12.ga.us/ayp2007.aspx>) also provides the public with access to all AYP reports by school, system, and state, as well as summary and detailed information regarding AYP determinations.

The annual AYP Reports can be found by year on the current 2007 AYP report page at:

- <http://public.doe.k12.ga.us/ayp2007/search.asp>

## **Title I AYP Assurance**

Georgia's Single Statewide Accountability System (Georgia State Board of Education Rules 160-7-1-.01; 160-7-1-.02; 160-7-1-.03; and 160-7-1-.04) requires that all Title I and Non-Title I schools be held accountable annually using the AYP criteria in the Georgia Consolidated Accountability Workbook under the No Child Left Behind Act of 2001. Each subgroup is considered equally important. No subgroup is ignored when school improvement processes are implemented.

**Neither the process nor the time line for making Georgia's annual AYP determinations will change as a result of the state's differentiated accountability plan.** Georgia releases all school, system and state AYP determinations and reports before the next school year begins as required in federal law.

## **Georgia State Board Rules on SSAS can be found at:**

- [160-7-1-.01](#) Single Statewide Accountability System
  - <http://public.doe.k12.ga.us/documents/doe/legalservices/160-7-1-.01.pdf>
- [160-7-1-.02](#) Accountability System Definitions
  - <http://public.doe.k12.ga.us/documents/doe/legalservices/160-7-1-.02.pdf>
- [160-7-1-.03](#) Accountability Profile
  - <http://public.doe.k12.ga.us/documents/doe/legalservices/160-7-1-.03.pdf>
- [160-7-1-.04](#) Accountability System Awards and Consequences

## **Performance Requirements**

Each year, all Georgia public schools and school systems must meet federal/state performance requirements in order to make Adequate Yearly Progress (AYP). The requirements include:

- 95% student participation on statewide tests across all student subgroups;
- the percentage of students scoring proficient or above in Reading/English-language arts and mathematics on statewide tests must meet the annual measurable objective (AMO) established for that subject in that year; and
- Attendance or graduation rate depending on the grades of the school in question.

## **Failure to Make AYP**

Schools and districts that do not make AYP for two or more consecutive years are placed in Needs Improvement and must follow specified actions and consequences designed to improve student and school performance. In Georgia, there are three designations: Improvement, Corrective Action and State Determined.

### **Participation Rate**

At least 95 percent of the students in each subgroup who are enrolled in any school at the time state required assessments are given each year must participate in those assessments.

### **Full Academic Year (FAY)**

In Georgia, for a student to be considered full academic year, the student must be continuously enrolled in the same public school from the state's official October student count through the state's official testing window.

### **Student Reporting and Subgroups**

AYP determinations are made separately for two subjects: English language arts/reading and mathematics. For each subject there are AYP determinations for groups of students including the "All students" group, as well as for 8 possible student subgroups.

All students are counted in the "All Students" group. All students are also counted in each of the eight subgroups to which they might belong. This means that a student might be counted in up to five groups – the "All Students" group plus four possible subgroups.

- In Georgia, the eight student subgroups are:
  - African American/Black,
  - Hispanic,
  - Asian,
  - White,
  - Native American,
  - Students with disabilities (SWD),
  - Students with limited English proficiency (ELL), and
  - Economically disadvantaged students (ED).

### **Subgroup Size**

- In Georgia, the state has sought to proportionally tie subgroup size to school size. For all subgroups the minimum subgroup size is 40 students or 10% of students enrolled in AYP grades, whichever is greater (with a 75 student cap), including the "All Students" subgroup. This means that a
  - school with 400 or less students would have a subgroup size of 40;
  - school with more than 400 but less than 750 students would have a subgroup size that is 10 percent of that student population; and
  - Schools with 750 or more students would have subgroup size of 75;
- For Participation rate, the minimum subgroup size in Georgia is 40 students.

### **Confidence Interval**

If the event schools do not meet the annual measurable objectives for reading/ELA and/or math, a series of second looks are applied beginning with a confidence interval application. In Georgia, the critical z is 1.645 for a population proportion, which means the programs are running a one-tail test at the 95% level of significance.

### **Multi-year Averaging**

If a school fails to make AYP based on the AMOs for reading/ELA and math, test scores from the current school year are averaged with test scores from the preceding two years. This rolling average is designed to mitigate the fact that student performance can vary widely from year to year due to factors beyond a school's control such as changes in the demographic composition of student populations.

### Safe Harbor

Georgia applies “safe harbor” to those subgroups that have not met the state’s annual measurable objectives in mathematics and/or reading/English language arts. In order for subgroups to meet the “safe harbor” requirements:

- the percentage of students not meeting proficient or advanced levels on state assessments in reading/ELA and math must decrease by 10 percent or more from the preceding school year; and
- the subgroup must meet the second indicator requirement (i.e., if in any particular year one or more subgroups do not meet the annual measurable objective on State assessments, the subgroup, public school, LEA, or the State may still make AYP if it meets “safe harbor” requirements).

In other words, AYP is met if the percentage of students in that subgroup not scoring proficient decreases by 10% from the preceding school year and the subgroup meets the State’s requirement for progress on second indicator.

- [http://public.doe.k12.ga.us/\\_documents/doe/legalservices/160-7-1-.04.pdf](http://public.doe.k12.ga.us/_documents/doe/legalservices/160-7-1-.04.pdf)

### Needs Improvement Identification Labels

For Georgia’s 2008 AYP determinations, the state will identify schools in Needs Improvement using three distinct categories: Improvement status, Corrective Action status, and State Directed status. The state is only seeking to change one NCLB label. Restructuring would become State-Directed starting in 2008-2009.

<b>NCLB Labels</b>	<b>Needs Improvement Year</b>	<b>Georgia’s Proposed Labels</b>
Improvement	NI-1 and NI-2	Improvement
Corrective Action	NI-3 and NI-4	Corrective Action
<b>Restructuring</b>	<b>NI-5 &gt;</b>	<b>State-Directed</b>

### Improvement Status (NI-1 and NI-2)

Schools in Needs Improvement Year 1 and Needs Improvement Year 2 will receive the Improvement Status label.

### Improvement Status Consequences

- Schools in this status are required to send notices to parents describing the school’s status, how the determination was made, and how parents may become involved in improving the school.
- In addition, the school must develop or revise its school improvement plan to reflect the components described in the state’s Single Statewide Accountability System which is currently under revision. Please see the proposed draft SSAS rule at <https://eboard.eboardsolutions.com/index.aspx?S=1262>.

### Additional Consequence

- All Title I schools in Needs Improvement Year One (NI-1) must offer either Supplemental Educational Services (SES) or Public School Choice to their students depending on the decision of the LEA.
- All Title I schools in Needs Improvement Year Two (NI-2) must offer both Supplemental Educational Services (SES) and Public School Choice to their students.

**Corrective Action Status (NI-3 and NI-4)**

All schools in Needs Improvement Year 3 and Year 4 will receive the Corrective Action label. Georgia will differentiate schools in Corrective Action by placing schools in one of three tiers based on their academic performance or lack thereof.

**Tier Placement**

Schools identified for Corrective Action status will be placed in one of three differentiated tiers based on their AMO performance. The tiered system will utilize a metric based on the distance between a school’s actual annual performance in Reading and Math and the state’s annual AMO bars for each subject – Distance from annual AMO (DFAMO).

The DFAMO will be calculated by taking the AMO target minus **the percent proficient and advanced for each subgroup** and subject failed. This will be computed for each student group that fails to make the annual AMOs for both reading and/or math. Student groups that do not meet the minimum n size do not generate a DFAMO score.

$\Sigma$ DFAMO for math or reading = difference between actual subgroup performance for all failing subgroups and the actual annual AMO.

$$\frac{(\Sigma RDFAMO \div RAMO) + (\Sigma MDFAMO \div MAMO)}{\# \text{ Applicable subgroups by subgroup}} = DFAMO$$

- a. Add all Reading scores and divide by the Reading AMO (RAMO).
- b. Add all Math scores and divide by the Math AMO (MAMO).
- c. **Add these two numbers together (a + b) and divide by the number of applicable subgroups by subject failed.**
- d. This will yield the DFAMO.

Since Georgia different AMOs for grades 3-8 and grade 11, the division by the AMOs is attempt to standardize the aggregated difference.

Based on the DFAMO, schools in Corrective Action will be rank ordered and divided into quintiles. A school’s quintile placement will determine the school’s initial Corrective Action tier placement, which in turn determines the corresponding consequences and interventions.

**Quintile and Tier Placement**

Quintiles	Percentile	Corrective Action Tier Placement
1	Top 20%	Tier 1
2	Middle 60%	Tier 2
3		Tier 2
4		Tier 2
5	Bottom 20%	Tier 3

- Schools that also miss AYP for Participation and/or Second indicator cannot be placed in Tier 1.
- Schools in Corrective Action that made AYP for the current year are placed in Tier 1, which could inflate the number of schools beyond the 20 percent; however, preliminary analysis did not show that this was occurring. If these schools make AYP a second year in a row, they will be removed from the Needs Improvement list.

**Georgia had 69 schools in Corrective Action (NI-3 and NI-4) for 2007.**

<b>Tier</b>	<b>Number of Schools</b>	<b>Notes</b>
1	22	18/22 Tier 1 schools made AYP in 2007
2	39	13 /39 Tier 2 schools missed non-academic Indicators
3	8	

Data analysis for the 69 schools in Corrective Action can be found on page 34.

**Additional Academic Indicators**

Georgia will not be utilizing any other additional academic indicators (e.g., science assessments or academic improvement over time) to differentiate among schools in Corrective Action.

**Corrective Action Continuing Consequences**

- All schools in Corrective Action must offer Supplemental Educational Services (SES) to any student that did not meet standards on the state’s test and must offer public school choice to any student in the school.
- All schools in Corrective Action status must offer Public School Choice to all students.
- In addition, all schools must develop corrective action plans that reflect the components described in Georgia’s single statewide accountability system under SSAS Rule and Guidance.
- All schools in this Corrective Action status are required to send notices to parents describing the school’s status, how the determination was made, and how parents may become involved in improving the school.

**Additional Consequence(s)**

- Tier 1 Schools must also choose at least one additional consequence from the Corrective Action list of consequences (see matrix page 19).
- Tier 2 Schools must also choose at least one additional consequence from the NCLB Corrective Action list of consequences (see matrix page 20).
- Tier 3 Schools will have their NCLB Corrective Action(s) chosen from the NCLB list for them by the GaDOE (see matrix page 21).

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**State-Directed Status (NI-5 or higher)**

All schools in Needs Improvement year 5 or higher will receive a State-Directed status label which involves an immediate loss of local governance and other additional consequences as determined by the GaDOE in each school’s required state directed contract.

**State Directed Continuing Consequences**

- Schools in this status are required to send notices to parents describing the school’s status, how the determination was made, and how parents may become involved in improving the school.
- The school must offer Supplemental Educational Services (SES) to any student that did not meet standards on the state’s test and must offer Public School Choice to any student in the school.

## **Additional Consequences**

In addition, the school must enter into a state-directed contract with the Georgia Department of Education as required in Georgia's single statewide accountability system. Each contract will contain the following non-negotiable elements.

Assignment of GaDOE State Director who will be at the school full time and will provide direct supervision in the implementation of all school improvement actions:

- Directly involved in decisions regarding replacement of staff (e.g., principal);
- Ensure that instructional frameworks are used appropriately in each classroom;
- Ensure benchmark assessments are given and results are analyzed to guide instruction;
- Oversee implementation of short-term action plans;
- Ensure that the leadership team analyzes teacher attendance and develops action plan if needed;
- Ensure that the leadership team analyzes student attendance and develops action plan if needed;
- Ensure that the leadership team analyzes discipline records and develops action plan if needed; and
- Ensure that the leadership team addresses targeted areas from GAPSS Review through the short term action plans.

### **Other mandates for the state directed schools include:**

- Participation in GAPSS review at level NI-5 and NI-7;
- Provide training, implementation and monitoring of instructional strategies through Raising Standards Academies;
- Hiring instructional coaches for specific content area of need, based on AYP results.

### **Customized Contract Expectations**

- In addition to the set of non-negotiable actions, a set of customized expectations will be developed annually by the state with each school and system to address the unique issues that school faces in the coming school year. These expectations will be based on the most recent school data analysis available.

## **Interventions**

Georgia's statewide system of support provides school improvement services to all schools and local education agencies (LEAs) through regional support teams. These teams are comprised of a cadre of former superintendents, principals, and teachers with expertise in school leadership, curriculum, instruction, continuous school improvement, and specific academic content areas such as mathematics. In addition, regional support teams may request the services of outside experts based on the needs of individual schools.

Georgia delivers statewide support through five (5) school improvement regions. Each region has a support team comprised of up to five (5) system leaders. Each system leader is assigned up to 10 LEAs. The system leader is responsible for providing professional learning, continuous school improvement planning based on *Georgia School Standards*, and student data unique to each LEA. In addition to system leaders, each region is assigned a school improvement specialist whose primary responsibility is to provide professional learning in mathematics curriculum and instruction. A second school improvement specialist is focused on coordinating the work of and supporting programs for at-risk students. System leaders also work in collaboration with Regional Educational Service Agency (RESA) school improvement specialists to support Title I schools that are identified for improvement and schools that did not make AYP for one year.

In addition to regional school improvement specialists, the GaDOE also employs school-level school improvement specialists. These improvement specialists are assigned to improvement, corrective action, and state directed schools, providing direct on-site support. The level of services provided to schools depends on the number of years a school has been identified for improvement, corrective action, or state directed – see below.

## **Rationale and Research**

Through research and the utilization of data analysis, Georgia has developed a tiered statewide system of support at the state, regional, system, and school levels. This tiered support focuses on building system and school capacity to improve student achievement and move schools out of improvement. Georgia's current tiered system of support includes components from each of the strategies listed below.

The school improvement strategies listed above provide the basis for Georgia's current statewide system of support. The Georgia School Standards are based on Marzano's thirty-five year meta-analysis that is outlined in *What Works in Schools: Translating Research into Action* (Marzano, 2003). The current support teams (school improvement specialists, system leaders, etc.) guide systems and schools to examine what is being done at the school-level in terms of ensuring a guaranteed and viable curriculum, challenging and effective feedback, classroom curriculum design, instructional strategies at the classroom level, student engagement, parent and community involvement, safe and orderly environment, collegiality and professionalism, and classroom management.

In *School Leadership that Works: From Research to Results* (2005), Marzano, Waters, and McNulty discuss the role and importance of an effective leadership team in guiding the work of a school to improve student achievement. Providing schools with daily technical assistance, with the development and use of a leadership team to guide the decision-making and planning of the school, will help to ensure higher levels of student achievement. By providing focused and aligned training and support to schools through a Leadership Team Coach, the school leadership will have the opportunity to become proficient in implementing and monitoring Georgia's school standards. This level of proficiency will ensure the establishment of a school culture that is focused on sustainable school improvement processes that result in increased student achievement for all students.

Georgia's current system of support is targeted at creating a systematic process for the school staff to problem solve and make data driven decisions directly impacting increased student achievement. Through the utilization of job-embedded professional development, the LEA and school staff are introduced to research-based strategies focused on extending knowledge of curriculum; instruction; assessment; planning and organization; student, family, and community involvement; professional learning; leadership; and school culture. Additionally, the current system of support provides guidance on developing leadership teams, developing plans with action and measurable goals, standards-based classrooms, and pyramids of intervention. The guidance and support are provided through experienced individuals at the state, regional, system and school levels. Print and web-based resources are made available statewide.

The current system of support is focused on building system and school capacity to design and implement teaching, learning, and assessment tasks and activities to ensure that all students achieve proficiency relative to the Georgia Performance Standards (GPS). Specific GPS content Learning Frameworks are provided statewide that align the curriculum, assessment, and instruction and can be utilized to plan quality teaching and learning. School improvement specialists and system leaders provide support to system and school leadership teams and assist with professional learning in data-driven instruction, collaborative planning, differentiated learning, instructional grouping practices, student work analysis, and providing appropriate feedback.

