

## Instruction

### Administrative Procedure - Consequences for a SCHOOL Missing Adequate Yearly Progress

This procedure covers the District's school(s) requirement to make AYP separate from that of the District itself. It also covers the consequences to a school for its failure to make AYP. The administrative procedure 6:15-AP2, *Consequences for a DISTRICT Missing Adequate Yearly Progress*, must also be implemented if the District misses AYP.

#### Introduction

"Adequate yearly progress" (AYP) represents the annual academic performance targets that the State, school districts, and schools must reach to be considered on track for 100% proficiency by school year 2013-14. See ISBE rules 1.50, 1.60, and 1.70, in Title 23, for a complete explanation. All students and subgroups of 45 or more within schools, school districts, and the State are calculated for AYP. The required subgroups are: White, Black, Hispanic, Asian, American Indian, multiracial/ethnic, Limited English Proficiency, students with disabilities, and low income. Schools begin facing State and/or NCLB sanctions after failing to make AYP for 2 consecutive years.

In order for a school to make AYP:

1. Each of 10 student groups (a composite group and 9 subgroups) must meet the 95% participation rate for the math assessment.
2. Each of 10 student groups (a composite group and 9 subgroups) must meet the 95% participation rate for the language arts assessment.
3. Each of 10 student groups (a composite group and 9 subgroups) must meet/exceed the performance target for the math assessment.
4. Each of 10 student groups (a composite group and 9 subgroups) must meet/exceed the performance target for the language arts assessment.
5. Must meet targets for graduation or attendance rates.

A safe harbor provision allows districts and schools to still make AYP if each subgroup that misses AYP reduces its percentage of students not meeting standards by 10% of the previous year's percentage, plus the subgroup meets the attendance rate or graduation rate targets.

This procedure integrates State and federal consequences for missing AYP. Federal requirements are all beneath the heading, "**Title I Schools.**" Another way to differentiate a State requirement from a federal one is to check the legal citation. A citation to either U.S.C. or C.F.R. is to a federal requirement. U.S.C. is the abbreviation for *United States Code*. This publication contains all federal laws; Title 20 contains the NCLBA. C.F.R. is the abbreviation for *Code of Federal Regulations*. This publication contains all regulations promulgated by a U.S. administrative agency; Title 34 contains the regulations promulgated by the U.S. Dept. of Education to implement the NCLBA. ILCS is the abbreviation for *Illinois Compiled Statutes*. This publication contains all Illinois statutes. Chapter 105 contains The School Code. The responsibilities listed in this procedure are not necessarily in chronological order.

#### **Each Year that the School Misses AYP:**

<b>Actor</b>	<b>Responsibility</b>
ISBE	<p><b>State Law:</b></p> <p>Makes available technical assistance, including, without limitation, assistance with curriculum evaluation, the instructional process, student performance, school environment, staff effectiveness, school and community relations, parental involvement, resource management, leadership, data analysis processes and tools, school improvement plan guidance and feedback, information regarding scientifically based research-proven curriculum and instruction, and professional development opportunities for teachers and administrators. 105 ILCS 5/2-3.25h. ISBE also makes technical assistance available to assist the development of a</p>

