U.S. Department of Education
October 2013

The Inclusion of Students With Disabilities in School Accountability Systems:

An Update

Jenifer Harr-Robins
Mengli Song
Steven Hurlburt
Cheryl Pruce
Louis Danielson
Michael Garet
American Institutes for Research

INSTITUTE OF EDUCATION SCIENCES

NATIONAL CENTER FOR EDUCATION EVALUATION AND REGIONAL ASSISTANCE

The Inclusion of Students With Disabilities in School Accountability Systems:

An Update

October 2013

Jenifer Harr-Robins
Mengli Song
Steven Hurlburt
Cheryl Pruce
Louis Danielson
Michael Garet
American Institutes for Research

Jonathan Jacobson
Project Officer
Institute of Education Sciences

NCEE 2013-4017
U.S. DEPARTMENT OF EDUCATION

ies NATIONAL CENTER FOR EDUCATION EVALUATION AND REGIONAL ASSISTANCE
Institute of Education Sciences

U.S. Department of Education

Arne Duncan

Secretary

Institute of Education Sciences

John Q. Easton

Director

National Center for Education Evaluation and Regional Assistance

Ruth Curran Neild

Commissioner

October 2013

This report was prepared for the Institute of Education Sciences under Contract ED-04-CO-0025/0013. The project officer is Jonathan Jacobson in the National Center for Education Evaluation and Regional Assistance.

IES evaluation reports present objective information on the conditions of implementation and impacts of the programs being evaluated. IES evaluation reports do not include conclusions or recommendations or views with regard to actions policymakers or practitioners should take in light of the findings in the report.

This report is in the public domain. Authorization to reproduce it in whole or in part is granted. While permission to reprint this publication is not necessary, the citation should read: Harr-Robins, J., Song, M., Hurlburt, S., Pruce, C., Danielson, L., and Garet, M. (2013). *The Inclusion of Students With Disabilities in School Accountability Systems: An Update* (NCEE 2013-4017). Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education.

This report is available on the Institute of Education Sciences website at http://ies.ed.gov/ncee.

Alternate Formats: Upon request, this report is available in alternate formats, such as Braille, large print, audiotape, or computer diskette. For more information, please contact the Department's Alternate Format Center at 202-260-9895 or 202-205-8113.

Acknowledgments

The authors would like to thank Maurice McInerney for his careful review of drafts of both the interim report and updated report. We also are indebted to members of our Technical Working Group—Tom Cook, Lizanne DeStefano, Douglas Fuchs, Pete Goldschmidt, Brian Gong, Larry Hedges, Margaret McLaughlin, and Martha Thurlow—who provided valuable insights and guidance on survey development and early versions for the report.

Disclosure of Potential Conflicts of Interest

The research team for this study consists of key staff from the American Institutes for Research. The organization and key staff members do not have financial interests that could be affected by findings from the study. None of the members of the Technical Working Group, convened by the research team to provide advice and guidance, have financial interests that could be affected by findings from the study.

Contents

List of Exhibits

Executive Summary

Study Background and Research Questions

Formerly excluded from measures of educational performance, students with disabilities (SWDs) are now explicitly recognized in federal and state accountability systems. At the national level, the 1997 amendments to the Individuals with Disabilities Education Act (IDEA)[1] laid the foundation for accountability for SWDs by requiring states to include these students in state and district assessments and to report their participation and performance. This requirement was further reinforced by the Elementary and Secondary Education Act (ESEA), as reauthorized in 2001,[2] which established SWDs as an explicit student subgroup for the purpose of determining whether schools make adequate yearly progress (AYP). The Institute of Education Sciences (IES) of the U.S. Department of Education (ED) has a congressional mandate to conduct a national assessment of how well the IDEA is achieving its purposes.[3] As part of the national assessment of IDEA, this study is intended to provide policy-relevant information about the education of SWDs by examining their inclusion in school accountability systems and by describing the use of school practices that may relate to educational outcomes for these students.