## Interventions by Status Level

Interventions	Improvement	Corrective Action	State-Directed
<ul style="list-style-type: none"> <li>Assign GaDOE school improvement specialist to LEA to facilitate the following:               <ul style="list-style-type: none"> <li>Analyze AYP data</li> <li>Identify areas of deficiency</li> <li>Develop and implement school improvement plan aligned to areas of deficiency on AYP report</li> <li>Coordinate and provide professional learning to support school improvement plan</li> <li>Assess implementation of school improvement plan on a quarterly basis</li> <li>Modify school improvement plan to address inadequate performance</li> <li>Analyze feeder school student achievement data</li> <li>Develop vertical plan to address feeder pattern issues</li> </ul> </li> </ul>	X	X	X
<ul style="list-style-type: none"> <li>Assign additional GaDOE school improvement specialist to coordinate resources that address the specific deficiencies.               <ul style="list-style-type: none"> <li>Evaluate previous school improvement efforts and update school improvement plan</li> <li>Determine corrective action option with school                   <ul style="list-style-type: none"> <li>Replace the school staff who are relevant to the failure to make adequate yearly progress.</li> <li>Significantly decrease management authority at the school level.</li> <li>Appoint an outside expert to advise the school on its progress toward making adequate yearly progress, based on its improvement plan.</li> <li>Extend the school year or school day for the school.</li> <li>Restructure the internal organizational structure of the school.</li> </ul> </li> </ul> </li> </ul>		X	X
<ul style="list-style-type: none"> <li>Address resource allocation (i.e. time, personnel, funds)</li> <li>Conduct classroom observations and provide feedback</li> <li>Model classroom instruction in targeted content areas</li> <li>Conduct awareness walks with administrators focused on specific areas of need at the school to collect data on classroom practices</li> <li>Facilitate full implementation of leadership teams</li> </ul>		X	X
<ul style="list-style-type: none"> <li>Assign GaDOE state director to school. The state director will be at the school full time and will provide direct supervision in the implementation of all school improvement actions.               <ul style="list-style-type: none"> <li>Directly involved in decisions regarding replacement of staff (e.g., principal);</li> <li>Ensures that instructional frameworks are used appropriately in each classroom</li> <li>Ensures benchmark assessments are given and results are analyzed to guide instruction</li> <li>Oversees implementation of short-term action plans</li> <li>Ensures that the leadership team analyzes teacher attendance and develops action plan if needed</li> <li>Ensures that the leadership team analyzes student attendance and develops action plan if needed</li> <li>Ensures that the leadership team analyzes discipline records and develops action plan if needed</li> <li>Ensures that the leadership team addresses targeted areas from GAPSS Review through the short term action plans</li> </ul> </li> </ul>			X
<ul style="list-style-type: none"> <li>Other mandates for state-directed schools include               <ul style="list-style-type: none"> <li>Participate in GAPSS review at level 5 and 7</li> <li>Participate in intensive professional learning addressing the implementation and assessment of Georgia Performance Standards through standards-based classrooms (Raising Standards).</li> <li>Hires instructional coach for specific content area of need based on AYP results</li> </ul> </li> </ul>			X

### **Improvement Status Interventions**

GaDOE assigns a school improvement specialist to LEA to facilitate the following:

- Analyze AYP data;
- Identify areas of deficiency at the school(s) that are in Need Improvements;
- Develop and implement the school improvement plan, which is aligned with the identified areas of deficiency;
- Coordinate and provide professional learning to support the specific school improvement plan and the areas of deficiency;
- Assess implementation of the school improvement plan on a quarterly basis;
- Modify the school improvement plan to address inadequate performance;
- Analyze feeder school student achievement data – critical to middle and high school improvement;
- Develop a vertically aligned improvement plan to address the specifically identified feeder pattern issues;

### **Interventions for Corrective Action Schools**

For schools identified for corrective action, a school improvement specialist is assigned to work with administrators and school building-level leadership teams. School-level improvement specialists provide guidance in developing continuous school improvement plans using the tools and resources developed by the GaDOE. The improvement specialist serves as the lead on collaborative school teams established to analyze student achievement data and guide the redesign of instruction based on the analysis. They ensure that the AYP results are analyzed and specific areas of deficiency are identified. The improvement specialist works with the leadership team and classroom teachers in developing a specific plan of action to address these targeted deficiencies. Based on the action plan developed by the school, the improvement specialist works with the leadership team to plan and provide professional learning to support the schools targeted areas. Follow-up observations, coaching and feedback are incorporated into the professional learning. In addition to school specific professional learning, the improvement specialist provides professional learning and support on data utilization, conducts classroom observations, models classroom instruction, and conducts awareness walks designed to collect formative data on classroom practices. They meet with the school's leadership team and serve as a coach to the principal.

### **Additional Interventions**

- Assign additional GaDOE school improvement specialist to coordinate resources that address the specific deficiencies;
- Evaluate previous school improvement efforts and update school improvement plan;
- Determine corrective action option with school;
  - Replace the school staff who are relevant to the failure to make adequate yearly progress;
  - Significantly decrease management authority at the school level;
  - Appoint an outside expert to advise the school on its progress toward making adequate yearly progress, based on its improvement plan;
  - Extend the school year or school day for the school;
  - Restructure the internal organizational structure of the school;
- Address resource allocation (i.e. time, personnel, funds);
- Conduct classroom observations and provide feedback;
- Model classroom instruction in targeted content areas;
- Conduct awareness walks with administrators focused on specific areas of need at the school to collect data on classroom practices; and
- Facilitate full implementation of leadership teams.

### **Interventions for State Directed Schools**

Schools identified for State Directed status will receive a more intense level of support with the shift of decision making moving from the school to the Georgia Department of Education. A state director will be assigned to provide full time on-site support to schools. These schools are required to enter into a contract with the Georgia State Board of Education to meet specific improvement strategies outlined in the contract. Each State Director will work with a set of non-negotiable actions required of each school. These non-negotiable actions include:

1. Use of Instructional Frameworks in reading/ELA, math, science and social studies provided by GaDOE;
2. Use of Benchmarks in reading/ELA, math, science and social studies provided by GaDOE;
3. Training, implementation, and monitoring of instructional strategies through Raising Standards Academies. Participants in the academies include general education teachers, special education teachers, instructional coaches, administrators and the State Director;
4. Hire instructional coach in the AYP academic area of need;
5. Development, implementation, and monitoring of Short Term Action Plan (every 45-60 days);
6. Development and utilization of school leadership team. A primary focus of the leadership team of to monitor the implementation of the Short Term Action Plan and the School Improvement Plan;
7. Analyze teacher attendance and develop a plan for improvement if needed;
8. Analyze student attendance and develop a plan for improvement if needed;
9. Identify through a comprehensive analysis any students at-risk of not graduating on time;
10. Develop a plan of action with each student to be monitored by the Graduation Coach and State Director; and
11. School and system leadership will meet with the State Superintendent of schools on a scheduled basis.

In addition to the set of non-negotiable actions, a set of customized expectations will be developed with each school and system to address the unique issues at the individual school. The intensity of services will increase as the school continues through Needs Improvement Status. The locus of control shifts also from the school/system to the state as the school continues through Corrective Action to State-Directed status.

In addition, schools identified for State-Directed status must receive a mandatory GAPSS – the *Georgia Assessment of Performance on School Standards*. GAPSS is a formalized process to assess a school’s implementation of *Georgia Schools Standards* which define the eight strands for effective schools— curriculum, assessment, instruction, planning and organization, parent and community involvement, professional learning, leadership, and school culture.

Rubrics to assess the school’s level of implementation are included for each of the eight standards to help each school identify its current performance in relation to the standard, identifying strengths and determining areas for growth. In order to ensure that schools have instructional tools to address areas for improvement, members of the school staff must participate in “Raising Standards”, a GaDOE developed professional learning program that provides processes and strategies for teaching mathematics and English/language arts and science in a standards-based classroom.

**Georgia Department of Education  
Side by Side for SSAS and Differentiated SSAS**

The following side by side was created to compare and contrast Georgia’s proposed differentiated accountability plan with the current requirements set forth in NCLB and Georgia’s Single Statewide Accountability System as they relate to consequences for schools in Needs Improvement. Georgia’s proposed plan consolidates the current 10 Needs Improvement statuses in SSAS into three new statuses: Improvement (NI-1 and NI-2), Corrective Action (NI-3 and NI-4), and State Directed (NI-5 or higher).

The new Corrective Action status also includes three tiers. These three tiers are based on the distance between the actual performance of subgroups that did meet AMOs in math and reading and the AMO bars for those subjects in a given year. These tiers are connected to a list of consequences that escalate from Tier 1 through Tier 3.

Please note that the current processes for making Georgia’s AYP determinations will not change if the proposed plan is approved by US ED for the 2008-2009 school year.

Current Requirements under NCLB & SSAS	Georgia’s Differentiated Accountability Proposal
<p><b>Needs Improvement Year 1</b></p> <p>1. Notify parents of each student enrolled in the school of the school’s improvement status and consequences.</p> <p>2. Updated and implement the school improvement plan.</p> <p>3. <b>Must offer Public School Choice.</b></p>	<p><b>IMPROVEMENT STATUS (NI-1 and NI-2)</b></p> <p>1. Notify parents of each student enrolled in the school of the school’s NI classification.</p> <p>2. Revise and implement the school improvement plan.</p> <p>3. <u>Provide Supplemental Education Services (SES)</u> for all students who are not meeting standards in reading, English/ language arts, and/or mathematics.</p> <p>4. Offer Public School Choice to all students at schools in NI-2 or higher.</p>
<p><b>Needs Improvement Year 2</b></p> <p>1. Notify parents of each student enrolled in the school of the school’s NI classification.</p> <p>2. Revise and implement the school improvement plan.</p> <p>3. <b>Must offer Public School Choice.</b></p> <p>4. <u>Provide Supplemental Education Services (SES)</u> for all students who are not meeting standards in reading, English/ language arts, and/or mathematics.</p>	<p><b>DIFFERENCE</b></p> <p><b>THE NCLB CONSEQUENCES FOR SCHOOL IMPROVEMENT HAVE BEEN FLIPPED:</b></p> <ul style="list-style-type: none"> <li>• <b><u>SUPPLEMENTAL EDUCATION SERVICES (SES) WILL BE REQUIRED FOR ALL SCHOOLS IN NI-1 OR HIGHER;</u></b></li> <li>• <b><u>PUBLIC SCHOOL CHOICE WILL BE REQUIRED AT ALL SCHOOLS IN NI-2 OR HIGHER;</u></b></li> </ul>

Current Requirements under NCLB & SSAS	Georgia's Differentiated Accountability Proposal
<p><b>CORRECTIVE ACTION</b> Needs Improvement Year 3 &amp; Needs Improvement Year 4</p> <ol style="list-style-type: none"> <li>1. Notify parents of each student enrolled in the school of the school's corrective action status and consequences.</li> <li>2. Provide public school choice option for all students.</li> <li>3. Provide Supplemental Education Services (SES) for all students who are not meeting standards in reading, English language arts, and/or mathematics.</li> <li>4) Required to select one corrective action from the following <b>NCLB List</b>. <ul style="list-style-type: none"> <li>• Identify the school for corrective action and take at least one of the following corrective actions: <ul style="list-style-type: none"> <li>○ Institute a new curriculum, or</li> <li>○ Replace the school staff who are relevant to the failure to make adequate yearly progress.</li> <li>○ Significantly decrease management authority at the school level.</li> <li>○ Appoint an outside expert to advise the school on its progress toward making AYP, based on its improvement plan.</li> <li>○ Extend the school year or school day for the school.</li> <li>○ Restructure the internal organizational structure of the school.</li> </ul> </li> </ul> </li> </ol>	<p><b>TIER 1 CORRECTIVE ACTION STATUS (NI-3 and NI-4)</b></p> <ul style="list-style-type: none"> <li>• <b>School placement in the three possible tiers is based on “distance from the annual AMOs” (DFAMO) by subject and subgroup(s) that failed.</b></li> </ul> <ol style="list-style-type: none"> <li>1. Notify parents of each student enrolled in the school of the school's classification.</li> <li>2. Provide Supplemental Education Services (SES) for all students who are not meeting standards in reading, English/ language arts, and/or mathematics.</li> <li>3. Offer Public School Choice to all students at the school.</li> <li>4. Update and implement the school improvement plan with the GaDOE.</li> </ol> <p><b>DIFFERENCE</b></p> <ul style="list-style-type: none"> <li>• <b><u>LEAMUST SELECT ONE CORRECTIVE ACTION FROM THE FOLLOWING CORRECTIVE ACTIONS FOR TIER 1 SCHOOL:</u></b> <ul style="list-style-type: none"> <li>○ Extend the school year or school day for the school, or</li> <li>○ Restructure the internal organizational structure of the school or</li> <li>○ Appoint an outside expert to advise the school on its progress toward making AYP, based on its improvement plan, or</li> <li>○ Convert the school to a charter school.</li> </ul> </li> </ul>

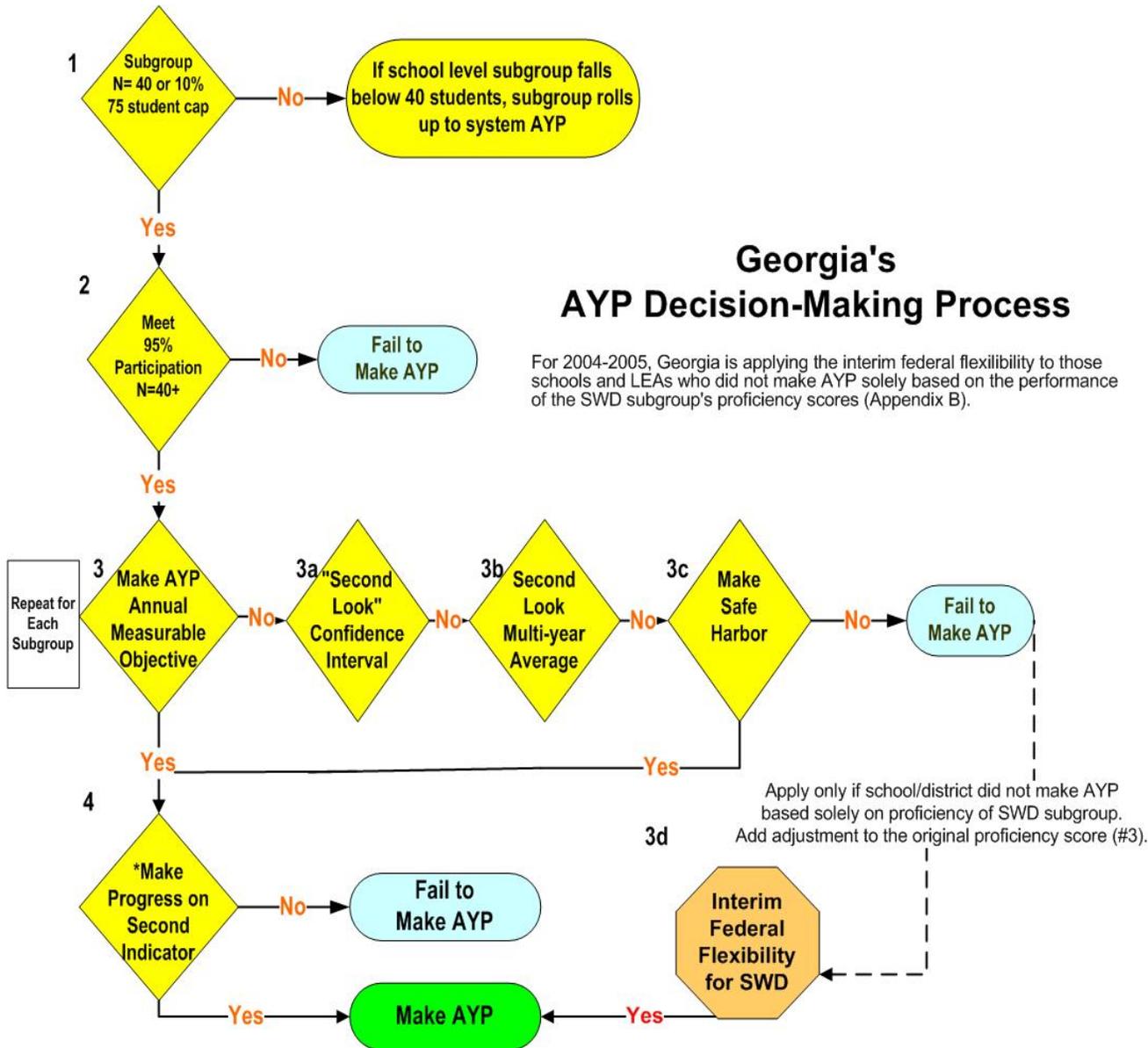
Current Requirements under NCLB & SSAS	Georgia's Differentiated Accountability Proposal
<p><b>CORRECTIVE ACTION</b>  <b>Needs Improvement Year 3 &amp; Needs Improvement Year 4</b></p> <ol style="list-style-type: none"> <li>1. Notify parents of each student enrolled in the school of the school's corrective action status and consequences.</li> <li>2. Provide public school choice option for all students.</li> <li>3. Provide Supplemental Education Services (SES) for all students who are not meeting standards in reading, English language arts, and/or mathematics.</li> <li>4) Select one corrective action from <b>NCLB List</b>: <ul style="list-style-type: none"> <li>○ Institute a new curriculum, or</li> <li>○ Replace the school staff who are relevant to the failure to make AYP, or significantly decrease management authority at the school level, or</li> <li>○ Appoint an outside expert to advise the school on its progress toward making AYP, based on its improvement plan, or</li> <li>○ Extend the school year or school day for the school, or</li> <li>○ Restructure the internal organizational structure of the school.</li> </ul> </li> </ol>	<p><b>TIER 2 CORRECTIVE ACTION STATUS (NI-3 and NI-4)</b></p> <ul style="list-style-type: none"> <li>• <b>School placement in the three possible tiers is based on distance from the annual AMOs (DFAMO) by subject and subgroup(s) that failed.</b></li> </ul> <ol style="list-style-type: none"> <li>1. Notify parents of each student enrolled in the school of the school's classification.</li> <li>2. Provide Supplemental Education Services (SES) for all students who are not meeting standards in reading, English/ language arts, and/or mathematics.</li> <li>3. Offer Public School Choice to all students at the school.</li> <li>4. Update and implement the school improvement plan.</li> </ol> <p><b>ADDITIONAL CONSEQUENCES</b></p> <ul style="list-style-type: none"> <li>• <b><u>LEA MUST CHOOSE AND IMPLEMENT ONE OF THE FOLLOWING CORRECTIVE ACTIONS BASED ON STUDENT ACHIEVEMENT AND SCHOOL DATA:</u></b> <ul style="list-style-type: none"> <li>○ Replace the school staff that are relevant to the failure to make adequate yearly progress, or</li> <li>○ Significantly decrease management authority at the school level, or</li> <li>○ Appoint an outside expert to advise the school on its progress toward making adequate yearly progress, based on its improvement plan, or</li> <li>○ Extend the school year or school day for the school, or</li> <li>○ Restructure the internal organizational structure of the school, or</li> <li>○ Convert the school to a charter school.</li> </ul> </li> </ul> <p><b>REMOVED</b></p> <ul style="list-style-type: none"> <li>○ <u>Institute a new curriculum is no longer an option</u> because all schools must be fully implementing the Georgia Performance Standards (GPS).</li> </ul>