Actor	Responsibility
	<p>School Improvement Plan (SIP). 105 ILCS 5/2-3.25f(a), as amended by P.A. 94-875.</p> <p>Prepares the school report card and provides it to the District. 105 ILCS 5/10-17a(3)(d).</p> <p><b>Title I Schools:</b> <i>(State law provides the process for many of these actions.)</i></p> <p>Prepares and implements an accountability plan for holding schools and districts accountable for student performance on and participation in State assessments. Annually reviews whether the District is: (1) making AYP, and (2) carrying out its responsibilities with respect to school improvement, technical assistance, parental involvement, and professional development. 20 U.S.C. §6311, 34 C.F.R. §200.50(a).</p>
<p>Superintendent and/or School Board</p>	<p><b>State Law:</b></p> <p>Regardless of whether a school or the District makes AYP, disseminates the annual school report card. 105 ILCS 5/10-17a.</p> <p>Ensures when reporting achievements that no individual student can be identified and that the student record and privacy laws are followed.</p> <p>Verifies the data received from ISBE to eliminate the possibility that a data mistake caused the school to miss AYP.</p> <p>Within 30 days after receipt of data from ISBE, the Superintendent must notify ISBE of unresolved problems with the preliminary data. ISBE has an additional 15 days to make necessary corrections. If the areas of concern are not resolved, the School Board may use the §1.95 appeal procedure. 23 Ill.Admin.Code §1.30(e).</p> <p>Decides whether to request a waiver or modification of ISBE's rules or a modification of mandates contained in <u>The School Code</u>; the request may not pertain to compliance with NCLBA. 105 ILCS 5/2-3.25g.</p> <p>Investigates the reasons for missing AYP. Identifies any underlying staffing, curriculum, or other problems in the school. The Superintendent should report the information to the School Board along with recommendations to increase the likelihood the school would make AYP next year. The Board acts, based on the Superintendent's recommendation, to increase the likelihood the school will make AYP in the future.</p> <p>Monitors the likelihood the school will miss AYP the next school year.</p> <p><b>Title I Schools:</b> <i>(State law provides the process for many of these actions.)</i></p> <p>Uses the results of the State assessment system to annually review each school's progress to determine whether each school is making AYP. 34 C.F.R. §200.30(a). Publicizes and disseminates the results of its annual progress review to parents, teachers, principals, schools, and the community. 34 C.F.R. §200.30(d).</p> <p>Reviews the effectiveness of school activities regarding parental in-</p>

Actor	Responsibility
	volvement, professional development, and other activities. 34 C.F.R. §200.30(e).

**After SECOND Consecutive Year of Missing AYP:**

- School placed on State Academic Early Warning Status. 105 ILCS 5/2-3.25d(a), as amended by P.A. 94-875.
- Federal school improvement 1 status. 34 C.F.R. §200.32.

Actor	Responsibility
ISBE	<p>Performs all tasks identified for ISBE in the first table, “Each Year that the School Misses AYP.”</p> <p>Acknowledges the school’s placement on Academic Early Warning Status as provided in 105 ILCS 2-3.25d, as amended by P.A. 94-875.</p> <p><b>Title I Schools:</b> <i>(State law provides the process for many of these actions.)</i></p> <p>Performs all tasks identified for ISBE in the first table, “Each Year that the School Misses AYP.”</p>
Superintendent and/or School Board	<p><b>State Law:</b></p> <p>Performs all tasks identified for the Superintendent and/or School Board in the first table, “Each Year that the School Misses AYP.”</p> <p>Decides whether to appeal. 105 ILCS 5/2-3.25d(a), as amended by P.A. 94-875.</p> <p>The District may request an appeal of a school’s status level, recognition level determined pursuant to 105 ILCS 5/2-3.25f, or corrective actions undertaken by ISBE pursuant to 105 ILCS 5/2-3.25f or the No Child Left Behind Act of 2001. The District must submit its appeal within 30 days after receipt of notification from ISBE of a School’s or the District’s status level, recognition level, or corrective action, or by September 1 of the calendar year in which the notification occurs, whichever occurs later. In the event of an appeal, the Superintendent shall send a written request to ISBE for consideration by the Appeals Advisory Committee. 105 ILCS 5/2-3.25m, 23 Ill.Admin.Code 1.95.</p> <p>Prepares a revised School Improvement Plan (SIP) or amendments thereto; the Board must approve the SIP. 105 ILCS 5/2-3.25d(a), as amended by P.A. 94-875.</p> <p>The SIP must be prepared in collaboration with parents and staff. It must address measurable outcomes for improving student performance so that such performance meets AYP criteria as specified by ISBE. 105 ILCS 5/2-3.25d(c), as amended by P.A. 94-875. The requirement to obtain ISBE’s approval of a SIP conflicts with subsequent legislation (P.A. 94-875) and is therefore unenforceable. All revised improvement plans must “be developed, submitted, and mo-</p>