This report presents descriptive information on school-level accountability, AYP performance, and school improvement status of schools accountable for SWD subgroup performance under Title I of the ESEA, as well as schools not accountable for SWD subgroup performance. The association between accountability for this student subgroup and school practices will be examined in a separate study report.

Specifically, this study report updates the findings from the interim report[4] for the following research questions:

- *What percentage of schools were accountable for the performance of the SWD subgroup between the 2006–07 and 2009–10 school years?*
- *What percentage of different types of schools were accountable for the performance of the SWD subgroup?*
- *What percentage of schools moved in and out of accountability for the performance of the SWD subgroup?*
- *What percentage of schools missed AYP because of the performance of the SWD subgroup?*
- *What percentage of schools accountable for SWD subgroup performance were identified for school improvement?*[5]

[1] The Individuals with Disabilities Education Act of 1997 (P.L. 105-17).
[2] The No Child Left Behind Act of 2001 (NCLB, P.L. 107-110).
[3] Section 664(b) of the Individuals with Disabilities Education Improvement Act of 2004 (P.L. 108-446).
[4] The interim report was released in May 2012 and presented findings for the 2008–09 school year, as well as trends for the 2005–06 through 2008–09 school years. See Harr-Robins, Song, Hurlburt, Danielson, Garet, Pruce, and Taylor, 2012.

The study is based on data from ED*Facts*, an ED initiative to collect and place K–12 performance data at the center of policy, management, and budget decisions. The analyses in this report are limited to the 2006–07 school year through the 2009–10 school year, the most recent year of ED*Facts* data available for analysis during 2012.[6]

Analytic Samples

The research questions in this report were addressed through descriptive analyses of extant school- and state-level data, primarily ED*Facts* data from the 2006–07 to 2009–10 school years. Analyses examined snapshot data from the 2009–10 school year as well as trend data from the 2006–07 to 2009–10 school years. The states and schools included in these analyses vary depending on the research question addressed and the data available to answer the question. The analytic sample size for the 2009–10 school year varied from 39 to 44 states, plus the District of Columbia (DC), and from 58,748 to 73,462 schools when examining all public schools, depending on the data available for the particular analysis.[7] For analyses of four-year trends from 2006–07 to 2009–10, the sample size ranged from 25 to 31 states and from 37,100 to 44,807 schools for the analysis of all public schools. Readers should note that the study findings generalize only to the states and schools included in each analysis, rather than the entire nation.

Key Terms

Under ESEA as reauthorized in 2001, schools are required to explicitly include the performance of the SWD subgroup in determining AYP if the number of SWDs in the tested grades meets or exceeds a minimum subgroup size, which varies by state from 5 to 100 students.[8] This report refers to these schools as *SWD-accountable schools.* Schools that are not explicitly accountable for SWD subgroup performance are referred to in this report as *non-SWD-accountable schools*. Some of the trend analyses are limited to schools that were accountable for SWD subgroup performance in all 4 years analyzed (2006–07 to 2009–10 school years); these schools are referred to as *consistently SWD-accountable schools*.

Eligible schools for the analyses in this report exclude PK–2 schools because these schools do not include any of the tested grades required by the ESEA (i.e., grades 3 through 8 and at least one grade between grades 10 and 12). Also excluded from the analyses are non-Title I schools in the 12 states that do not subject non-Title I schools to the same accountability sanctions as Title I schools.[9]

---

[5] Schools that fail to make AYP for two consecutive years are identified as "in need of improvement" and are to receive technical assistance from their district and state to support their improvement efforts. Subsequent failure to make AYP results in increasingly intensive interventions, including corrective action and school restructuring.

[6] The updated report uses 2006–07 as the base year for trend analyses, instead of the 2005–06 base year used in the interim report, in order to include more states (25 instead of 17 states) in the trend analyses.

[7] These sample n's are based on analyses examining all public schools. Some analyses compare different types of schools, and the number of schools differ by type, ranging from 23 special education charters to 66,924 traditional regular education schools for the 2009–10 analyses.