Current Requirements under NCLB & SSAS	Georgia's Differentiated Accountability Proposal
<p><b>CORRECTIVE ACTION</b>  <b>Needs Improvement Year 3 &amp; Needs Improvement Year 4</b></p> <ol style="list-style-type: none"> <li>1. Notify parents of each student enrolled in the school of the school's corrective action status and consequences.</li> <li>2. Provide public school choice option for all students.</li> <li>3. Provide Supplemental Education Services (SES) for all students who are not meeting standards in reading, English language arts, and/or mathematics.</li> <li>4) Select one corrective action from <b>NCLB List</b>: <ul style="list-style-type: none"> <li>○ Institute a new curriculum, or</li> <li>○ Replace the school staff who are relevant to the failure to make adequate yearly progress.</li> <li>○ Significantly decrease management authority at the school level.</li> <li>○ Appoint an outside expert to advise the school on its progress toward making AYP, based on its improvement plan.</li> <li>○ Extend the school year or school day for the school.</li> <li>○ Restructure the internal organizational structure of the school.</li> </ul> </li> </ol>	<p><b>TIER 3 CORRECTIVE ACTION STATUS (NI-3 and NI-4)</b></p> <ul style="list-style-type: none"> <li>• <b>School placement in the three possible tiers is based on distance from the annual AMOs by subject and subgroup(s) that failed – DFAMO.</b></li> </ul> <ol style="list-style-type: none"> <li>1. Notify parents of each student enrolled in the school of the school's classification.</li> <li>2. Provide Supplemental Education Services (SES) for all students who are not meeting standards in reading, English/ language arts, and/or mathematics.</li> <li>3. Offer Public School Choice to all students at the school.</li> <li>4. Update and implement the school improvement plan to include the all corrective actions(s) as selected by the GaDOE based on school needs.</li> </ol> <p><b>ADDITIONAL CONSEQUENCES</b></p> <ul style="list-style-type: none"> <li>• <b><u>PROVIDE NCLB PUBLIC SCHOOL CHOICE TO ALL STUDENTS.</u></b></li> <li>• <b><u>GaDOE CHOOSES ONE OR MORE CORRECTIVE ACTIONS THAT THE LEA MUST IMPLEMENT BASED ON STUDENT ACHIEVEMENT AND SCHOOL DATA:</u></b> <ul style="list-style-type: none"> <li>○ GaDOE involved directly in decisions regarding the replacement of the school staff that are relevant to the failure to make AYP, or</li> <li>○ Significantly decrease management authority at the school level, or</li> <li>○ Appoint an outside expert to advise the school on its progress toward making AYP, based on its improvement plan, or</li> <li>○ Extend the school year or school day for the school, or</li> <li>○ Restructure the internal organizational structure of the school, or</li> <li>○ Convert the school to a charter school.</li> </ul> </li> </ul> <p><b>REMOVED</b></p> <ul style="list-style-type: none"> <li>○ <u>Institute a new curriculum is no longer an option</u> because all schools must be fully implementing the Georgia Performance Standards (GPS).</li> </ul>

Current Requirements under NCLB & SSAS	Georgia's Differentiated Accountability Proposal
<p><b>RESTRUCTURING</b> <b>Needs Improvement Year 5</b></p> <ol style="list-style-type: none"> <li>1. Notify parents of each student enrolled in the school of the school's restructuring status and consequences.</li> <li>2. Provide public school choice option for all students.</li> <li>3. Provide Supplemental Education Services (SES) for all students who are not meeting standards in reading, English language arts, and/or mathematics.</li> <li>4. The LEA shall implement one of the following <b>NCLB alternative governance arrangements</b> for the school consistent with state law: <ul style="list-style-type: none"> <li>• Reopening the school as a public charter school, or</li> <li>• Replacing all or most of the school staff (which may include the principal) who are relevant to the failure to make AYP, or</li> <li>• Entering into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to operate the public school, or</li> <li>• Turning the operation of the school over to the state educational agency, if permitted under state law and agreed to by the state, or</li> <li>• Any other major restructuring of the school's governance arrangement that makes fundamental reforms, such as significant changes in the school's staffing and governance, to improve student academic achievement in the school and that has substantial promise of enabling the school to make AYP. In the case of a rural local educational agency with a total of less than 600 students in average daily attendance at the schools that are served by the agency and all of whose schools have a School Locale Code of 7 or 8, as determined by the Secretary, the Secretary shall, at such agency's request, provide H. R. 1—62 technical assistance to such agency for the purpose of implementing this clause.</li> </ul> </li> </ol> <ul style="list-style-type: none"> <li>• <b>PROMPT NOTICE.</b>—The local educational agency shall provide prompt notice to teachers and parents and provide the teachers and parents with an adequate opportunity to comment before taking any action under those subparagraphs;</li> </ul>	<p><b>STATE- DIRECTED STATUS (NI-5 and HIGHER)</b></p> <ol style="list-style-type: none"> <li>1. Notify parents of each student enrolled in the school of the school's classification.</li> <li>2. Provide Supplemental Education Services (SES) for all students who are not meeting standards in reading, English/ language arts, and/or mathematics.</li> <li>3. Offer Public School Choice to all students at the school.</li> </ol> <p><b>ADDITIONAL CONSEQUENCES</b></p> <p><b>LEA MUST ENTER INTO AN ANNUAL STATE DIRECTED IMPROVEMENT CONTRACT WITH TERMS AND CONDITIONS DIRECTED BY THE GaDOE.</b></p> <p><b>Non-Negotiable Contract Elements</b></p> <p>Each contract will contain the following non-negotiable elements.</p> <ul style="list-style-type: none"> <li>• Assignment of GaDOE state director to school. The state director will be at the school full time and will provide direct supervision in the implementation of all school improvement actions: <ul style="list-style-type: none"> <li>• Directly involved in decisions regarding replacement of staff (e.g., principal);</li> <li>• Ensures that instructional frameworks are used appropriately in each classroom;</li> <li>• Ensures benchmark assessments are given and results are analyzed to guide instruction;</li> <li>• Oversees implementation of short-term action plans;</li> <li>• Ensures that the leadership team analyzes teacher attendance and develops action plan if needed;</li> <li>• Ensures that the leadership team analyzes student attendance and develops action plan if needed;</li> <li>• Ensures that the leadership team analyzes discipline records and develops action plan if needed; and</li> <li>• Ensures that the leadership team addresses targeted areas from GAPSS Review through the short term action plans.</li> </ul> </li> </ul> <p><b>Other mandates for the state directed schools include:</b></p> <ul style="list-style-type: none"> <li>• Participation in GAPSS review at level 5 and 7;</li> <li>• Provide training, implementation and monitoring of instructional strategies through Raising Standards Academies;</li> <li>• Hiring instructional coaches for specific content area of need, based on AYP results.</li> </ul> <p><b>Customized Contract Expectations</b></p> <p>In addition to the set of non-negotiable actions, a set of customized expectations will be developed annually by the state with each school and system to address the unique issues that school faces in the coming school year. These expectations will be based on the most recent school data analysis available.</p>

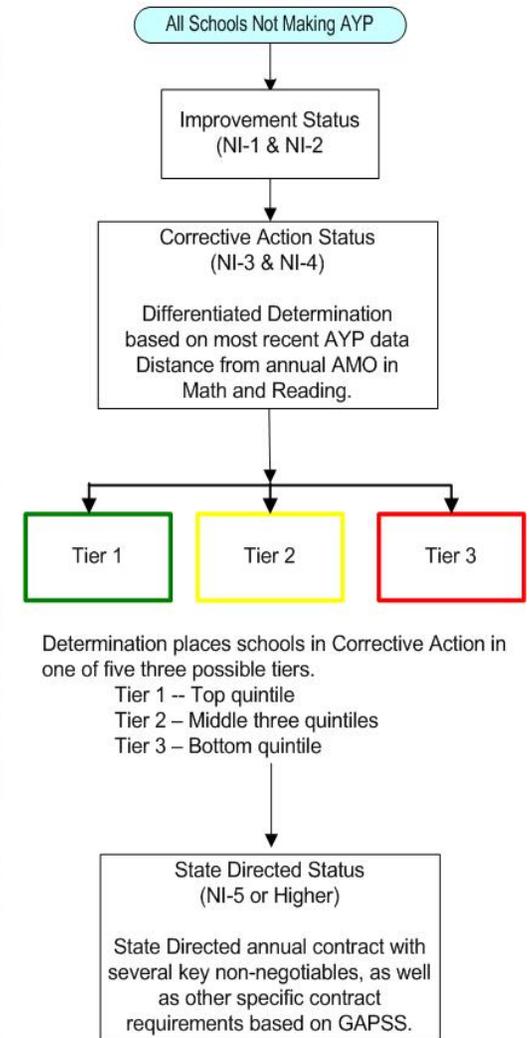
## Georgia's AYP Decision-Making Process

For 2004-2005, Georgia is applying the interim federal flexibility to those schools and LEAs who did not make AYP solely based on the performance of the SWD subgroup's proficiency scores (Appendix B).



\*The Second Indicator is applicable to the All Students subgroup and all subgroups when using Safe Harbor to meet AMO.

### Consequence Flow



## Glossary

**Accountability Plan** - information presented annually by December 31 by the Office of Student Achievement to the State Board of Education describing the methodology used to determine the components of the Accountability Profile to be included in the State Report Card.

**Accountability Profile** - a publicly disseminated report included in the State Report Card that provides a summary of a school's and local educational agency's (LEA's) performance as defined by the Single Statewide Accountability System (SSAS).

For more information, please go to

<http://gaosa.org/FindASchool.aspx?PageReq=106&FromSection=score&ScoreBoardId=3>.

**Adequate Yearly Progress (AYP)** - a component of the Accountability Profile based on a series of performance goals that every school, LEA, and state must achieve within specified timeframes in order to meet the 100% proficiency goal established by the federal No Child Left Behind Act of 2001 (NCLB).

For more complete information on Georgia's AYP, please go to

<http://www.gadoe.org/ayp2007.aspx>

**AYP Workbook** – Actually this is the state's *Consolidated State Application Accountability Workbook*, which each state annually submits to the United States Department of Education. The AYP workbook describes how AYP determinations will be calculated and how the state will comply with the No Child Left Behind Act of 2001. Updates to the AYP Workbook reflect the state's response to feedback from Georgia education stakeholders, analysis of academic-related data, and changes in state curriculum and assessments, state law, and federal legislation and/or guidance/regulations from USED.

For more complete information, please go to

<http://www.ed.gov/admins/lead/account/letters/index.html>

**Criterion-Referenced Competency Tests (CRCT)** - state-required tests to measure student acquisition of the knowledge and skills set forth in the state curriculum. Georgia law requires that these tests be administered to students in grades one through eight in the content areas of reading, English/language arts, and mathematics, and in grades three through eight in science and social studies.

**Contract, State Directed** - a contract between the LEA and State Education Agency (SEA) specific to the LEA's commitment to implement required interventions for schools in NI-5 or higher.

**Elementary and Secondary Education Act (ESEA)** - the federal education statute, originally passed by the U. S. Congress in 1965, that defines the role of the federal government in public education and authorizes many of the major federal education programs, including Title I. This Act has been reauthorized by Congress several times, most recently in 2001 as the No Child Left Behind Act.

**Enhanced Georgia High School Graduation Tests** - Georgia High School Graduation Tests (GHSGT) for English/language arts and mathematics were enhanced to comply with the No Child Left Behind Act of 2001 requiring more rigorous examinations. For accountability purposes, Enhanced GHSGT results from first time test takers in the eleventh grade for

English/language arts and mathematics are used in making AYP determinations at school, LEA, and state levels.

**Georgia Alternate Assessment (GAA)** - an assessment based on an individualized Education Program (IEP) that reports progress toward achievement of targeted goals for students participating in an alternate curriculum and who are unable to participate in state-mandated assessments even with maximum accommodations.

**Georgia Assessment of Performance on School Standards (GAPSS)** — The GAPSS Analysis: *Closing the Gap* process provides detailed information for a school on the progress towards full implementation of the School Keys: *Unlocking Excellence through the Georgia School Standards*.

For more complete information on Georgia's GAPSS, please go to

<http://public.doe.k12.ga.us/DMGetDocument.aspx/GAPSS%20ANALYSIS%20FINAL%205-29-07%20Revised%207-10-07.pdf?p=6CC6799F8C1371F6B025D2A6354A2B43603504414D0E199955EBE5FEECF8006C&Type=D>

**Georgia Department of Education (GDOE)** - the state agency charged with the fiscal and administrative management of certain aspects of K-12 public education, including the implementation of federal and state mandates. Such management is subject to supervision and oversight by the State Board of Education.

For more information, please to <http://www.gadoe.org>

**Georgia High School Graduation Tests (GHS GT)** - state-mandated curriculum-based assessments administered in grade eleven for graduation purposes. The tests are administered several times a year so that students have up to five opportunities to take each of the tests within their eleventh and twelfth grade years.

**Implementation Resource, The** – *The Implementation Resource* (IR) is a collection of best practices that aid in the effective implementation of the School Keys: *Unlocking Excellence through the Georgia School Standards*. This document was created to support schools in their continuous improvement efforts. The IR is a companion tool to the *School Keys* and the *Georgia Assessment of Performance on School Standards* (GAPSS).

For more information on Georgia's implementation, please to

<http://public.doe.k12.ga.us/DMGetDocument.aspx/IMPLEMENTATION%20RESOURCE%20FINAL%205-29-07.pdf?p=6CC6799F8C1371F6EB643760914BCA5A8A3858B1870DDC35C5F4C5B30A1D34D1&Type=D>

**Instructional Coach** – a certified teacher or administrator, with a record of raising academic achievement of students, who is designated to work with schools identified as Needs Improvement and subject to escalating consequences.

**Instructional Extension** - a state-funded academic instructional program designed for implementation beyond the regular school day to address the academic needs of low-performing students.

**LEA Corrective Action Plan** - an addendum of a LEA Improvement Plan required of all LEAs that reach Needs Improvement Year 3. The Corrective Action Plan is to be written in

accordance with the No Child Left Behind Act of 2001, section 1116, and approved by the State Board of Education for a minimum of a two year period.

**Local Educational Agency (LEA)** - local school system pursuant to local board of education control and management.

**Local Education Agency Improvement Plan** - a document developed by a LEA, and approved by the State Board of Education, to serve as a blueprint for guiding the LEA's continuous improvement and progress toward identified LEA, school, and student achievement objectives and targets.

**Needs Improvement** - an identification for a school or LEA that has not made AYP for two or more consecutive years in the same subject for schools and in the same subject for both elementary and secondary school grade spans for LEAs.

**No Child Left Behind Act of 2001 (NCLB)** - a reauthorization of the Elementary and Secondary Education Act of 1965 – the primary federal law affecting education from kindergarten through high school. NCLB is designed to improve student achievement and close achievement gaps. States are required to develop challenging academic standards, to educate all students to 100 percent proficiency by 2014, and to create and implement a single, statewide accountability system.

**Office of Student Achievement (OSA)** - the state agency mandated by state law to create a uniform performance-based accountability system for K-12 public schools that incorporates both state and federal mandates, including student and school performance standards. Additionally, OSA is charged with the responsibility of publishing the State Report Card for schools and LEAs and to formulate a system of awards and consequences within the Single Statewide Accountability System.

