

**UNITED STATES DEPARTMENT OF EDUCATION**  
**[AYP IN TARGETED ASSISTANCE SCHOOLS]**



February 4, 2004

Honorable Mike Ward  
 Superintendent of Education  
 North Carolina Department of Education  
 6351 Mail Service Center  
 Raleigh, North Carolina 27699-6351

Dear Superintendent Ward:

Thank you for your letter of November 19<sup>th</sup>, in which you asked how adequate yearly progress (AYP) determinations can be made under §1116(b)(1)(D) in schools with a targeted assistance Title I program. We have considered this issue and offer the following guidance. If a local educational agency (LEA) wishes to consider the achievement only of students who are served by Title I, or who are eligible to receive Title I services, when calculating AYP for targeted assistance schools, it needs to follow the guidelines outlined in this letter.

Minimum Group Size and Subgroup Accountability. The authority in §1116(b)(1)(D) may be used only if the number of students served or eligible to be served meets the minimum group size North Carolina selected for AYP purposes (i.e., 40 students). If, among the targeted assistance students, there are sufficient numbers of students in various subgroups to meet the minimum group size, subgroup accountability is required. As in other schools, students who are members of subgroups that fall below the minimum group size at the school level must be included in the appropriate subgroups for district and State AYP calculations.

Separate Decisions for Reading and Mathematics. In the case of a targeted assistance school where Title I services are offered in only one subject, the school must still be held accountable for both reading/language arts and mathematics. An LEA would have the flexibility to calculate AYP based on—

- The reading and mathematics assessment scores/participation rates of only students served or who are eligible for Title I services; or
- The assessment scores/participation rates of only students served or eligible for Title I services in the subject in which Title I services are provided and of all students in the school for the subject in which Title I services are not provided.

Other Academic Indicators. The LEA may examine the data for the entire school or only those students receiving or eligible to receive Title I services to determine if AYP was made for the other indicator. When AYP is being calculated based upon only the students receiving or eligible for Title I services, those same students would be used to calculate progress on the other indicator if the LEA wants to take advantage of the safe harbor provisions. If data for the other indicator (e.g., graduation rate) cannot be collected on those students receiving or eligible for Title I services, the LEA must calculate AYP based on all students in the school regardless of student participation in Title I services.

Including Results at the District and State Level. When calculating AYP for a local educational agency, the State must review the progress of all students attending schools without Title I programs and with schoolwide Title I programs; in schools operating targeted assistance programs, the State may review the progress of only the students who are served or eligible for Title I services or may review the progress of all students in the school. The calculation of AYP decisions for LEAs must be conducted consistent with the guidance in this letter. The progress of all students, regardless of eligibility for Title I services, must be reviewed in AYP calculations for the State. All students must participate in the assessment at the school level, even if the school only uses results from students receiving or eligible for Title I services for accountability purposes.

AYP for Schools without Tested Grades. When Title I services are provided in grades that are not assessed, an LEA has several options for determining AYP:

- Back-mapping the performance of students in the grade assessed to the grades in which services are provided; or
- Forward-mapping by examining the achievement of students who received services once those students are in the grades where assessments are given; or
- Examining the achievement of the students who would have been eligible for Title I services in the grades assessed.

Other approaches for providing an AYP determination in schools without tested grades may be used if they are specified in your State accountability plan.

North Carolina's Accountability Plan. If North Carolina has LEAs that want to take advantage of these provisions, the State needs to develop procedures for implementing this approach consistent with the guidance provided in this letter and in conjunction with those districts, including ensuring that LEAs provide information to the State concerning their plans to do so and that they in fact do so only if consistent with the guidance provided in this letter. Further, North Carolina would need to indicate that LEAs are using this approach and amend its own State Accountability Plan. The amendments to the accountability plan should indicate that there are LEAs that will be using this approach, and provide an assurance that the State will develop procedures (or provide guidance to districts) for calculating AYP in these situations consistent with the guidance in this letter.

If a school is identified for improvement, corrective action, or restructuring under this process, all students in the school are eligible for public school choice and all low-income students in the school are eligible for supplemental educational services as appropriate (as opposed to only those students who are served or eligible for Title I services).

Please feel free to call me if there are additional questions that I can answer on this issue.

Sincerely,

/s/ Raymond Simon  
Assistant Secretary for Elementary and  
Secondary Education