[8] The performance of SWDs is included in the overall performance of the school, irrespective of whether the school is explicitly accountable for this student subgroup.

[9] These 12 states are Florida, Indiana, Kansas, Kentucky, Minnesota, Missouri, North Carolina, North Dakota, Oregon, Utah, Virginia, and West Virginia.

Summary of Findings

Key findings for each of the research questions addressed in this report are summarized below.

What percentage of schools were accountable for the performance of the SWD subgroup between the 2006–07 and 2009–10 school years?

There was variation across states, school levels, and years in the percentages of schools accountable for this student subgroup.

- Across the 44 states with relevant data for the 2009–10 school year and DC, more than a third (35 percent) of public schools were accountable for the performance of the SWD subgroup, representing 59 percent of SWDs in those states. In those same 44 states and DC, 62 percent of middle schools were accountable for SWD performance, while 32 percent of elementary schools and 23 percent of high schools were accountable.
- In the 25 states that had relevant data for all 4 years, there was an increase in the percentage of SWD-accountable schools, from 30 percent in the 2006–07 school year to 34 percent in the 2009–10 school year.

What percentage of different types of schools were accountable for the performance of the SWD subgroup?

To address this question, the study team examined the following types of public schools: traditional regular schools, regular charters, traditional special education schools, special education charters, and vocational/alternative schools.[10] The analysis was conducted in the 44 states with relevant data for the 2009–10 school year and DC.

- In the 44 states with relevant data and DC, 13 percent of regular charters were accountable for SWD subgroup performance in the 2009–10 school year, compared with 38 percent of traditional regular schools, 43 percent of traditional special education schools, and 46 percent of special education charters.
- In the 44 states with relevant data and DC, the percentage of SWDs represented in SWD-accountable schools in the 2009–10 school year ranged from 31 percent for vocational/alternative schools to 80 percent for special education charters.

What percentage of schools moved in and out of accountability for the performance of the SWD subgroup?

To address this question, the study team examined whether schools were accountable for the performance of the SWD subgroup in each of the 4 school years: 2006–07 through 2009–10. The analysis was based on 31 states with relevant data in each of the 4 years.

- In the 31 states with relevant data, the majority (56 percent) of the public schools were not accountable for the SWD subgroup in any of the 4 years examined, in comparison with 23 percent of the schools that were consistently accountable in each of the 4 years.

[10] "Regular" refers to non-special education schools, and "traditional" refers to non-charter schools.

- There was year-to-year fluctuation in schools' accountability for the SWD subgroup among the remaining schools, which were accountable for the SWD subgroup in some years but not all 4 years. Among the schools accountable for the SWD subgroup in the 2006–07 school year in the 31 states with relevant data, 91 percent, 80 percent, and 74 percent also were accountable in the following 3 school years, respectively.

What percentage of schools missed AYP because of the performance of the SWD subgroup?

To answer this question, the study team examined the reasons for which schools missed AYP. To make AYP, schools must meet the annual measurable objectives for performance and participation for the whole school and any applicable subgroup in both reading and mathematics, as well as another academic indicator.

- Eleven percent of all public schools in 39 states and DC missed AYP in the 2009–10 school year because of SWD subgroup performance and other reason(s), and 6 percent missed it solely because of SWD subgroup performance. Together these schools represented a third (33 percent) of SWDs enrolled in all public schools in these states.
- Among schools accountable for SWD subgroup performance in these 39 states and DC, 28 percent missed AYP because of SWD performance and other reason(s), and 17 percent missed AYP solely because of SWD performance in the 2009–10 school year. Combined, these schools enrolled 51 percent of SWDs attending SWD-accountable schools in these states.
- In the 15 states that had relevant data for all 4 years analyzed, 43 percent of SWD-accountable schools missed AYP either partially or solely due to SWD performance in the 2006–07 school year, and 49 percent did so in 2009–10.

What percentage of schools accountable for SWD subgroup performance were identified for school improvement?