For more information, please go to <http://gaosa.org/index.aspx>

**OSA Audit** – an investigation into evidence of non-compliance regarding identified interventions pursuant to SBOE Rule 160-7-1-.04 Accountability System Awards and Consequences. OSA audits may also include a review of school and/or LEA performance and fund accounting information and records.

**Performance Highlights** - a component of the Accountability Profile that utilizes data from the State Report Card to recognize each school and LEA for top indicators based on key variables related to student achievement.

**Performance Index** - a measure of a school's or LEA's current year academic achievement or gain over the previous year's performance based on results from all CRCT subjects and grades and the English/language arts, math, science, and social studies GHSGT results for first time test takers in the eleventh grade. The Performance Index calculations are based on schools with the greatest gains and on schools with the highest percentage of students meeting and exceeding standards.

**Regional Education Service Agency (RESA)** - a state agency established to improve the effectiveness of educational programs and services to LEAs through the provision of certain shared services to those LEAs.

For more complete information, please go to <http://public.doe.k12.ga.us/findaschool.aspx>

**Regional Support Teams** - teams, led by the GDOE, responsible for coordinating the statewide, coherent, and sustained system of assistance and support for schools and LEAs not meeting specified levels of achievement or progress.

For more complete information, please go to

<http://public.doe.k12.ga.us/DMGetDocument.aspx/Collaborative.pdf?p=39EF345AE192D900F620BFDE9C014CE65F48E7E4CC653240FB35D5F11BB46BAFDE5C8AAE614C6F50&Type=D>

**Safe Harbor** - the last step in determining AYP status if the confidence interval approach and multi-year averaging do not enable a group of students (referred to hereinafter as “subgroup”) to make AYP. To make Safe Harbor, a subgroup must decrease the percent of students not meeting proficient/advanced levels by 10% from the previous year. The subgroup must also meet the additional academic indicator requirement.

**School Corrective Action Plan** - an addendum of a School Improvement Plan required of all schools that reach Needs Improvement Year 3. The Corrective Action Plan is written collaboratively by the LEA and the school in accordance with the No Child Left Behind Act of 2001, section 1116, and approved by the local board of education for a minimum of a two-year period.

**School Improvement Field book** - a guide, published by the GDOE, to assist with school improvement planning and implementation of focused, research-based strategies to increase the opportunity for schools to make AYP. It is designed for use by all Georgia educators and schools as a tool to clarify and explain the requirements of NCLB and Georgia’s Single Statewide Accountability System.

For more complete information, please go to

<http://www.gadoe.org/DMGetDocument.aspx/School%20Improvement%20Fieldbook%2007-08-%20FINAL%202-18-08.docm?p=6CC6799F8C1371F6778C5B9C41B1745BD09920BEECFAC0808D5A6700C0933614&Type=D>

**School Improvement Plan** - a document developed by a school and approved by the LEA to serve as a blueprint for guiding the school’s continuous improvement and progress toward identified student achievement objectives and targets.

**School Keys: *Unlocking Excellence through the Georgia School Standards***—The School Keys: *Unlocking Excellence through the Georgia School Standards* are what schools need to know, understand and be able to do while implementing a continuous school improvement process. The School Keys can be utilized as the standards for school level SACS/CASI Accreditation.

For more complete information on Georgia’s School Keys, please go to

<http://public.doe.k12.ga.us/DMGetDocument.aspx/SCHOOL%20KEYS%20FINAL%205-29-07.pdf?p=6CC6799F8C1371F6B5FE3F950B0147A45DAC9FAF79DE6E5C6AF976C35565E813&Type=D>

**School Performance Review** - a GDOE initiated review and analysis of a school’s student academic performance data to determine school improvement interventions.

**School Restructuring Plan** - an addendum of the School Improvement Plan and Corrective Action Plan required of all schools that reach Needs Improvement Year 4. The School Restructuring Plan is written and implemented collaboratively by the LEA and the school in accordance with the No Child Left Behind Act of 2001, section 1116, and approved by the GDOE.

**Scientific-based research** - research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs. Such research must (1) employ systematic, empirical methods that draw on observations or experiments; (2) involve rigorous data analysis to support hypothesis testing and to justify conclusions drawn; (3) rely on reliable and valid measurement or observation methods; (4) be evaluated using experimental and quasi-experimental designs; (5) ensure completeness, clarity, and level of detail to allow for replication and generalization; and (6) have been accepted by a peer-reviewed journal or approved by an independent panel of experts through a comparable rigorous, objective, and scientific review.

**Single Statewide Accountability System (SSAS)** - the statewide accountability system defined by OSA and adopted by the State Board of Education that includes indicators reflecting both absolute and progress determinations. The SSAS merges both federal and state education laws that relate to K-12 school accountability for student academic performance. For purposes of defining Georgia's SSAS, the absolute component shall be based on the federal AYP determination. The performance component shall be based on the Performance Index that reflects a school's progress over the prior year on indicators identified by OSA that will result in a corresponding award category. In addition, the Accountability Profile shall incorporate a listing of Performance Highlights that captures a school's and LEA's top academic-related indicators based primarily on State Report Card data.

For more complete information, please go to

- [160-7-1-.01](#) Single Statewide Accountability System
  - <http://public.doe.k12.ga.us/documents/doe/legalservices/160-7-1-.01.pdf>
- [160-7-1-.02](#) Accountability System Definitions
  - <http://public.doe.k12.ga.us/documents/doe/legalservices/160-7-1-.02.pdf>
- [160-7-1-.03](#) Accountability Profile
  - <http://public.doe.k12.ga.us/documents/doe/legalservices/160-7-1-.03.pdf>
- [160-7-1-.04](#) Accountability System Awards and Consequences

The SSAS guidance and rules can also be found in the Appendices to Georgia's Consolidated State Accountability Workbook at <http://www.ed.gov/admins/lead/account/letters/index.html>

**State Board of Education (SBOE)** - the constitutional authority which defines education policy for the public K-12 education agencies in Georgia.

**State Director**— individuals assigned by the GDOE to a specific school for the school year. Based on student achievement data, they advise, mentor, and provide feedback to school administrators in mobilizing and leading school staff to implement required plans, actions, and changes to improve student academic performance. The State Directors also will assist administrators and teacher leaders in school improvement processes that produce high levels of learning for all students.

**State Educational Agency (SEA or State)** - the Georgia State Board of Education. The State Superintendent of Schools implements the administrative functions on behalf of the Georgia State Board of Education.

**School Improvement Specialist** - individuals assigned by the GDOE to specific schools on a long-term basis. Based on student achievement data, they advise, mentor, and provide feedback to school administrators in mobilizing and leading school staff to implement required plans, actions, and changes to improve student academic performance. The School Improvement Specialists also will assist administrators and teacher leaders in school improvement processes that produce high levels of learning for all students.

**State Report Card** - the official report card for Georgia's K-12 public schools that includes an annual report prepared by OSA for each school, system, and the state, which is widely disseminated for use by educators, parents, and the general public. The State Report Card contains student and school performance information based on the most current data available disaggregated by student groups.

For complete information, please go to <http://gaosa.org/reportinfo.aspx>

**Student Record** - an annual record that provides cumulative information about a student for the school year, such as education history and demographics. This information contains LEA, school, and student level data that can be used for both state and LEA reporting and analysis.

For more complete information, please go to

[http://www.gadoe.org/pea\\_infosys\\_data.aspx?PageReq=PEAISDStuRec](http://www.gadoe.org/pea_infosys_data.aspx?PageReq=PEAISDStuRec)

**Supplemental Educational Services (SES)** - additional academic instruction provided outside the regular school day that is designed to increase the academic achievement of students in low-performing schools. (State Board of Education Rule 160-4-5-.03 Supplemental Educational Services.)

For more complete information on Georgia's SES program, please go to

[http://www.gadoe.org/tss\\_title\\_parent.aspx?PageReq=TSSTitleSES](http://www.gadoe.org/tss_title_parent.aspx?PageReq=TSSTitleSES)

**System Performance Review** - a GDOE initiated review and analysis of a LEA's student and school academic performance data to help determine school and LEA improvement interventions.

**Title I** - the federal Elementary and Secondary Education Act program that focuses on improving the academic achievement of the disadvantaged by ensuring that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging state academic standards and state academic assessments.

For more information on Georgia's Title I program, please go to

[http://public.doe.k12.ga.us/tss\\_title.aspx](http://public.doe.k12.ga.us/tss_title.aspx)

Tier 1 Schools

AYP Achievement Metric Value	District Name	School Name	AYP STATUS	NI STATUS	NI Years	Total Achievement	Missed Achievement	Participation	Achievement	Other	Profile
			07	07		Analyses	Analyses			Indicator	
0	Bartow County	South Central Middle School	Y	NI_AYP	3	8	0	Y	Y	Y	1st
0	Bibb County	Danforth Primary School	Y	NI_AYP	4	6	0	Y	Y	Y	1st
0	Carroll County	Jonesville Middle School	Y	NI_AYP	3	10	0	Y	Y	Y	1st
0	Chatham County	Hubert Middle School	Y	NI_AYP	4	8	0	Y	Y	Y	1st
0	Clayton County	Lovejoy Middle School	Y	NI_AYP	3	12	0	Y	Y	Y	1st
0	Cobb County	South Cobb High School	Y	NI_AYP	3	8	0	Y	Y	Y	1st
0	DeKalb County	Columbia Middle School	Y	NI_AYP	3	6	0	Y	Y	Y	1st
0	DeKalb County	Woodward Elementary School	Y	NI_AYP	3	8	0	Y	Y	Y	1st
0	Emanuel County	Emanuel County Institute	Y	NI_AYP	4	4	0	Y	Y	Y	1st
0	Glynn County	Glynn Academy	Y	NI_AYP	3	8	0	Y	Y	Y	1st
0	Greene County	Greene County High School	Y	NI_AYP	3	6	0	Y	Y	Y	1st
0	Gwinnett County	Lilburn Middle School	Y	NI_AYP	3	14	0	Y	Y	Y	1st
0	Hall County	Lyman Hall Elementary School	Y	NI_AYP	3	8	0	Y	Y	Y	1st
0	Macon County	Macon County Elementary Schoo	Y	NI_AYP	3	8	0	Y	Y	Y	1st
0	Newton County	Middle Ridge Elementary School	Y	NI_AYP	3	10	0	Y	Y	Y	1st
0	Richmond County	East Augusta Middle School	Y	NI_AYP	4	6	0	Y	Y	Y	1st
0	Valdosta City	Newbern Middle School	Y	NI_AYP	4	8	0	Y	Y	Y	1st
0	Valdosta City	Southeast Elementy School	Y	NI_AYP	4	8	0	Y	Y	Y	1st
2.075471698	Bibb County	<a href="#">Rutland Middle School</a>	N	NI	3	10	2	Y	N	Y	1st
3.84219554	Meriwether County	<a href="#">Greenville Middle School</a>	N	NI	3	10	3	Y	N	Y	1st
4.288164666	Cobb County	<a href="#">Cooper Middle School</a>	N	NI	3	10	1	Y	N	Y	1st
4.442538593	Jasper County	<a href="#">Jasper County Middle School</a>	N	NI	4	10	1	Y	N	Y	1st

Schools that made AYP in 2007 do not have a calculated metric value since they made the AMO bars in Math and Readin/ELA.

Hyperlinks provided will take you to the school's specific 2007 AYP report on the GaDOE website.

## Tier 2 Schools

AYP Achievement Metric Value			AYP STATUS	NI STATUS	Years in	Total Achievement	Missed Achievement	Other	Non-	CA_Metric	
Metric Value	District Name	School Name	07	07	NI	Analyses	Analyses	Indcator	Academic	Quintile	Profile
0	Baldwin County	Baldwin High School	N	NI	3	8	0	Y	N	0	1st
0	Bibb County	Northeast High School	N	NI	3	6	0	Y	N	0	1st
0	Bibb County	William S. Hutchings Career Ce	N	NI	3	6	0	Y	N	0	1st
0	DeKalb County	Open Campus High School	N	NI	3	2	0	Y	N	0	1st
0	Gwinnett County	Oakland Center	N	NI	4	2	0	Y	N	0	1st
0	Meriwether County	Greenville High School	N	NI	3	6	0	Y	N	0	1st
0	Muscogee County	Carver High School	N	NI	4	6	0	Y	N	0	1st
2.938530735	Clayton County	Forest Park Middle School	N	NI	4	10	1	Y	N	1	1st
3.243440233	Colquitt County	Colquitt County High School	N	NI	4	8	2	Y	N	1	1st
3.462099125	Chatham County	Groves High School	N	NI	3	8	2	Y	N	1	1st
3.866587957	Wayne County	Wayne County High School	N	NI	4	8	2	Y	N	1	1st
4.518121973	Cobb County	Griffin Middle School	N	NI	4	14	2	Y	N	1	1st
4.610058309	McIntosh County	New McIntosh County Academ	N	NI	3	8	2	Y	N	1	1st
5.334476844	Bibb County	Weaver Middle School	N	NI	4	10	1	Y	Y	2	1st
5.521137026	Muscogee County	Jordan Vocational High School	N	NI	4	8	3	Y	N	2	1st
5.730560963	Henry County	Luella Middle School	N	NI	3	12	2	Y	Y	2	1st
6.231778426	Ben Hill County	Fitzgerald High School	N	NI	4	8	2	Y	N	2	1st
6.312178388	Spalding County	Cowan Road Middle School	N	NI	3	10	3	Y	Y	2	1st
6.444112474	Cobb County	Osborne High School	N	NI	3	8	4	Y	N	2	1st
6.577988338	Meriwether County	Manchester High School	N	NI	4	8	3	Y	Y	2	1st
6.960641399	Coffee County	Coffee County High School	N	NI	3	8	2	Y	N	2	1st
7.268439108	Douglas County	Stewart Middle School	N	NI	4	8	1	Y	Y	2	1st
7.6941926	Cobb County	Floyd Middle School	N	NI	4	14	2	Y	Y	3	1st
9.760042792	Cobb County	Lindley Middle School	N	NI	4	12	3	Y	Y	3	1st
9.887131906	Clarke County	Coile Middle School	N	NI	4	10	3	Y	Y	3	1st
9.959677108	Seminole County	Seminole County Middle/High	N	NI	3	10	2	Y	Y	3	1st
10.45116378	DeKalb County	Salem Middle School	N	NI	3	8	2	Y	Y	3	1st
10.54421769	Muscogee County	Spencer High School	N	NI	4	6	2	Y	N	3	1st
10.74899943	Terrell County	Terrell Middle/High School	N	NI	4	6	3	Y	N	3	1st
11.33698166	Early County	Early County High School	N	NI	3	8	4	Y	Y	3	1st
11.87821612	Clayton County	Pointe South Middle School	N	NI	4	8	4	Y	N	3	1st
13.6501732	Chatham County	Bartlett Middle School	N	NI	3	10	5	Y	N	3	1st
13.79980564	Calhoun County	Calhoun County Middle/High S	N	NI	4	6	3	Y	Y	4	1st

14.45578231	Hancock County	Hancock Central High School	N	NI	3	6	3	Y	N	Y	Y	4	1st
16.46655232	State Schools	Georgia Academy for the Blind	N	NI	3	6	3	Y	N	N	N	4	1st
17.40994854	Bibb County	Appling Middle School	N	NI	3	6	3	Y	N	N	N	4	1st
18.36734694	Chatham County	Beach High School	N	NI	3	6	3	Y	N	N	N	4	1st
19.53259005	Atlanta Public Scho	Harper-Archer Middle School	N	NI	3	8	4	Y	N	Y	Y	4	1st
23.19169699	Emanuel County	Swainsboro High School	N	NI	4	10	6	Y	N	Y	Y	4	1st

Schools with no metric value in Tier 2 made AMO bars but did not meet Participation Rate and/or Second Indicator

Tier 3 Schools

AYP Achievement Metric Value	District Name	School Name	AYP STATUS 07	NI STATUS 07	Years in NI	Total	Missed	Participation	Achievement	Other Indicator	Profile	Quintile
						Achievement Analyses	Achievement Analyses					
27.90099511	Richmond County	<a href="#">Josey High School</a>	N	NI	4	6	5	Y	N	N	1st	5
38.48396501	Fulton County	<a href="#">McClarín Alternative School</a>	N	NI	3	2	1	N	N	N	1st	5
45.71183533	DeKalb County	<a href="#">Cross Keys High School</a>	N	NI	4	2	1	Y	N	N	1st	5
54.40549451	DeKalb County	<a href="#">Clarkston High School</a>	N	NI	4	8	7	Y	N	N	1st	5
64.0681696	DeKalb County	<a href="#">DeKalb/Rockdale PsychoEducation Center</a>	N	NI	3	8	8	Y	N	N	1st	5
66.41923464	Atlanta Public Schools	<a href="#">APS-CEP Partnership School</a>	N	NI	4	4	4	N	N	Y	1st	5
85.0416987	State Schools	<a href="#">Georgia School for the Deaf</a>	N	NI	3	2	2	Y	N	Y	1st	5
95.11902754	State Schools	<a href="#">Atlanta Area School for the Deaf</a>	N	NI	3	2	2	Y	N	Y	1st	5



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

OCT 5 2007

The Honorable Kathy Cox  
State Superintendent of Schools  
Georgia Department of Education  
2062 Twin Towers East  
Atlanta, Georgia 30334



Dear Superintendent Cox:

I am pleased to approve Georgia's assessment system under Title I of the *Elementary and Secondary Education Act of 1965 (ESEA)*, as amended by the *No Child Left Behind Act of 2001 (NCLB)*. I congratulate you on meeting this important NCLB requirement.