Actor	Responsibility
	<p>nitored pursuant to [ISBE rules].” By rule, ISBE has listed the required components of a SIP. 23 Ill.Admin.Code §1.85. The components are from federal law as listed below.</p> <p><b>Title I Schools:</b> <i>(State law provides the process for many of these actions.)</i></p> <p>Performs all tasks identified for the Superintendent and/or School Board in the first table, “Each Year that the School Misses AYP.”</p> <p>Provides the Building Principal with an opportunity to review the school-level data on which a proposed identification will be made at least 30 days before the School Board will decide whether to place the school in school improvement. 34 C.F.R. §200.31.</p> <p style="padding-left: 40px;">If the Building Principal believes the proposed identification is in error for statistical or other substantive reasons, he or she provides the School Board with evidence supporting an error. 34 C.F.R. §200.31.</p> <p>Identifies for school improvement any Title I school that fails, for 2 consecutive years, to make AYP. 34 C.F.R. §200.32.</p> <p>Notifies parents/guardians of students enrolled in a school identified for improvement of that identification as well as the availability of school choice. 34 C.F.R. §§200.37, 200.39, 200.44.</p> <p>Provides technical assistance to a school identified for school improvement, corrective action, or restructuring. 34 C.F.R. §200.40.</p> <p>Not later than 3 months after identifying a school for school improvement, prepares and/or amends a SIP. 34 C.F.R. §200.41. The SIP shall:</p> <ol style="list-style-type: none"> <li>1. Incorporate scientifically based research strategies that strengthen the core academic program in schools served by the District (20 U.S.C. §6316(c)(7)(A)(i));</li> <li>2. Identify actions that have the greatest likelihood of improving the achievement of participating children in meeting the State's student academic achievement standards (20 U.S.C. §6316 (c)(7)(A)(ii));</li> <li>3. Address the professional development needs of the instructional staff serving the District (20 U.S.C. §6316 (c)(7)(A)(iii));</li> <li>4. Include specific measurable achievement goals and targets for each subgroup of students, consistent with adequate yearly progress (20 U.S.C. §6316(c)(7)(A)(iv));</li> <li>5. Address the fundamental teaching and learning needs in the schools of the District and the specific academic problems of low-achieving students, including a determination of why the District's prior plan failed to bring about increased student academic achievement (20 U.S.C. §6316 (c)(7)(A)(v));</li> <li>6. Incorporate, as appropriate, activities before school, after school, during the summer, and during any extension of the school year (20 U.S.C. §6316 (c)(7)(A)(vi));</li> <li>7. Specify any requests to ISBE for technical assistance related to the plan and the District's fiscal responsibilities, if applicable, under Section 1120A of NCLB (20 U.S.C. §6316 (c)(7)(A)(vii));</li> </ol>

Actor	Responsibility
	8. Include strategies for promoting effective parental involvement in the District's schools (20 U.S.C. §6316 (c)(7)(A)(viii)); and 9. Include a process for monitoring progress and revising the plan as needed.

**After THIRD Consecutive Year of Missing AYP:**

- School remains on State Academic Early Warning Status, Year 2. 105 ILCS 5/2-3.25d(a), as amended by P.A. 94-875.
- Federal school improvement 2 status. 34 C.F.R. §200.32.

Actor	Responsibility
ISBE	<p><b>State Law:</b></p> <p>Performs all tasks identified for ISBE in the first table, "Each Year that the School Misses AYP."</p> <p>Acknowledges the school's placement on Academic Early Warning Status as provided in 105 ILCS 2-3.25d, as amended by P.A. 94-875.</p>
Superintendent and/or School Board	<p><b>State Law:</b></p> <p>Performs all tasks identified for the Superintendent and/or School Board in the second table, "After SECOND Consecutive Year of Missing AYP."</p> <p><b>Title I Schools:</b> <i>(State law provides the process for many of these actions.)</i></p> <p>Performs all tasks identified for the Superintendent and/or School Board in the second table, "After SECOND Consecutive Year of Missing AYP."</p> <p>May delay the implementation of year 2 of the school improvement if, after undergoing one year of school improvement, the school: (1) makes AYP; <b>or</b> (2) does not make AYP due to exceptional or uncontrollable circumstances, e.g., natural disaster or a precipitous and unforeseen decline in financial resources. Any delay may not be taken into account in determining the number of years a school has missed AYP. 34 C.F.R. §200.35.</p>

**After FOURTH Consecutive Year of Missing AYP:**

- School placed on State Initial Academic Watch Status. 105 ILCS 5/2-3.25d(a), as amended by P.A. 94-875.
- Federal corrective action status. 34 C.F.R. §§200.33(a), 200.42.