To address this question, the study team focused on schools that were accountable for the performance of SWDs in all 4 years (2006–07 to 2009–10 school years).

- Among schools that were consistently accountable for the performance of the SWD subgroup across 22 states during the 4 years, the majority (56 percent) were never identified for school improvement over this time period. By comparison, among schools that were consistently not accountable for SWD subgroup performance in these states, 80 percent were never identified for improvement.
- Identification for school improvement was mostly stable over time. Of the consistently SWD-accountable schools in 22 states, 83 percent of the schools identified for improvement and 74 percent of the schools not identified for improvement in the 2007–08 school year retained the same identification status through 2010–11.

Chapter 1: Introduction

Academic Outcomes of Students With Disabilities

In the 2009–10 school year, 6.5 million students with disabilities (SWDs) ages 3 to 21 received special education services in the United States, making up 13 percent of the total public school enrollment (National Center for Education Statistics 2010). With 14 different types of disability categories recognized under federal law and a diverse range of needs and educational placements across and within disability categories, SWDs are a heterogeneous group with considerable performance gaps compared with their non-disabled peers, as documented by several recent studies (Albus, Thurlow, and Bremer 2009; Blackorby et al. 2010; Chudowsky, Chudowsky, and Keber 2009; Thurlow, Altman, and Vang 2009).

The average differences in the percent proficient between SWDs and non-disabled students on state tests increased across all grade levels from the 2005–06 to 2006–07 school years, with the differences ranging from 28.9 percentage points in elementary school mathematics to 40.5 percentage points in middle school reading in the 2006–07 school year (Albus et al. 2009). Likewise, the Center on Education Policy (Chudowsky et al. 2009) reported that the gaps between SWDs and non-disabled students in the percent proficient on state tests in reading and mathematics exceeded 30 percentage points in the 2007–08 school year in 28 of the 43 states analyzed.

Achievement gaps between SWDs and their non-disabled peers also have been reported on the National Assessment of Educational Progress (NAEP). Using the 2003, 2005, and 2007 NAEP results, Blackorby and colleagues (2010) found that SWDs in grades 4 and 8 performed significantly lower than non-disabled students in both reading and mathematics. These gaps persisted in 2011. As the 2011 NAEP results show, 19 percent of fourth-graders with disabilities scored proficient or above on the 2011 NAEP mathematics, in comparison with 50 percent of their non-disabled peers. For eighth-graders, 11 percent of SWDs and 45 percent of non-disabled students scored proficient or above (National Center for Education Statistics 2011a). In reading, 13 percent of fourth-graders with disabilities scored proficient or above, compared with 43 percent of non-disabled students. For eighth-graders, 7 percent of SWDs and 37 percent of non-disabled students scored proficient or above (National Center for Education Statistics 2011b).[11]

Federal Legislation and SWDs

Measuring and reporting on the academic achievement of SWDs have received increased attention in federal education legislation over the last 15 years. At the national level, the drive to include SWDs in educational assessments started with the 1994 and 2001 authorizations of the Elementary and Secondary Education Act (ESEA)[12] and was further spurred by the 1997 and

[11] The NAEP scores for SWDs are for the assessed students only and cannot be generalized to the total population of SWDs.

[12] The Improving America's Schools Act of 1994 (IASA, P.L. 103-382) and the No Child Left Behind Act of 2001 (NCLB, P.L. 107-110).

2004 authorizations of the Individuals with Disabilities Education Act (IDEA).[13] The IDEA, first enacted in 1975 as the Education for All Handicapped Children Act (Public Law 94-142), requires that each eligible SWD have an Individualized Education Program (IEP) that specifies the student's individualized goals and the special education and related services needed to meet those goals. The 1997 amendments to the IDEA required states to include SWDs in state and district assessments and to report their participation and performance.