My decision is based on input from peer reviewers external to the U.S. Department of Education (the Department) and Department staff who reviewed and carefully considered the evidence submitted by Georgia. I have concluded that the evidence demonstrates that Georgia's standards and assessment system satisfies the NCLB requirements. Specifically, Georgia's system includes the administration of grade-level assessments and the Georgia Alternate Assessment (GAA), an alternate assessment based on alternate academic achievement standards, in each of grades 3-8 and high school in reading/language arts and mathematics.

Accordingly, Georgia's system warrants *Full Approval*. This status means that Georgia's standards and assessment system meets *all* statutory and regulatory requirements for reading/language arts and mathematics.

Please be aware that approval of Georgia's assessment system under NCLB is not a determination that the system complies with Federal civil rights requirements, including Title VI of the *Civil Rights Act of 1964*, Title IX of the *Education Amendments of 1972*, Section 504 of the *Rehabilitation Act of 1973*, Title II of the *Americans with Disabilities Act*, and requirements under the *Individuals with Disabilities Education Act*. Finally, please remember that, if Georgia makes significant changes in its assessment system, the State must submit information about those changes to the Department for review and approval.

We have found it a pleasure working with your staff on this review. Please accept my congratulations for your State's approved standards and assessment system under NCLB. I wish you well in your continued efforts to improve student achievement in Georgia.

Sincerely,

Kerri L. Briggs, Ph.D.

cc: Governor Sonny Perdue  
Jeff Gagne  
Melissa Fincher

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202  
www.ed.gov



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JAN 30 2008

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STATE SUPERINTENDENT OF SCHOOLS

Honorable Kathy Cox  
State Superintendent of Schools  
Georgia Department of Education  
2052 Twin Towers East  
Atlanta, Georgia 30334

Dear Superintendent Cox:

We have received the recent response from the Georgia Department of Education (GDE) to the United States Department of Education's (ED) monitoring visit report dated November 30, 2007. The monitoring visit was conducted during the week of March 20-24, 2006. We find your responses and the documentary materials provided sufficient to address all compliance issues as all actions proposed by the GDE and approved by ED resolve the issues of noncompliance identified during the on-site review and cited in the monitoring report. The GDE may receive further communication from ED that will require the GDE to address noncompliance occurring prior or subsequent to the on-site visit.

We are very appreciative of the support and assistance provided by Clara Keith as she has provided ED with evidence regarding compliance with the corrective actions from the monitoring visit.

Please note that representatives from ED's Office of the Chief Financial Officer will address all issues pertaining to Indicators 3.5, 3.9 and 3.10 at a later date.

Sincerely,

Zollie Stevenson, Jr., Ph.D.  
Acting Director  
Student Achievement and School  
Accountability Programs

cc: Ms. Clara Keith



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

DEC 14 2006

Ms. Kathy Cox  
Superintendent of Education  
Georgia Department of Education  
2066 Twin Towers East  
Atlanta, GA 30334

Dear Superintendent Cox:

On July 7, 2006, the Georgia Department of Education (GDOE) submitted its revised State highly qualified teacher (HQT) plan. The peer reviewers found deficiencies in the original plan, and the Department asked that it be revised and re-submitted. We received the revision on September 29, 2006.

Department of Education staff reviewed the revised plan. In general, the reviewers were pleased with the plan, finding only a few remaining deficiencies. To resolve outstanding questions and concerns raised in the internal review, Department Program Officer Elizabeth Witt had a lengthy discussion with Wendy Hughes from the GDOE and Fran Watkins from the Georgia Professional Standards Commission on November 2. As a result of this conversation, GDOE made additional changes to the plan and filled in places where information was missing. A revised version of the plan was submitted to the Department on November 21, and has been reviewed by Department staff.

In the judgment of the Department, the plan submitted on November 21 meets all six requirements and is now approved. I would like to congratulate you and your staff for this excellent work. We recognize the substantial challenge it has been to prepare this plan, and we are encouraged that you were able to submit a complete and comprehensive plan.

We will post the November 21 revision of the plan on the Department's Web site in place of the plan that is currently posted. We look forward to our continued work together, including routine monitoring to ensure that your State implements the activities described in the plan to meet the HQT goal in 2006-07 and beyond, for the benefit of all students in Georgia. If you have any additional questions, please do not hesitate to contact Robert Stonehill (202-260-9737, or [robert.stonehill@ed.gov](mailto:robert.stonehill@ed.gov)), or Elizabeth Witt (202-260-5585, or [elizabeth.witt@ed.gov](mailto:elizabeth.witt@ed.gov)).

Sincerely,

Henry L. Johnson



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Honorable Kathy Cox  
Superintendent of Education  
Georgia Department of Education  
2066 Twin Towers East  
Jesse Hill Jr. Drive, SE  
Atlanta, Georgia 30334

OCT 20 2003

Dear Superintendent Cox:

The purpose of this letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) recent verification visit to Georgia. As indicated in my letter to you of June 18, 2003, OSEP is conducting verification visits to a number of States as part of our Continuous Improvement and Focused Monitoring System (CIFMS) for ensuring compliance with, and improving program performance under, Parts B and C of the Individuals with Disabilities Education Act (IDEA). We conducted our visit to Georgia during the week of July 21, 2003.

The purpose of our verification reviews of States is to determine how they use their general supervision, State-reported data collection, and State-wide assessment systems to assess and improve State performance and to protect child and family rights. The purposes of the verification visits are to: (1) understand how the systems work at the State level; (2) determine how the State collects and uses data to make monitoring decisions; and (3) determine the extent to which the State's systems are designed to identify and correct noncompliance.

As part of the verification visit to the Georgia Department of Education (GDOE), the OSEP staff met with Mr. Phil Pickens, State Director of Special Education, and other GDOE staff who are involved in, and responsible for: (1) the oversight of general supervision activities (including monitoring, mediation, complaint resolution, and impartial due process hearings); (2) the collection and analysis of State-reported data; and (3) ensuring participation in, and reporting of student performance on, State-wide assessments. Prior to and during the visit, OSEP staff reviewed a number of documents<sup>1</sup>, including the following: (1) Georgia's 2002-2003 Part B Continuous Improvement Plan; (2) the State's Biennial Performance Report for 2002; (3) Georgia's Continuous Improvement Monitoring Report, 2001; (4) the State's procedures for data collection; (5) documents filed by Georgia's Advocacy Office; (6) information from the State's website; (7) the Fiscal Year 2003 procedures for State Compliance Reviews; (8) the State Assessment Manual for Students with Disabilities; (9) monitoring reports issued by the State; (10) complaint and due process hearing logs; and (11) preliminary information on, and the plan for roll-out and implementation of, the new Continuous Improvement Monitoring Process.

OSEP also conducted a conference call on July 15, 2003, with a number of the members of Georgia's State Advisory Panel on Special Education, to hear their perspectives on the strengths

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<sup>1</sup> Documents reviewed as part of the verification process were not reviewed for legal sufficiency but rather to inform OSEP's understanding of your State's systems.

and weaknesses of the State's systems for general supervision, data collection, and, for Part B, State-wide assessment. Mr. Pickens and Ms. Marlene Bryar also participated in the call and were instrumental in inviting the participants.

The information that Mr. Pickens and his staff provided during the OSEP visit, together with all of the information that OSEP staff reviewed in preparation for and during the visit, greatly enhanced our understanding of GDOE's systems for general supervision, collection and reporting of data, and State-wide assessment.

### ***General Supervision***

In reviewing the State's general supervision system, OSEP collected information regarding a number of elements, including whether the State: (1) has identified any barriers (e.g., limitations on authority, insufficient staff or other resources, etc.) that impede the State's ability to identify and correct noncompliance; (2) has systemic, data-based, and reasonable approaches to identifying and correcting noncompliance; (3) utilizes guidance, technical assistance, follow-up, and—if necessary—sanctions, to ensure timely correction of noncompliance; (4) has dispute resolution systems that ensure the timely resolution of complaints and due process hearings; and (5) has mechanisms in place to compile and integrate data across systems (e.g., 618 State-reported data, due process hearings, complaints, mediation, large-scale assessments, previous monitoring results, etc.) to identify systemic issues and problems.

GDOE is in the process of revising its general supervision system with the stated purpose of achieving a balance between the need for continuous procedural compliance and a focus on improving student results and outcomes. While GDOE's proposed monitoring system, as described by GDOE, appears to be designed in a way that will enable GDOE to identify and correct noncompliance, OSEP cannot determine whether the system is fully effective without reviewing GDOE's actual implementation of the system and collecting data at the local level once the new procedures are in place. OSEP requests that GDOE keep us informed regarding the design and implementation of its monitoring system, including providing data regarding the findings it makes and its effectiveness in ensuring correction of noncompliance.

### ***Monitoring system prior to the 2003-2004 school year***

According to the most recent Improvement Plan submitted to OSEP, through the 2002-2003 school year, GDOE monitored the 180 public agencies (local school systems and State-operated programs) on a five-year monitoring cycle, utilizing the Compliance Review (CR) process. GDOE informed OSEP that prior to GDOE's visit, public agencies would submit a folder of information addressing discipline, timelines, due process hearings and complaints, parent attendance at IEP meetings, extended school year services, ensuring that children receive services by their third birthday, teacher certifications, and facilities. GDOE would also require the agency to send out parent and staff questionnaires addressing issues such as facilities, transportation, textbooks, and general satisfaction with services. GDOE staff explained that they would use all of this information to target their on-site review.

According to Georgia's 2002-2003 Continuous Improvement Plan, GDOE randomly selected student files and conducted a review prior to the on-site visit. GDOE staff also informed OSEP

that beginning with the 2001-2002 school year, monitors reviewed the selected files for several agencies together at a central location to help ensure inter-rater reliability. As explained by GDOE staff and confirmed by OSEP's review of GDOE's monitoring files, during the 2002-2003 school year, GDOE began to use "case studies" as part of each monitoring review. Each case study included an in-depth review of the student's records across school years, and interviews with an administrator, regular and special education teachers, the parent, and—the student, if of transition age.

As explained by GDOE staff and confirmed by OSEP's review of monitoring files, GDOE conducted on-site exit summaries, and then provided a written report within six weeks. GDOE further informed OSEP that it strongly encouraged agencies to correct any individual student noncompliance before the report came out. Once an agency received its monitoring report, it was required to submit an assurance that it would correct the noncompliance, but GDOE did not require that agencies submit specific strategies and timelines. They further informed OSEP that GDOE did not collect any data regarding correction until a follow-up visit was conducted approximately one year later. However, GDOE's district liaison would communicate informally with the agency on an ongoing basis regarding the status of correction. They explained that during the follow-up visit, GDOE would review selected files and, when appropriate, conduct interviews to determine whether the agency had corrected the noncompliance.

GDOE staff informed OSEP that if an agency had not corrected noncompliance within one year, GDOE would delay the flow of Part B funds until the noncompliance had been corrected. GDOE is concerned about what it perceives as two drawbacks to this sanction. First, they are concerned that an agency may use a "short-term fix" to get its funds, but not take actions that ensure that the noncompliance does not recur. Second, GDOE is concerned that delayed funding for systems with scarce resources negatively impacts children. With approval of the State Board of Education, GDOE may also withhold State funds. To date, GDOE reported making one such withholding. GDOE staff also reported that they are considering the use of other incentives and sanctions that they believe would be more effective in ensuring effective and long-term correction of noncompliance.

Prior to the verification visit, GDOE provided OSEP with a draft of a memorandum regarding proposed changes to its monitoring procedures. That memorandum states that GDOE has been working on revising its current monitoring system since March 2002, with input from all districts through stakeholder meetings. GDOE believes that the current process has relied too heavily on file reviews and has had little impact on actual outcomes for students with disabilities. GDOE was concerned that it had not been using its on-site time as effectively as needed. In addition, GDOE staff reported that the same findings were made in the same agencies every five years; although there was initial correction, there was little or no sustainable correction or systemic change. GDOE informed OSEP that, in an effort to balance compliance and improved results for students with disabilities, GDOE would phase in a revised Continuous Improvement Monitoring Process over the next few years.

#### ***Proposed Continuous Improvement Monitoring System***

GDOE informed OSEP that during the 2003-2004 school year, it will conduct on-site follow up reviews for all systems monitored during the 2002-2003 school year. Other than these follow-up

reviews, GDOE will not conduct on-site monitoring during the 2003-2004 school year. Through further discussion, OSEP learned that they would require districts to submit data regarding timelines for initial evaluation, reevaluations and Part C transition. During July 2004, GDOE's district liaison for each agency will develop a summary report that documents the results of past student record and facility reviews, technical assistance provided to the agency, verification that a corrective action plan has been implemented, and any progress or activities outlined by the district. The district liaison gathers this information by conducting at least two reviews and develops the summary report. The district liaison collaborates with agency personnel in using report information to help strengthen improvement plans. Additionally, each agency will report on its progress and activities at a district meeting twice per year.

GDOE reported that beginning in school year 2003-2004, it would require all 180 agencies to submit an Improvement Plan to GDOE by September 30, 2003. In developing Improvement Plans, each agency is required to review the current and past data profiles for the agency, and, using a stakeholder group, selects at least three of Georgia's ten Performance Goals, one of which must be the Least Restrictive Environment (LRE). GDOE staff explained that once plans are submitted, the State would develop a database that documents areas of need, corrective action/improvement strategies, and results of those activities that will be available to agencies across the State.

GDOE staff informed OSEP through discussion and a written outline of the proposed monitoring procedures, that as part of its Compliance Review monitoring for the 2004-2005 school year, Improvement Plans will be due in June and reviewed by GDOE in July. OSEP further learned that GDOE plans to select approximately 40-45 systems for a compliance review utilizing the following criteria: 1) consideration of all the school year 2003-2004 factors mentioned above; 2) systems ranking in the bottom third of the performance data profile; 3) results of parent satisfaction surveys; and 4) randomly selected systems. Any corrective actions that are developed around any of the performance goals will be addressed in the Improvement Plan. According to the proposed outline mentioned above, GDOE plans to monitor its agencies in school year 2005-2006 using the same criteria used in the 2004-2005 school year, with the addition of following up on corrections of the 40-45 systems reviewed in school year 2003-2004.

### *Technical assistance*

GDOE informed OSEP that it provides ongoing technical assistance to public agencies related to both compliance and improving performance through two primary vehicles. GDOE has designated a district liaison for each local school system, who takes the lead for GDOE in providing training and guidance, as well as in monitoring activities. In addition, GDOE funds the Georgia Learning Resource System (GLRS) to provide professional development, technical assistance and training to the parents of children with disabilities and regular and special education teachers. There are 17 GLRS centers across the State, each assigned to one of the State's eighteen geographical districts (one of the centers works with two districts). GDOE explained that one strength of the GLRS is that each center facilitates the sharing of best practices across the public agencies that comprise the geographical district.

### ***Complaint management***

OSEP learned, through its review of GDOE's complaint log and interviews with staff responsible for resolving complaints, that GDOE issues written decisions on Part B complaints within 60 calendar days of its receipt of the complaint, unless the timeline is extended due to exceptional circumstances that exist with regard to a particular complaint, consistent with 34 CFR §300.661(a) and (b)(1). To date, GDOE reports that there have been no systemic complaints. However, there has been a steady increase in the number of individual complaints over the past couple of years. The State Director views this as a positive aspect of the system and attributes this to increased customer service and parents being better informed of the process.

### ***Due process hearings***

OSEP learned, through its review of GDOE's due process hearing log and interviews with the staff responsible for tracking hearing timelines, that decisions on due process hearings are issued within 45 calendar days of GDOE's receipt of a hearing request, unless the hearing officer grants a specific extension of time at the request of a party, consistent with 34 CFR §300.511(a) and (c). OSEP commends GDOE for continuously providing for training opportunities through workshops and conferences for its assigned Administrative Law Judges with special education expertise.