Actor	Responsibility
ISBE	<p><b>State Law:</b></p> <p>Performs all tasks identified for ISBE in the first table, "Each Year that the School Misses AYP."</p>

Actor	Responsibility
	<p>Acknowledges the school’s placement on Academic Watch Status. 105 ILCS 105 ILCS 2-3.25d, as amended by P.A. 94-875.</p> <p>The State Superintendent’s authority to appoint a “school improvement panel” for a school in Academic Watch Status was repealed by P.A.94-875.</p>
<p>Superintendent and/or School Board</p>	<p><b>State Law:</b></p> <p>Performs all tasks identified for the Superintendent and/or School Board in the second table, “After SECOND Consecutive Year of Missing AYP.”</p> <p><b>Title I Schools:</b> <i>(State law provides the process for many of these actions.)</i></p> <p>Performs all tasks identified for the Superintendent and/or School Board in the second table, “After SECOND Consecutive Year of Missing AYP.”</p> <p>Identifies for corrective action any Title I school that fails, for 4 consecutive years, to make AYP. The identification should be made before the beginning of the school year following the year in which the school failed to make AYP for a <b>fourth</b> consecutive year. 34 C.F.R. §200.42. Selects at least one of the following options, provided it is consistent with State law [34 C.F.R. §200.42(a)(3)]:</p> <ul style="list-style-type: none"> <li>• Replaces the school staff that are relevant to the school’s failure to make AYP. §200.42(b)(4)(i).</li> <li>• Implements a new curriculum along with appropriate professional development. §200.42(b)(4)(ii).</li> <li>• Decreases management authority at the school level. §200.42(b)(4)(iii).</li> <li>• Uses outside experts to advise the school on revising and implementing the school improvement plan. §200.42(b)(4)(iv).</li> <li>• Extends the length of the school day/year. §200.42(b)(4)(v).</li> <li>• Restructures the internal organization. §200.42(b)(4)(vi).</li> </ul> <p>May delay the implementation of corrective action if, after undergoing one year of school improvement, the school: (1) makes AYP; <b>or</b> (2) does not make AYP due to exceptional or uncontrollable circumstances, e.g., natural disaster or a precipitous and unforeseen decline in financial resources. Any delay may not be taken into account in determining the number of years a school has missed AYP. 34 C.F.R. §200.35.</p> <p>Notifies parents/guardians of students enrolled in a school identified for corrective action of that identification as well as of the availability of school choice and/or supplemental services. 34 C.F.R. §§200.37, 200.39.</p>

**After FIFTH Consecutive Year of Missing AYP:**

- School remains on State Academic Watch Status. 105 ILCS 5/2-3.25d(a), as amended by P.A. 94-875.
- Federal restructuring planning year. 34 C.F.R. §200.43.

Actor	Responsibility
ISBE	<p><b>State Law:</b></p> <p>Performs all tasks identified for ISBE in the first table, “Each Year that the School Misses AYP.”</p> <p>Acknowledges the school’s placement on Academic Watch Status. 105 ILCS 105 ILCS 2-3.25d, as amended by P.A. 94-875.</p> <p>The State Superintendent’s authority to appoint a “school improvement panel” for a school in Academic Watch Status was repealed by P.A.94-875.</p>
Superintendent and/or School Board	<p><b>State Law:</b></p> <p>Performs all tasks identified for the Superintendent and/or School Board in the second table, “After SECOND Consecutive Year of Missing AYP.”</p> <p>Approves a school restructuring plan. 105 ILCS 5/2-3.25d(a), as amended by P.A. 94-875. ISBE rule prescribes the mandated contents of a restructuring plan and a timeline for completion. 23 Ill.Admin.Code §1.85(d). 105 ILCS 5/2-3.25n protects the existing rights of employees.</p> <p><b>Title I Schools:</b> <i>(State law provides the process for many of these actions.)</i></p> <p>Performs all tasks identified for the Superintendent and/or School Board in the second table, “After SECOND Consecutive Year of Missing AYP.”</p> <p>Identifies for restructuring any Title I school that fails, for 5 consecutive years, to make AYP. The identification should be made before the beginning of the school year following the year in which the school failed to make AYP for a <b>fifth</b> consecutive year. 34 C.F.R. §§200.34, 200.43. Prepares a restructuring plan containing one of the following alternative governance arrangements, provided it is consistent with State law [34 C.F.R. §200.43(a)(3)]:</p> <ul style="list-style-type: none"> <li>• Reopens the school as a public charter school. 34 C.F.R. §200.43(b)(3)(i).</li> <li>• Replaces all or most school staff, including the Building Principal, who are relevant to the school’s failure to make AYP. 34 C.F.R. §200.43(b)(3)(ii).</li> <li>• Contracts with an entity to operate the school as a public school. 34 C.F.R. §200.43(b)(3)(iii).</li> <li>• Turns the school’s operation over to the State. 34 C.F.R. §200.43(b)(3)(iv).</li> </ul>