The IDEA's mandate to include SWDs in school, district, and state accountability efforts was reinforced by the ESEA as reauthorized in 2001. Under the accountability provisions of the ESEA, schools need to make adequate yearly progress (AYP) for all their students as well as for each student subgroup including SWDs. Consecutive failures to make AYP over time result in schools or districts being identified for improvement with increasingly intensive sanctions. In alignment with the ESEA, the 2004 reauthorization of the IDEA required that states set—and report progress on meeting—"performance goals for students with disabilities that are consistent with the state's definition of AYP" (Thurlow, Quenemoen, Altman, and Cuthbert 2008, p. 1). This alignment was to enhance the effectiveness of the education of SWDs by establishing high expectations, ensuring access to the general education curriculum, and coordinating school improvement efforts at different levels, in particular those stipulated by the ESEA.

Study Background and Report Overview

The U.S. Department of Education's Institute of Education Sciences (IES) has a congressional mandate to conduct a national assessment of how well the IDEA is achieving its purposes.[14] The findings presented in this report came from a larger study on *School Accountability Status and Outcomes for Students With Disabilities* that is part of the national assessment of IDEA. The purpose of the study is to provide policy-relevant information about the education of SWDs by examining their inclusion in school accountability systems, and by describing, for both SWD-accountable and non-SWD accountable schools, the use of school practices that may relate to educational outcomes for these students.

An interim report (Harr-Robins et al. 2012) was released in May 2012 and presented descriptive information on school-level accountability, AYP performance, and school improvement status of schools accountable for SWD subgroup performance under Title I of the ESEA, as well as schools not accountable for SWD subgroup performance. This report updates those results with data from a more recent year (2009–10). A separate report will describe the implementation of school practices in SWD-accountable and non-SWD-accountable schools that may relate to the educational outcomes of SWDs.

This report draws primarily on extant school- and state-level data from ED*Facts*, a U.S. Department of Education (ED) initiative to collect and place K–12 performance data at the center of policy, management, and budget decisions. It first presents an overview of ESEA provisions as they relate to the inclusion of SWDs in school accountability systems, followed by a chapter

[13] The Individuals with Disabilities Education Act of 1997 (P.L. 105-17) and the Individuals with Disabilities Education Improvement Act of 2004 (P.L. 108-446).
[14] Section 664(b) of P.L. 108-446.

explaining the methodology used to analyze the data for the 2006–07 school year through the 2009–10 school year, the most recent year of ED*Facts* data available for analysis during 2012.

The findings on the inclusion of SWDs in school accountability systems are discussed in Chapter 4, and address the following questions:

- *What percentage of schools were accountable for the performance of the SWD subgroup between the 2006–07 and 2009–10 school years?*
- *What percentage of different types of schools were accountable for the performance of the SWD subgroup?*
- *What percentage of schools moved in and out of accountability for the performance of the SWD subgroup?*

Chapter 5 reviews findings that address the following questions related to the AYP and school improvement status of schools accountable for SWD subgroup performance:

- *What percentage of schools missed AYP because of the performance of the SWD subgroup?*
- *What percentage of schools accountable for SWD subgroup performance were identified for school improvement?*

Chapter 2: School Accountability Provisions Related to Students With Disabilities

The 2001 reauthorization of the ESEA set a target of 100 percent proficiency in the 2013–14 school year for all students, including those with disabilities, and requires schools and districts to make AYP toward that goal. AYP is determined on the basis of several factors, including the percentage of students participating in state reading and mathematics assessments, the percentage scoring proficient or above on these assessments, and at least one other academic indicator, such as high school graduation rates.[15] Consecutive failure to make AYP over time results in schools and/or districts becoming subject to increasingly intensive sanctions. The ESEA accountability provisions and sanctions apply to schools and districts receiving federal Title I funds. However, all states except 12 subject non-Title I schools to the same accountability sanctions as Title I schools.[16]

In September 2011, ED invited states to request flexibility or waivers of specific ESEA requirements. As of June 26, 2013, 47 states, the District of Columbia (DC), Puerto Rico, and the Bureau of Indian Education had submitted requests, and the requests from 39 states and DC had been approved.[17] These waivers, which came into existence after the collection of data for this report, mean that certain school accountability provisions described in the report were no longer in effect for the corresponding states in 2013.