### ***Collection of data under section 618 of the IDEA***

In looking at the State's system for data collection and reporting, OSEP collected information regarding a number of elements, including whether the State: (1) provides clear guidance and ongoing training to local programs/public agencies regarding requirements and procedures for reporting data under section 618 of the IDEA; (2) implements procedures to determine whether the individuals who enter and report data at the local and/or regional level do so accurately and in a manner that is consistent with the State's procedures, OSEP guidance, and section 618; and (3) implements procedures for identifying anomalies in data that are reported, and for correcting any inaccuracies.

OSEP believes that, as described, the system for collecting and reporting data is a reasonable approach to ensuring the accuracy of the data that GDOE reports to OSEP under section 618.

OSEP confirmed with State staff that Georgia has an electronic web-enabled data collection system that has been in operation since 1998. GDOE informed OSEP that a new proposed student information system is scheduled for implementation during the 2005-2006 school years. OSEP learned that the special education data manager works closely with the Information Technology department and is responsible for requesting the necessary 618 data and other pieces of information from the Information Technology department to report to OSEP. GDOE explained that all 618 data (except two pieces of discipline data) are entered via the web at the local level. Each agency's special education director submits two sources of discipline data via paper: (1) students with disabilities suspended for more than 10 days; and (2) students with disabilities that have multiple suspensions beyond 10 days. The data manager informed OSEP that there are plans in place to gather all discipline data electronically, but this addition to the system will not be operable until the start of the 2005-2006 school year.

GDOE staff confirmed that the State uses the same disability and race/ethnicity categories and definitions as those in OSEP's data collection memorandum to States in collecting and reporting its 618 data. GDOE described a system of extensive edits that it uses to detect, investigate, and resolve data anomalies. GDOE informed OSEP that the department provides extensive training opportunities on data collection to agencies every year. Some of the upcoming trainings will be tailored to agencies in an effort to work with local level staff regarding edit checks. GDOE reported that they have provided technical assistance to nearly 90% of the agencies on data collection related concerns. GDOE expressed a high level of confidence in the accuracy of its data.

### *State-wide Assessment*

In looking at the State's system for State-wide assessment, OSEP collected information regarding a number of elements, including whether the State: (1) establishes procedures for State-wide assessment that meet the participation, alternate assessment, and reporting requirements of Part B, including ensuring the participation of all students, including students with disabilities, and the provision of appropriate accommodations; (2) provides clear guidance and training to public agencies regarding those procedures and requirements; (3) monitors local implementation of those procedures and requirements; and (4) reports on the performance of children with disabilities on those assessments, in a manner consistent with those requirements. In order to better understand Georgia's system for State-wide assessment, OSEP also discussed with your staff how the alternate assessment is aligned with grade-appropriate content standards.

OSEP interviewed staff from DES, GDOE's Testing Division, and the Office of Educational Accountability in order to gain a better understanding of Georgia's State-wide Assessment system. GDOE informed OSEP that since the new State Superintendent assumed her position in January 2003, she has convened three testing summits to identify and help resolve any problems related to testing administration, vendors, and overall issues in assessment. Discussions with State-wide assessment staff revealed that GDOE has provided extensive training and guidance regarding the inclusion of students with disabilities in State-wide assessments. The special education and testing staff work together to provide technical assistance to public agencies. It was evident from GDOE's monitoring document that it reviews agencies for compliance with requirements regarding State-wide assessment using the Compliance Review Document.

The Georgia Alternate Assessment (GAA) was developed as an assessment for students with disabilities who cannot participate in the regular assessment, even with accommodations. GDOE informed OSEP that beginning in early 1998, an advisory group convened to help determine appropriate accommodations for each assessment and to develop the alternate assessment. The group included special education teachers, test coordinators from local systems, special education administrators, higher education officials, and regular education teachers. Through further discussion, OSEP learned that GDOE determined that there was no way to align the alternate assessment with the Quality Core Curriculum (QCC), because the QCC includes no alternate standards for students with significant disabilities. Therefore, the current GAA<sup>2</sup> is not

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<sup>2</sup> Title I of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001, also includes a number of requirements related to including children with disabilities in State assessment programs and

aligned with the QCC. To address this, the State informed OSEP that it is working to revise the QCC. In addition, OSEP learned that the revised QCC, with alternate standards, is scheduled for implementation during the fall 2004, and the GAA will be aligned with the QCC by spring 2005.

GDOE informed OSEP that the State uses the GAA as the alternate assessment for all State-wide assessments. In addition, the Georgia High School Graduation Test (GHS GT) is used for systems accountability as well, and will be used as the high school examination to address the accountability requirements of the No Child Left Behind (NCLB) Act. OSEP further learned that for the past school year 2002-2003, there was no alternate assessment administered for the GHS GT. This appears to be inconsistent with the Part B requirement at 34 CFR §300.138. GDOE stated that beginning with the 2003-2004 school year, the GAA will be used as the alternate assessment for the GHS GT. OSEP could not determine the extent to which the IEP-based GAA provides objective, valid measurement of student performance, and is concerned about the lack of alignment with the QCC.

OSEP has determined, through its review of the State's written procedures for State-wide assessments and the State's reports to the public and the Secretary on the participation and performance of children with disabilities on such assessments, that those procedures, as written, and those reports are consistent with Part B requirements. OSEP cannot, however, without also collecting data at the local level, determine whether all public agencies in the State implement the State's procedures in a manner that is consistent with Part B.

We appreciate the cooperation and assistance provided by your staff during our visit. We look forward to our continued collaboration with Georgia to support your work to improve results for children with disabilities and their families.

Sincerely,



Stephanie Smith Lee  
Director  
Office of Special Education Programs

cc: Mr. Phillip H. Pickens

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reporting on their participation and performance on regular and alternate assessments that in many instances are more specific than requirements in the IDEA. For example, the Title I regulations require, at 34 CFR §200.2(b)(3) and (4), that all State assessments must, "(3)(i) Be aligned with the State's challenging academic content and student academic achievement standards; and (ii) Provide coherent information about student attainment of those standards. (4)(i) Be valid and reliable for the purposes for which the assessment system is used; and (ii) Be consistent with relevant, nationally recognized professional and technical standards." This letter does not, and should not be interpreted to, address Georgia's compliance with requirements of Title I.



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

AUGUST 30, 1996

Honorable Linda Schrenko  
Superintendent of Schools  
Georgia State Department of Education  
2066 Twin Towers East  
Atlanta, Georgia 30334

Dear Superintendent Schrenko:

During the week of May 13, 1996, the Office of Special Education Programs (OSEP), United States Department of Education, conducted an on-site review of the Georgia State Department of Education's (GADOE) implementation of Part B of the Individuals with Disabilities Education Act (Part B). The purpose of the review was to determine whether GADOE is meeting its responsibility to ensure that its educational programs for children with disabilities are administered in a manner consistent with the requirements of Part B. Enclosure A to this letter describes OSEP's monitoring methodology and corrective action procedures; Enclosure B lists several commendable initiatives; and our findings and corrective actions are presented in Enclosure C.

Our review revealed that the actions GADOE took in response to OSEP's prior monitoring report of September 1992 appear to have been effective in resolving a number of the problems identified in that report. We found no systemic deficiencies in the areas of individualized education programs (IEPs), provision of related services, and review and approval of local educational agency applications -- all areas where GADOE took corrective action after OSEP's 1992 report. OSEP also recognizes several initiatives undertaken by GADOE for providing services to students with disabilities, which are described in Enclosure B to this Letter.

OSEP's monitoring places a strong emphasis on those requirements most closely associated with positive results for students with disabilities. Our monitoring revealed that GADOE did not always ensure the provision of services in the least restrictive environment, provision of extended school year services as a

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component of a free appropriate public education and provision of prior written notice. In addition, we found problems with GADOE's complaint management system, its due process hearing system and its procedures for monitoring for compliance with Federal requirements in local school systems statewide. The preliminary findings of the monitoring team were discussed with Ms. Paulette Bragg, Director, Division for Exceptional Students, and members of her staff at an exit conference held at the conclusion of OSEP's on-site visit. OSEP staff subsequently provided GADOE with further clarification of its findings through telephone conference calls. GADOE was invited to provide any additional information it wanted OSEP to consider during the development of OSEP's monitoring report. No additional information was submitted by GADOE; therefore, the findings presented in Enclosure C are final.

In the event GADOE, after consideration of the data in this letter and its enclosures, concludes that evidence of noncompliance is significantly inaccurate and that one or more findings are incorrect, GADOE may request reconsideration of the finding(s). In such a case, GADOE must submit reasons for its reconsideration request and any supporting documentation within 15 days of receiving this letter. OSEP will review the request and, where appropriate, will issue a letter of response informing GADOE that the finding has been revised or withdrawn. Requests for reconsideration of a finding will not delay development of the corrective action plan and implementation timelines for findings not part of the reconsideration request.

I thank you for the assistance and cooperation provided during our review. Throughout the course of the monitoring process, Ms. Bragg and staff members of GADOE's Division for Exceptional Students were responsive to OSEP's requests for information, and provided access to necessary documentation that enabled OSEP staff to acquire an understanding of Georgia's various systems to implement Part B.

Members of OSEP's staff are available to provide technical assistance during any phase of the development and implementation of GADOE's corrective actions. Please let me know if we can be of assistance.

Before the enactment of the Individuals with Disabilities Education Act (IDEA), one million children with disabilities were excluded from school altogether, and another 3.5 million did not receive appropriate programs within the public schools. Because of the IDEA and the joint actions of schools, school districts,

State educational agencies and the Department, more than 5.4 million children with disabilities are in school.

Thank you for your continued efforts toward the goal of improving education programs for these children and youth with disabilities in Georgia.

Sincerely,

Thomas Hehir  
Director  
Office of Special Education  
Programs

Enclosures

cc: Ms. Paulette Bragg

## ENCLOSURE A

### OSEP's Monitoring Methodology

Pre-site Preparation. OSEP staff began its review of documents related to GADOE's special education program in January 1996. The review included, but was not limited to, GADOE's State plan, State regulations, interagency agreements and other materials that must comply with the requirements of Part B, such as the complaint management, due process hearings, and State monitoring systems. OSEP also reviewed GADOE's placement data based on the December 1995 child count.

At GADOE's request, a staff member from the South Atlantic Regional Resource Center participated as an observer during some of the interviews at GADOE's administrative offices, and attended the exit conference. OSEP understands that South Atlantic Regional Resource Center staff will assist GADOE with development and implementation of corrective action plan activities based on the findings contained in this letter.

Involvement of Parents and Advocates During the week of April 1, 1996, OSEP held public meetings in Atlanta, Savannah and Valdosta. The purpose of these public meetings was to solicit comments from parents, advocacy groups, teachers, administrators and other interested citizens regarding their perceptions of GADOE's compliance with Part B. In addition, OSEP conducted outreach meetings with representatives from the Parent Training and Information Project, the Georgia Protection and Advocacy Program, and the Georgia State Advisory Panel to receive additional information. The information obtained from the public meetings and outreach activities, as well as from interviews with State officials and a review of State documents, assisted OSEP in: (1) identifying the issues faced by consumers and others interested in special education in Georgia; (2) selecting monitoring issues (e.g., the provision of services for students with disabilities in the least restrictive environment) to be emphasized while on-site; and (3) selecting the sites to be visited.

During the on-site visit, OSEP conducted a parent focus group meeting in Muscogee County in order to hear parents' impressions of special education services provided to their children. This meeting provided OSEP staff with parent views of the methods used by the agency in providing a free appropriate public education to their children as well as the challenges faced by the agency in this endeavor.

On-site Data Collection and Findings The OSEP team consisted of: Chuck Laster, the Team Leader, Delores Barber, Claudia Brewster, Catherine Cooke, Nell Eano, and Sheila Friedman. The team visited three high schools, two middle schools, four elementary schools (including two preschool programs housed in regular elementary school buildings) in six local school systems (agencies). In addition, the team spent a day at one of GADOE's psychoeducational centers. Where appropriate, OSEP has included in this letter data collected from the seven agencies to support or clarify OSEP's findings regarding the sufficiency and effectiveness of GADOE's systems for ensuring compliance with the requirements of Part B. The agency in which the supporting or clarifying data were collected is indicated by a designation such as "Agency A." The agencies that OSEP visited and the designation used to identify those agencies in Enclosure C of this letter are set forth below:

Agency A: Bulloch County  
Agency B: Cobb County  
Agency C: Harris County  
Agency D: Mitchell County  
Agency E: Muscogee County  
Agency F: Oak Tree Psychoeducational Center  
Agency G: Thomasville City

## Corrective Action Procedures

In the interest of developing a mutually agreeable corrective action plan specifically designed to address these findings, OSEP proposes that GADOE representatives discuss with OSEP staff, either in a meeting or telephone conference, the areas of noncompliance identified, the most effective methods for bringing about compliance and improving programs for children with disabilities in the State, and specific corrective actions. We also will invite a representative from Georgia's Special Education Advisory Panel to participate in that discussion. GADOE's corrective action plan must be developed within 45 days of receipt of this letter. Should we fail to reach agreement within this 45 day period, OSEP will be obliged to develop the corrective action plan.

In order to begin immediate correction of deficient practices GADOE must undertake the following general corrective actions:

1. GADOE must issue a memorandum to all agencies advising them of OSEP's findings of deficiency. The memorandum must direct agencies to review their respective practices in regard to each of the deficiencies identified by OSEP in order to determine if they have proceeded in a manner similar to the agencies in which OSEP found deficiencies. Should these agencies determine that their current practice is inconsistent with the requirements identified in GADOE's memorandum, they must discontinue the current practice and implement procedures that are consistent with Part B. This memorandum must be submitted to OSEP within 30 days of the issuance of this letter. Within 15 days of OSEP's approval of the memorandum, it must be issued to all agencies throughout the State providing special education or related services to students with disabilities.

2. GADOE must issue a memorandum to those agencies in which OSEP found deficient practices, as identified in Enclosure C of this letter, requiring those agencies to immediately discontinue the deficient practice(s) and submit documentation to GADOE that the changes necessary to comply with Part B requirements have been implemented. This memorandum must be submitted to OSEP within thirty days of the issuance of this letter. Within 15 days of OSEP's approval, GADOE must issue the memorandum to those public agencies in which OSEP found deficient practices. GADOE must send to OSEP verification that all corrective actions have been completed by these public agencies.

ENCLOSURE B

COMMENDABLE INITIATIVES

Following are commendable GADOE initiatives that OSEP identified during the onsite review:

The **Georgia Project for Assistive Technology** coordinates a statewide technical support network in the area of assistive technology. Staff members conduct a range of technical assistance and training activities such as on-site visits to assist local school system personnel in the development and implementation of programs for individual students, establishment of site-based assistive technology teams, provision of training on methods of evaluation of students for assistive technology, facilitation of Regional and State training workshops, and establishment of a short term lending library.

The **Bureau for Students with Severe Disabilities** is the result of a cooperative effort between the Division of Exceptional Students, GADOE, and Georgia State University, Department of Special Education and Educational Psychology. Its mission is to provide a statewide systemic approach to assist teachers and schools that are involved in the education of students with severe and profound intellectual disabilities. The Bureau is funded in part with Federal discretionary monies and provides training for teachers on a regional basis. Services include lectures on best practices, hands-on work with students in classrooms and demonstration teaching. The goal of the initiative is to develop a cadre of qualified teachers who can work with children with severe disabilities.

The **Institute for Educational Interpreters** provides specialized training opportunities for educational interpreters and para-professionals with interpreting duties. Each summer, approximately 30-50 individuals participate, and to date, approximately 150 individuals statewide have received training from the Institute.

**Transition Consortium** - Through awareness of the need for improved services in the area of transition, the Department of Rehabilitation Services, GADOE, the Department of Labor, Colleges and Universities, Mental Health and parents statewide have collaborated in their efforts to share resources at the local school system level to identify student needs for provision of transition services. The goal of the consortium is to provide a unified service delivery system, and eliminate duplication of effort among the agencies involved. This collaborative effort will allow local school systems to coordinate the provision of transition services, and identify issues, problems and barriers to implementation based on the collective experience of participants. The **Consortium** sponsors the annual **Statewide Transition Conference** which focuses on enabling more students with disabilities to obtain entry into colleges, universities and technical schools. Conference participants include representatives from the Department of Labor, Rehabilitation Services, Division of Exceptional Students, colleges and universities, adult and teacher education. A major thrust of the conference is the development of a collaborative agreement between GADOE, the Department of Adult and Technical Education and the Department of Vocational Rehabilitation to allow students who graduate with special diplomas or a GED to enter technical schools in the State.

**Mediation** - GADOE annually contracts with the Justice Center of Atlanta, to provide an alternative method for the resolution of special education disputes for all agencies in the State. The Justice Center conducts individual mediation sessions, as well as training activities for State and local school system personnel. GADOE's contract specifies that training is held twice each year. These efforts have led to fewer due process hearings and a greater number of successfully mediated disputes between parents and school system.