Actor	Responsibility
	<ul style="list-style-type: none"> <li>• Makes any other major restructuring of the school’s governance arrangement. 34 C.F.R. §200.43(b)(3)(v).</li> </ul> <p>May delay the implementation of restructuring if, after undergoing one year of school improvement, the school: (1) makes AYP; <b>or</b> (2) does not make AYP due to exceptional or uncontrollable circumstances, e.g., natural disaster or a precipitous and unforeseen decline in financial resources. Any delay may not be taken into account in determining the number of years a school has missed AYP. 34 C.F.R. §200.35.</p> <p>Notifies parents/guardians and teachers that the School Board has identified the school for restructuring and gives them an opportunity to give comment and participate in the development of the restructuring plan. 34 C.F.R. §200.43(b)(4).</p> <p>Notifies parents/guardians of students enrolled in a school identified for restructuring of the availability of school choice and/or supplemental services. 34 C.F.R. §§200.37, 200.39.</p> <p>Continues to implement corrective action. 34 C.F.R. §200.42.</p> <p>If the school is rural, determines whether to request technical assistance from the Secretary of the U.S. Department of Education. 34 C.F.R. §200.43(d).</p>

**After SIXTH Consecutive Year of Missing AYP**

- School remains on State Academic Watch Status. 105 ILCS 5/2-3.25d(a), as amended by P.A. 94-875.
- Federal restructuring status.

Actor	Responsibility
ISBE	<p><b>State Law:</b></p> <p>Performs all tasks identified for ISBE in the first table, “Each Year After Missing AYP.”</p> <p>Acknowledges the school’s placement on Academic Watch Status. 105 ILCS 105 ILCS 2-3.25d, as amended by P.A. 94-875.</p>
Superintendent and/or School Board	<p><b>State Law:</b></p> <p>Performs all tasks identified for the Superintendent and/or School Board in the second table, “After SECOND Consecutive Year of Missing AYP.”</p> <p>Implements the approved school restructuring plan, subject to State interventions. 105 ILCS 5/2-3.25d(a), as amended by P.A. 94-875. 105 ILCS 5/2-3.25n protects the existing rights of employees.</p> <p><b>Title I Schools:</b> <i>(State law provides the process for many of these actions.)</i></p> <p>Performs all tasks identified for the Superintendent and/or School Board</p>



Actor	Responsibility
	in the fifth table, "After FIFTH Consecutive Year of Missing AYP."

**After SEVENTH Consecutive Year of Missing AYP:**

- School remains on State Academic Watch Status. 105 ILCS 5/2-3.25d(a), as amended by P.A. 94-875.

Actor	Responsibility
ISBE	<p><b>State Law:</b>  Performs all tasks identified for ISBE in the first table, "Each Year that the School Misses AYP."  Acknowledges the school's placement on Academic Watch Status. 105 ILCS 2-3.25d, as amended by P.A. 94-875.</p>
Superintendent and/or School Board	<p><b>State Law:</b>  Performs all tasks identified for the Superintendent and/or School Board in the sixth table, "After SIXTH Consecutive Year of Missing AYP."  <b>Title I Schools:</b> (<i>State law provides the process for many of these actions.</i>)  Performs all tasks identified for the Superintendent and/or School Board in the fifth table, "After FIFTH Consecutive Year of Missing AYP."</p>
ISBE	<p><b>State Law:</b>  Takes one of the following actions for the school: 105 ILCS 5/2-3.25f(b).</p> <ol style="list-style-type: none"> <li>1. Authorizes the State Superintendent to direct the Regional Superintendent to remove School Board members pursuant to Section 3-14.28. Prior to such direction ISBE shall permit members of the Board to present written and oral comments to it.</li> <li>2. Directs the State Superintendent to appoint an Independent Authority that shall exercise such powers and duties as may be necessary to operate the school or District for purposes of improving pupil performance and school improvement.</li> <li>3. Changes the recognition status of the school or District to non-recognized.</li> <li>4. Authorizes the State Superintendent to direct: (a) the reassignment of students; or (b) the reassignment or replacement of school District personnel who are relevant to the failure to meet AYP criteria.</li> </ol>

DATED: October 10, 2007