The remainder of this chapter highlights some key issues that may relate to the inclusion of SWDs in school accountability systems, the assessment of SWD performance, and schools' AYP determination: subgroup size requirements, alternate assessments, proxy adjustment for determining AYP status, growth models, and state policies for reporting test scores.[18]

SWD Subgroup Size Requirements for School AYP Determination

Although the 2013–14 school year performance target set by the ESEA is the same across all states, states establish their own yearly benchmarks, called *annual measureable objectives* (AMOs), for the percentages of students required to score proficient or above on state assessments. These AMOs apply to the whole school as well as to student subgroups, including

[15] There are several mechanisms for determining whether schools have made AYP. In some states, if the school or a subgroup within the school does not meet a reading or mathematics annual measurable objective (AMO), a confidence interval is applied to determine whether the school is reliably below the AMO target. Some states also have been approved to use growth models, multiyear averaging, and other mechanisms such as allowing alternative assessment scores for SWDs (described later in this report). A school also may make "safe harbor" and avoid being identified for school improvement (or identified for more intensive sanctions) by reducing the previous year's percentage of students not proficient by at least 10% and showing improvement in the other academic indicator.

[16] These 12 states are Florida, Indiana, Kansas, Kentucky, Minnesota, Missouri, North Carolina, North Dakota, Oregon, Utah, Virginia, and West Virginia.

[17] http://www2.ed.gov/policy/elsec/guid/esea-flexibility/index.html [accessed July 2, 2013].

[18] This report does not examine the validity of SWD proficiency determination or school AYP status in different states, which may be affected by differences in state standards, alternate assessments, and testing accommodations. For example, a 2011 NCES report (Bandeira de Mello 2011) showed variation in the rigor of state proficiency standards when placed on the NAEP scale. In addition, variation in the use of alternate assessments based on alternate achievement standards has been reported (Cameto et al. 2009).

economically disadvantaged students, students of different racial and ethnic groups, English language learners (ELLs), and SWDs. The SWD subgroup for accountability purposes does not include all SWDs, but only those eligible to receive special education services under the IDEA. For a school to have the results of these subgroups count toward its AYP determination, the group size across the tested grades must meet a certain threshold, typically referred to as the *minimum n*. Each state establishes its own minimum n. In the 2009–10 school year, the minimum n ranged from 5 in Maryland to 100 in California and Florida, with most states (30) having a minimum n between 30 and 40 (Exhibit 2-1).[19]

Exhibit 2-1. Number of states (including DC) by minimum subgroup size for AYP determination, 2009–10 school year