The **Behavioral Intervention Program** is a model collaboration between three local school systems in Georgia and GADOE for the purpose of dealing more effectively with children who exhibit self-injurious behaviors. Students may be referred for a period of six weeks. The program is available to students statewide, through technical assistance. The program is set up for replication back in the school setting, and teachers are assisted with developing skills and educational strategies, targeting behaviors, and taking these techniques back to implement in the regular education program. GADOE plans to expand the program to include additional districts in other geographic areas of the State.

The **Georgia Parent Initiative Program** is a technical assistance effort to facilitate communication between parents and educators in the special education process in Georgia. GADOE has developed the publication, Home and School, Partners in Special Education, which describes the special education planning process, informs parents of their rights and responsibilities in the system, and stresses the partnership between parents and schools. GADOE has also developed a series of videotapes explaining the role of parents in the special process, emphasizing effective communication skills. The booklet and videotapes are made available through each of the local school systems and through the Georgia Learning Resource System.

ENCLOSURE C  
FINDINGS AND EXPECTED RESULTS/ACTION REQUIRED/TIMELINES

FEDERAL REQUIREMENT	OSEP FINDING	EXPECTED RESULTS/ ACTION REQUIRED/ TIMELINES
<p><b>SEA MONITORING</b> (§§80.40, 300.402, 300.556, and 20 U.S.C. §1232d(b)(3))</p> <p>[GADOE is responsible for the adoption and use of proper methods to monitor public agencies responsible for carrying out special education programs, and for adoption and use of effective methods for the correction of deficiencies identified through monitoring.]</p>	<p><b>BACKGROUND:</b> GADOE monitors public agencies in the State through its Program Review process on a five year cycle. The process begins with the notification of the onsite visit, and a technical assistance visit by the District Liaison. At that time, the <u>Program Review Document</u> is provided to the agency, which is used as a self-study guide. Selected teachers, administrators and parents complete questionnaires which are sent to GADOE for review prior to the onsite visit. The self-study document, along with personnel lists and other information is submitted to GADOE two to three weeks prior to the onsite visit, and the issues investigated, files to be reviewed, and facilities to be visited are determined through information derived from these materials. GADOE staff conduct an entrance conference, to discuss the scope of the review. GADOE staff then review student files and other selected documents and visit a predetermined number of buildings to view instructional space and verify existence of materials purchased with Federal funds. Interviews with teachers and/or parents may also be conducted at this time. The onsite visit lasts typically from two to four days, and findings are presented at a working exit conference, where the team provides clarification to agency staff and gathers additional information. Commendations and findings are presented at the final exit, along with the process for completing the corrective action plan. The final program review report is sent to the agency within 30 days, and includes timelines for corrective actions, with each compliance item designated as in full compliance, partial compliance or noncompliance. The agency has 30 days to respond with its plan. Isolated issues must be corrected immediately, and all systemic issues must be corrected within 12 months. At least one postprogram review/follow-up visit is scheduled within 12 months of the onsite. All actions initiated by the agency are verified by GADOE, either through onsite visits, correspondence, calls or assurance statements. When all issues have been verified as corrected, GADOE will issue a postprogram review approval of the agency's corrective action plan. In its 1992 Report, OSEP made findings of noncompliance with regard to methods for identification of deficiencies regarding certain specified Part B requirements. (20 U.S.C. 1232d(b)(3)(A)).</p> <p><b>FINDING:</b> OSEP reviewed GADOE's procedures for conducting program reviews, including the <u>Program Review Document/Self Study</u>, along with questionnaires, interview forms, GADOE's due process checklists, and all other ancillary monitoring procedures and materials, and finds that the procedures that were in effect at the time of OSEP's visit did not include a method to determine compliance regarding the following requirements:</p> <p style="text-align: center;">§§300.300-Free Appropriate Public Education-Extended school year 300.342(b)(2)-IEP implemented following meeting</p>	<p>GADOE will revise its monitoring procedures and data collection instruments to ensure that it has an effective method to monitor for each Federal requirement related to Part B specified in this Letter.</p>

<p><b><u>SEA MONITORING</u></b></p> <p>(Continued)</p>	<p>Requirements for which GADOE's monitoring procedures did not contain a method to determine compliance [continued]:</p> <p>§§300.344-(c)(3)-Agency does not attend; steps to ensure participation  300.345(b)(2)-Transition notice: purpose; invite student; representative of other agency  300.346(b)(2)-IEP content - Basis for transition services not addressed  300.347(a)-If agency fails to provide services public agency schedules a meeting  300.505(a)(4)-Factors relevant to agency's proposal or refusal  300.505(b)(1)-Notice in language understandable to the general public  300.550(b)(1)-Children with disabilities are educated with nondisabled students to the maximum extent appropriate to the needs of the child  300.551(b)(2)-Provision for supplementary aids and services to be provided in conjunction with regular class placement</p>	
	<p>In addition, OSEP's review indicated that GADOE does not have a complete method for monitoring compliance with the following requirements:</p> <p><b>§300.504(a)</b> - Prior notice - The language "a reasonable time" is not included in the <u>Program Review Document</u>. Also, this document states that notice will be provided in instances where the public agency proposes or refuses to initiate or change the related services provided to the student, but does not state that notice is provided when a public agency otherwise proposes or refuses to initiate or change the provision of a free appropriate public education to a child.</p> <p><b>§300.533(a)(3)</b> - Placement procedures - The <u>Program Review Document</u> does not include the requirement that the individuals making the placement decision must include those knowledgeable about the placement options.</p> <p><b>§300.553</b> - Nonacademics - The <u>Program Review Document</u> states that each child with a disability participates with nondisabled children in nonacademic and extracurricular services and activities <u>when appropriate</u>. The Federal requirement specifies that such participation must be <u>to the maximum extent appropriate</u> to the needs of the child.</p>	

<p><b>COMPLAINT MANAGEMENT</b>  <b>§§300.660(a) and 300.662</b>  [GADOE must ensure that any complaint that a public agency has violated a requirement of Part B be investigated and resolved within 60 calendar days after the complaint is filed, unless GADOE has extended the time limit because exceptional circumstances exist with respect to a particular complaint.]</p>	<p><b>BACKGROUND:</b> GADOE informs parents and other interested parties of its procedures for complaint management through the regionalized Georgia Learning Resource System, and through reminders to public agencies and advocacy groups. GADOE's formal complaint procedures are detailed in the State regulations at 160-4-7-.03. These procedures require that a complainant must file a written, signed complaint with GADOE alleging that a public agency is not in compliance with a Part B requirement. GADOE then sends a letter to the public agency involved, informing them of the complaint, and requesting a response within ten calendar days. The complainant also receives a copy of the letter, and is also invited to submit additional documentation. GADOE then reviews the agency's response to determine if the issue has been resolved or, if it is necessary for GADOE to make an onsite visit to resolve or further clarify the issue. GADOE's onsite team may examine records, conduct interviews and/or classroom visitations. GADOE then reviews all relevant information, and makes a determination whether the agency has violated a Part B requirement. If the resolution letter sent to the public agency indicates that a violation has occurred, the letter will inform the agency that it must submit a plan for correction with specific timelines for completion. GADOE incorporates all issues involved in complaints from each public agency into that agency's subsequent program review.</p> <p><b>FINDING:</b> OSEP finds that GADOE does not ensure that complaints are resolved within 60 calendar days after the complaint is filed, unless the timeline is extended due to exceptional circumstances with respect to a particular complaint. OSEP interviewed GADOE officials responsible for complaint resolution in the State, and reviewed complaint logs tracking complaints filed from June 1993 through December 1995. Of the 41 complaints filed with GADOE during this period, 15 exceeded the established 60 day timeline or the extended timeline from two to 26 days beyond the required timeline.</p>	<p>GADOE must demonstrate that its procedures ensure that any complaint that a public agency has violated a requirement of Part B be investigated and resolved within 60 calendar days after the complaint is filed, unless GADOE has extended the time limit because exceptional circumstances exist with respect to a particular complaint.</p>
<p><b>PROCEDURAL SAFEGUARDS:</b>  <b>Impartial due process hearings</b>  <b>§300.512(a) and (c)</b>  [GADOE is responsible for ensuring that not later than 45 days from the receipt of a request for a hearing, a final decision is reached and a copy is mailed to each of the parties, unless a specific time extension is granted at the request of either party.]</p>	<p><b>BACKGROUND:</b> Prior to 1994, GADOE maintained a two-tier system for conducting impartial due process hearings. In January 1994, GADOE converted to a one tier due process hearing system. In April 1995, GADOE initiated a contract with the Georgia Office of Administrative Hearings to conduct impartial due process hearings. Under the present system, parents who wish to request a due process hearing are instructed to contact their local agency. When the agency receives a request for an impartial due process hearing, or when the agency initiates a request, it informs GADOE's Office of Legal Services which contacts the Office of Administrative Hearings. The Office of Administrative Hearings appoints an administrative law judge to serve as the hearing officer. The administrative law judge then makes the necessary arrangements and conducts the impartial due process hearing.</p> <p>GADOE Division for Exceptional Students staff informed OSEP that until April 1996, the Office of Legal Services maintained a log of impartial due process hearing activities and provided the log to the Division for Exceptional Students. The Division then used the log to monitor for timelines. Division staff stated that they also contacted the Office of Administrative Hearings, the Administrative Law Judge, and the Office of Legal Services, to obtain additional information that was not provided on the log, or to provide guidance. In April 1996, the responsibility for preparation and maintenance of a log of due process hearings was transferred from the Office of Legal Services to the Division for Exceptional Students. Division staff informed OSEP that it monitors for the requirements of §300.512(a) and (c) through the preparation and maintenance of the log.</p> <p>OSEP reviewed the fiscal year 1996 log of impartial due process hearings that was prepared by the GADOE Division for Exceptional Students as part of its oversight and monitoring responsibilities. The headings under which information was recorded include the following: Case Number, Name of Hearing Officer/Administrative Law Judge, Date of Hearing Request, Mediation, Time Extension, Date</p>	<p>GADOE will ensure that not later than 45 days from the receipt of a request for a hearing, a final decision is reached and a copy is mailed to each of the parties unless a specific time extension is granted at the request of either party.</p> <p>GADOE will revise its monitoring procedures to ensure that the requirements of §300.512(a) and (c) are met.</p>

	<p>of Hearing, Time Extension (subsequent to the initiation of the hearing), Other Action, Date Resolved, and File Completion. The column titled "Date Resolved" indicated whether resolution was by consent agreement, hearing decision, settlement, request for hearing withdrawn, or an order of dismissal agreement. Records of completed due process hearings are maintained by the Division. In its 1992 monitoring Report, OSEP made findings with regard to timelines in due process hearings and reviews. (§300.512).</p> <p><b>FINDING 1:</b> OSEP finds that GADOE has not implemented effective monitoring procedures to ensure that the requirements of §300.512(a) and (c) are met.</p> <p>GADOE officials informed OSEP that the only data that they review in the hearing records to determine whether hearing decisions are reached and mailed to the parties within the timelines required by §300.512(a) and (c) are those that GADOE includes in its log. OSEP reviewed that log and determined that while it does indicate whether a hearing officer extended the timeline, the log does not direct the person completing it to make a determination whether the hearing officer has met the requirements of §300.512(c) (i.e., whether the extension was at the request of a party and a specific period of time), and to record that information. As explained below, OSEP finds that the log did not, in many cases, indicate whether the extension was for a specific period of time and at the request of a party.</p>	
<p><b>PROCEDURAL SAFEGUARDS:</b>  <b>Impartial due process hearings</b>  <b>§300.512(a) and (c)</b></p> <p>[Continued]</p>	<p>OSEP reviewed the twenty-eight requests for due process hearings that were logged between 7/1/95 and 12/1/95. Five of the 28 requests resulted in due process hearings, and the other 23 requests were withdrawn, settled, dismissed, or a consent agreement was reached.</p> <p>In 12 of the 28 requests for a due process hearing, the 45 day timeline was exceeded, and there were no requests for extensions recorded in the log prepared by GADOE. The timelines in these cases exceeded the 45 day timelines in amounts ranging from 7 days to 4 months and 27 days.</p> <p>The log noted that of the 16 requests for which extensions were recorded, 10 were extended for a specific period of time. The log entries for the other six extensions did not include a specific time limit, and all were resolved from 56 to 169 days beyond the 45 day timeline requirement.</p> <p>There was a notation on two of these entries that stated that the "parties waived the timelines." On another entry, under "Time Extension" was stated "continued until further notice," and in the remaining three entries, there was no reference to the amount of time.</p> <p><b>FINDING 2:</b> OSEP finds that GADOE does not always ensure that no later than 45 days from the receipt of a request for a hearing, a final decision is reached and a copy is mailed to each of the parties, unless a specific time extension is granted at the request of either party.</p> <p>OSEP randomly selected for review files of four hearings noted on the log that included extensions. The log indicated that three of the four requests selected by OSEP resulted in a due process hearing decision, and one resulted in dismissal. For the purpose of this Report, OSEP labeled the records it reviewed, Record A, B, C, and D. OSEP's review of these files indicated that in records C and D, the hearing exceeded timeline requirements without extensions for specific periods of time, record B indicated that an extension was granted, but it was not for a specific period of time, and in record A, the hearing officer initiated an extension for a specific period of time, and exceeded this timeline without granting another extension.</p> <p><b>Record A</b> was listed on the log as having extensions for specific periods of time. 15 days after the request for a hearing was received, the hearing officer initiated a continuance, quoting the Office of Administrative Hearings Rule 616-1-2-.06, Changes of Time, that allowed an administrative law judge to initiate a change, for good cause shown, any time limit prescribed or allowed by the</p>	

Rules that is not otherwise specified by law. The hearing officer stated that since mediation had been scheduled for the parties involved, "good cause" was found for a continuance, and scheduled a hearing date to take place 25 days from the date of the order. The hearing was subsequently rescheduled, and the hearing officer directed that the closing argument briefs were to be submitted within seven days from the close of the evidence, at which time the hearing was considered complete. The hearing officer further ruled that the decision would be rendered within twenty days of the completion of the hearing. 28 days after the due date of the decision that had been set by the hearing officer, an order was issued that stated that due to the length of the hearing and the complexity of the issues, the time in which the decision shall be rendered is extended to and including eight days after the issuance of the order of extension.

**Record C** stated that the hearing officer granted an extension at the request of a party, and scheduled a date for the hearing to be held two months and four days after the request was received. The record stated that the parties negotiated an agreement following the opening statement at the hearing. A dismissal was ordered two months and two days following the date that the due process hearing began. There was no reference to requests for extensions other than the request prior to the initiation the due process hearing.

**Record B** contained the statement that "the parents consented to a delay in the proceedings." There was no indication that the continuance was for a specific period of time.

**Record C** stated that the hearing officer granted an extension at the request of a party, and scheduled a date for the hearing to be held two months and four days after the request was received. The record stated that the parties negotiated an agreement following the opening statement at the hearing. A dismissal was ordered two months and two days following the date that the due process hearing began. There was no reference to requests for extensions other than the request prior to the initiation the due process hearing.

**Record D** contained information that indicated that 16 days after the request for a due process hearing, the parties agreed to a specific time extension to begin the hearing. A decision was rendered one month and 27 days after the conclusion of the hearing. There was no notation in the file that an extension was granted at the request of a party for a specific time for a final decision to be reached and a copy of the decision mailed to each of the parties.

**Record B** contained the statement that "the parents consented to a delay in the proceedings." There was no indication that the continuance was for a specific period of time.

**Record C** stated that the hearing officer granted an extension at the request of a party, and scheduled a date for the hearing to be held two months and four days after the request was received. The record stated that the parties negotiated an agreement following the opening statement at the hearing. A dismissal was ordered two months and two days following the date that the due process hearing began. There was no reference to requests for extensions other than the request prior to the initiation the due process hearing.

**Record D** contained information that indicated that 16 days after the request for a due process hearing, the parties agreed to a specific time extension to begin the hearing. A decision was rendered one month and 27 days after the conclusion of the hearing. There was no notation in the file that an extension was granted at the request of a party for a specific time for a final decision to be reached and a copy of the decision mailed to each of the parties.

<p><b>PROCEDURAL SAFEGUARDS: Impartial due process hearings §300.512(a) and (c)</b></p> <p>[Continued]</p>	<p><b>Record B</b> contained the statement that "the parents consented to a delay in the proceedings." There was no indication that the continuance was for a specific period of time.</p> <p><b>Record C</b> stated that the hearing officer granted an extension at the request of a party, and scheduled a date for the hearing to be held 65 days after the request was received. The record stated that the parties negotiated an agreement following the opening statement at the hearing. A dismissal was ordered 63 days following the date that the due process hearing began. There was no reference to requests for extensions other than the request prior to the initiation the due process hearing.</p> <p><b>Record D</b> contained information that indicated that 16 days after the request for a due process hearing, the parties agreed to a specific time extension to begin the hearing. A decision was rendered 78 days after the conclusion of the hearing. There was no notation in the file that an extension was granted at the request of a party for a specific time for a final decision to be reached and a copy of the decision mailed to each of the parties.</p>	
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<p><b><u>Prior notice; parent consent. §300.504</u></b>  [Written notice that meets the requirements of §300.505 must be given to the parents of a child with a disability a reasonable time before the public agency -- Proposes or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child.]</p>	<p><b><u>BACKGROUND:</u></b> Prior to the onsite visit, OSEP reviewed GADOE's most recent monitoring reports for each of the seven public agencies to be visited. OSEP found that GADOE made no findings of noncompliance with regard to provision of prior written notice in any of these agencies.</p> <p>All the required components of prior notice must be provided to the parents at each of the times cited under 300.504(a); however, there is no requirement that the components be embodied in a single document. GADOE provides agencies with a model notice, <u>Parental Rights in Special Education</u>, that meets the requirements of §300.505(a)(1), and the notice requirements of §300.505(a)(2)-(4) may be included in minutes of IEP or placement meetings, on the IEP, or on specially designed notice documents.</p> <p><b><u>FINDING:</u></b> GADOE does not always ensure that public agencies provide notice when proposing a change in the provision of a free appropriate public education to a student. As defined at 34 CFR §300.8, a free appropriate public education must consist of special education and related services that are "provided in conformity with an IEP ..." A change in the special education and related services set forth in a student's IEP therefore constitutes a change in the provision of a free appropriate public education to the student. A change in free appropriate public education may include, but is not limited to: a change in the type or amount of specially designed instruction, type or amount of related services, type or amount of special accommodations, and type or amount of supplementary aids and services. OSEP's review of GADOE's procedures for conducting Program Reviews indicated that GADOE monitors to ensure that notice is provided prior to a proposal or refusal to initiate or change the provision of related services to a child, but does not specify that notice that meets the requirements of §300.505 must be given to the parents of a child with a disability a reasonable time before the public agency otherwise proposes or refuses to initiate or change the provision of a free appropriate public education to the child (including the amount of time in regular and/or special education classes).</p> <p>In interviews that OSEP conducted with teachers and administrators during its onsite visit to Agencies A, D and E, OSEP was informed that notice that meets the requirements of §300.505(a) was not provided at IEP meetings that did not involve a change of placement.</p> <p>A special education administrator in Agency A informed OSEP that they provide a copy of the Parental Rights booklet to the parents at initial placement, reevaluation, and when a change of placement is recommended, but not at annual review meetings when a change in placement is not recommended.</p> <p>A special education administrator in Agency D stated that this agency prepares minutes of meetings and provides the parents with a copy of Parental Rights prior to evaluation, initial placement, or reevaluation of a student, and when a change of placement is recommended. They do not provide the Parental Rights booklet or minutes at annual reviews that do not involve a change of placement.</p> <p>In Agency E, two administrators stated that when a change of IEP (free appropriate public education) is initiated, the IEP, the Parental Rights booklet and the IEP minutes are provided to the parent, but a description of any options the agency considered and the reasons why those options were rejected are not included in the minutes or on the IEP.</p>	<p>GADOE must ensure that public agencies provide written notice that meets the requirements of §300.505 must be given to the parents of a child with a disability a reasonable time before the public agency proposes or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child.</p>
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<p><b>Content of notice.</b>  <b>§300.505</b> [The notice under §300.504 must include -- (1) A full explanation of all of the procedural safeguards available to the parents; (2) A description of the action proposed or refused by the agency, an explanation of why the agency proposes or refuses to take the action, and a description of any options the agency considered and the reasons why those options were rejected; (3) description of each evaluation procedure, test, record, or report the agency uses as a basis for the proposal or refusal.</p>	<p>OSEP also reviewed the Parental Rights statement from three Agencies: B, C and E. Even though the model Parental Rights statement provided by GADOE to the agencies included the right to notice prior to the proposal or refusal to initiate or change the provision of a free appropriate public education, this right was omitted from the Parental Rights notice in Agencies B, C, and E.</p>	
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<p><b><u>LEAST RESTRICTIVE ENVIRONMENT</u></b>  <b>(§300.550(b)(2))</b>  [Public agencies must ensure that, to the maximum extent appropriate, children with disabilities are educated with children who are not disabled, and that special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily].</p> <p><b>§300.552(b)</b>  [Each public agency shall ensure that the various alternative placements included in §300.551 are available to the extent necessary to implement the IEP for each child with a disability.]</p>	<p><b><u>BACKGROUND:</u></b> Prior to its onsite visit, OSEP reviewed the most recent program review report for each of the agencies to be visited. OSEP determined that GADOE made the following findings with regard to the Federal requirements for placement in the least restrictive environment: In Agency C, GADOE found that a continuum of alternative placements was not available to students with moderate intellectual disabilities (§300.551(a)); and in Agency G, GADOE determined that placement decisions were made prior to the completion of the IEP (§300.552(a)(2)). GADOE provides technical assistance to public agencies statewide in the Federal and State requirements of least restrictive environment through the document, <u>Documentation and Decision-Making Related to Special Education Placement</u>, which includes guidance on IEP development and making placement decisions in conformance with State and Federal requirements. In its 1992 Report, OSEP made findings with regard to least restrictive environment in the following areas: placement determined annually and placement based on IEP (§300.552(a)(1) and (2)), and availability of a continuum of alternative placements (§300.551).</p> <p>In order to meet the requirement of §300.550, a public agency must, at least annually, make a placement decision for each child with a disability that is based upon that child's IEP. In making that decision, the public agency must, prior to making any decision to remove the child from the regular education environment--determine whether the child's education can be achieved satisfactorily in the regular education environment with the provision of supplementary aids and services. In determining whether a child with disabilities can be educated in a regular education class or activity with supplementary aids and services, several factors must be considered including: (1) whether reasonable efforts have been made to accommodate the child in the regular classroom or other regular education environment; (2) the educational benefits available to the child in the regular education environment, with appropriate supplementary aids and services, as compared to the benefits provided in a special education class or other separate environment; and (3) the possible negative effect of the inclusion of a child on the education of the other students in the class. If, after considering these factors, the IEP team determines that, even with the use of supplementary aids and services, some removal from the regular educational environment is necessary, the IEP team must then determine those portions of the day (both academic and nonacademic) for which the child's education can be achieved satisfactorily in regular education with the use of supplementary aids and services.</p> <p>The findings set forth below are based upon a review of GADOE's monitoring procedures, placement data provided by the public agencies visited by OSEP, student records, statements from teachers regarding placement determinations as made in IEP meetings in which they participated, and interviews with administrators and other agency personnel, regarding the placement practices throughout public agencies and specific schools.</p> <p><b><u>FINDING 1:</u></b> OSEP finds that GADOE did not always meet its responsibility under §300.550(a) to ensure that public agencies remove a student from the regular education environment only when the nature or severity of the disability is such that education in the regular education environment with the use of supplementary aids and services cannot be achieved satisfactorily as required by §300.550(b)(2), and that GADOE has not ensured that the various alternative placements included under §300.551 are available to the extent necessary to implement the IEP for each child with a disability. OSEP's review of GADOE's</p>	<p>GADOE must ensure that, to the maximum extent appropriate, children with disabilities are educated with children who are not disabled, and that special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.</p> <p>GADOE must ensure that the various alternative placements included in §300.551 are available to the extent necessary to implement the IEP for each child with a disability.]</p>
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<p><b><u>LEAST RESTRICTIVE ENVIRONMENT</u></b></p> <p>(Continued)</p>	<p>procedures for program review indicated that GADOE did not have a specific procedure to monitor compliance with the following requirements: §300.550(b)(1) - children with disabilities are educated with nondisabled children to the maximum extent appropriate; §300.551(b)(2) - Provision of supplementary aids and services in conjunction with regular class placement.</p> <p>In addition, GADOE had incomplete procedures for monitoring compliance with: §300.552(a)(2) and (3) - Placements; §300.553 - Nonacademics. compliance with the following requirements: §300.550(b) - Children with disabilities are educated with nondisabled children to the maximum extent appropriate; §300.551(b) - Continuum.</p> <p>OSEP found that in six of the agencies visited (A, B, C, D, E, and G) special education within a full time regular education environment is not considered as a placement option for all students with disabilities. In addition, placement decisions in these agencies are based on the category of disability rather than on the individualized needs of each student that are based on an IEP.</p> <p>Administrators and teachers from Agencies A and D informed OSEP that the full continuum, including regular education with supplementary aids and services, was considered only for students with mild disabilities. In Agency G, an agency administrator stated that full time regular education placement with supplementary aids and services is not considered as an option for all disability categories - at the elementary level, full time regular education is considered only for students with speech and language disabilities, other health impairments and visual impairments. At the high school level, full time regular education is considered only for students with learning disabilities and students with emotional and behavioral disorders. Two teachers from this agency confirmed this, and stated, "if test scores come up, and the child functions at the expected grade level, we could consider regular education. We would not discuss regular education as an option at an annual review meeting if very little or no progress has been made." It was the expectation of teachers and administrators in this agency that in order for students to achieve success in regular education settings, it was the student, rather than the environment, that needed to change (the student must demonstrate progress in a special education class before the agency would consider either a regular education placement or consider making modifications to the regular education setting). An administrator from Agency E, explaining why all students with moderate intellectual disabilities from this agency were placed in self-contained classes, stated that these students require a very prescriptive program, which is provided only in a self-contained setting. Another administrator from this agency reported that pressure from regular education teachers may be a reason why more students are not placed in regular education settings.</p> <p>Administrators and teachers in agencies A, B, C and E further explained that placement in regular education with supplementary aids and services is not always considered at annual review meetings. When asked if regular education with supplementary aids and services was considered at each annual review/placement meeting, a teacher from Agency A and a teacher and an administrator from Agency B informed OSEP that at annual review meetings, the team always considered the next less restrictive level on the continuum (i.e., a resource placement might be considered for a student currently placed in a self-contained setting). As a result, regular education with modifications was not always considered for students with moderate and severe disabilities in self-contained classes. One teacher from Agency C stated that consideration of regular education depends on the "comfort level" of the regular education</p>	<p>GADOE must ensure that each public agency ensures that the educational placement of each child with a disability is determined at least annually.</p> <p>GADOE must ensure that each IEP meeting includes a representative of the public agency, other than the child's teacher, who is qualified to provide, or supervise the provision of special education.</p>
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<p><b><u>LEAST RESTRICTIVE ENVIRONMENT</u></b>  <b>(§300.552(a)(1))</b>  [GADOE is responsible for ensuring that each public agency ensure that the educational placement of each child with a disability is determined at least annually.]</p> <p><b>(§300.344(a)(1))</b>  [GADOE must ensure that each meeting includes a representative of the public agency, other than the child's teacher, who is qualified to provide, or supervise the provision of special education.]</p>	<p>teacher and the functioning level of the student. For example, OSEP reviewed a file of a fifth grade student who received regular education instruction in a regular first grade class, due to his functional/academic level. This teacher informed OSEP that at the middle school, this student would not be able to receive instruction in regular education classes, because there are no such classes at his (functional) level. A teacher of preschool students from Agency C stated that there is no discussion of modifications, aids and services or other regular education programming at annual review meetings. A preschool teacher from Agency E stated that regular education with supplementary aids and services is not considered as a placement option, because, "at this age, these students are new to special education...if parents requested it, it could be done."</p> <p>File data from two self-contained classes of students with moderate intellectual disabilities from Agency A confirmed that regular education with supplementary aids and services was not considered for these students - IEPs indicated that the only options to the self-contained classes that were considered were home placement or additional time in the self-contained class for students in a preschool self-contained class, and for students in a high school self-contained class, approximately one hour per day outside of the self-contained classroom. File review data from Agency C indicated that for students in a self-contained class of students with moderate intellectual disabilities, placement in regular education was rejected as a placement option because, "the student is functioning within the moderate range." OSEP reviewed student records from two self-contained preschool classes in Agency B. Each file indicated that placement options considered at the most recent IEP meeting included facility-based, (self-contained class) homebound and community-based services. It was noted on the IEPs of each of the four students, however, that regular class participation was "not applicable for preschool."</p> <p>Placement data from Agencies A, C, D, E and G indicated that no students with moderate or severe/profound intellectual disabilities were in regular education placements. In Agencies E and G (and at the middle and high school levels in Agency A, and at the elementary level in Agency B), all of these students were in self-contained placements.</p> <p><b><u>FINDING 2:</u></b> OSEP finds that GADOE has not ensured that the student's placement is determined at least annually and is based on his or her IEP, as required by §300.552(a), and that GADOE has not ensured that a representative of the public agency, other than the child's teacher, who is qualified to provide, or supervise the provision of, special education is present at all meetings that are conducted for the purpose of developing, reviewing, and revising the IEP of a student with a disability, in accordance with §300.344(a)(1). OSEP learned through interviews with administrators and teachers in Agencies A, B, D, and E that education placement decisions for students with disabilities were not determined at least annually. Administrators and teachers from these public agencies told OSEP that placement determinations for students with disabilities are made at the time of the initial placement into special education, and thereafter at three-year intervals coinciding with the time of the student's reevaluation. In addition, OSEP found that, an agency representative, other than the child's teacher, who is qualified to provide, or supervise the provision of, special education, attends IEP meetings only when placement is to be determined or a change of placement is to be considered.</p>	<p>~</p>
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**LEAST RESTRICTIVE ENVIRONMENT**

(Continued)

Fifteen of seventeen student records reviewed by OSEP in Agency B and six of nine in Agency E indicated that the agency representative did not attend the most recent annual review meeting. Two administrators and a teacher from public Agency B informed OSEP that administrators were required to attend placement meetings, but not annual reviews. These individuals explained that an agency representative attended annual review meetings only when there were special issues to discuss, such as discipline or a change in placement.

An administrator from Agency E explained that "the administrator is present if there is going to be a commitment of resources. It is not really necessary for the administrator to be present for a regular annual review meeting."

Another administrator from this agency agreed with this statement, and explained that at annual review meetings where goals and objectives are written, an administrator is invited, but is not required to attend.

When asked how often placement determinations for students with disabilities are made, three administrators and four teachers from Agencies A, D, and E informed OSEP that placement options are considered at initial placement and at triennial meetings, but not at annual reviews. "At annual reviews, we just look at goals and objectives" explained a teacher from Agency A. In Agency E, an administrator reported that placement is determined at the eligibility meetings and the IEP is written based on the placement decision. A teacher from Agency E confirmed this practice and further explained that placement at an annual review meeting is not routinely considered unless the parent and teacher believe that a change in placement may be needed. An administrator from Agency D stated that placement decisions could be considered at annual reviews "if an event triggers the attention of the IEP committee." This information was confirmed by two teachers from Agency D, who informed OSEP that if a change in placement is going to be considered at an annual review meeting, the recommendation is documented on the Annual Review Contact Sheet and brought to the attention of the special education director prior to the meeting. This form verifies that all staff have been contacted before the meeting to determine whether it is necessary to consider a change in placement. At annual review meetings the IEP meeting participants must also include an agency representative only in instances where a change of placement is to be considered.

<p><b>FREE APPROPRIATE PUBLIC EDUCATION: Extended School Year \$300.300</b>  [GADOE is responsible for ensuring that all children with disabilities are provided a free appropriate public education, including ensuring that public agencies consider and make available extended school year services as a component of a free appropriate public education, to students with disabilities, if necessary.]</p>	<p><b>BACKGROUND:</b> In preparation for its onsite visit, OSEP reviewed GADOE's most recent monitoring reports for the seven agencies to be visited. OSEP found that GADOE made no findings of noncompliance with regard to provision of extended school year services in any of these agencies. OSEP was informed by GADOE officials that it does not provide any statewide technical assistance activities or procedures in this area, and that each public agency in the State must establish its own criteria and procedures for implementation for provision of extended school year services.</p> <p><b>FINDING:</b> GADOE has not fully ensured that public agencies consider and make available extended school year services, as a component of a free appropriate public education, to students with disabilities. OSEP reviewed GADOE's procedures for conducting program reviews, including the <u>Program Review Document/Self Study</u>, along with all other ancillary monitoring procedures and materials, and found that these procedures did not include a method to determine compliance regarding the requirements of provision of extended school year. Teachers, agency and building administrators interviewed by OSEP in Agencies A, D, G, and F, indicated that extended school year services were not available in the facilities visited by OSEP. Teachers interviewed in these agencies indicated that they were unsure as to the specific criteria for making referrals to and providing extended school year services, and that a summer school program might be available, however, the need, or the student's participation was not addressed in the IEP, nor was it necessarily free. Administrators in Agencies A, G and F confirmed this information, stating that a summer school program (i.e., services provided during the summer not pursuant to an IEP) was available to students with disabilities in these agencies. The administrators in Agencies D, F and G also informed OSEP that there was no procedure in place in these agencies for making determinations as to the need for extended school year services, and that no such services were provided to any students in these agencies the prior year.</p>	<p>GADOE must ensure that students with disabilities receive extended school year services, if necessary, to ensure that the student receives a free appropriate public education.</p>
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