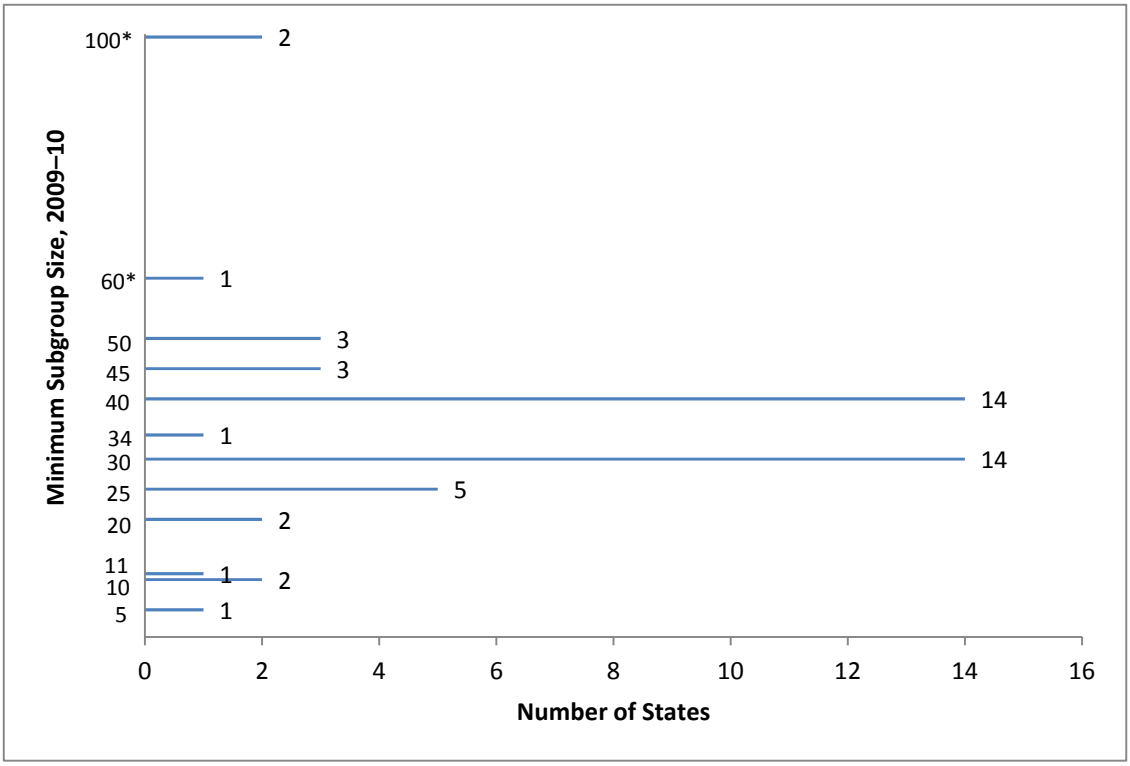

EXHIBIT READS: One state had a minimum subgroup size of 5 for using academic performance in determining AYP in the 2009–10 school year.
SOURCE: Obtained from a review of the approved state accountability plans posted on the ED website as of October 2011 (http://ed.gov/admins/lead/account/stateplans03/index.html).
NOTES: * California had a minimum group size of 100, or 50 students who make up at least 15 percent of valid scores. Florida had a minimum subgroup size of 100, or 30 students and 15 percent of the student population. In Kentucky, each subpopulation must have at least 10 students in a subpopulation in each grade in which state assessments are administered and 60 students in the subpopulation in these grades combined or the subpopulation constitutes at least 15 percent of the students in these grades combined. States may use different minimum subgroup sizes for annual measurable objectives (AMOs) for test participation and performance; this exhibit depicts the minimum subgroup sizes for the performance AMOs. In addition to the minimum group size, some states require a minimum group size or a certain percentage of enrollment, and some states require both. Appendix B provides minimum subgroup sizes by state.

[19] California had a minimum subgroup size of 100, or 50 students who make up at least 15 percent of the valid scores. Florida had a minimum subgroup size of 100, or 30 students and 15 percent of the student population. Some states have set different minimum subgroup size requirements for the AMO for the percentage of students participating in the state assessments.

Fourteen states increased their minimum n's between 2003 and 2006, and some had higher minimum sizes for the SWD subgroup than the size for other subgroups (Fulton 2006). In 2007, ED issued guidance for the 2007–08 school year that sought to reverse this trend by requiring the minimum n's to be the same for all subgroups (including the "whole school" group) (ED 2007). The ED guidance recognized that some states had requested different minimum subgroup sizes because of concerns that the available assessments did not reliably measure the performance of SWDs and other students with special needs, such as ELLs. In making the change, ED noted that the flexibility in assessments and the testing of more grades eliminated the need for differential minimum subgroup sizes within the same state.

Alternate Assessments for SWDs

A number of provisions in the ESEA and its accompanying regulations that are specific to SWDs have introduced additional variations across the states in the inclusion of SWDs in the school accountability system. The ESEA did not address the issue of using different assessments for SWDs, but ED's guidance provided some flexibility in the choice of assessments for these students. In addition to regular state assessments (which SWDs may take with certain accommodations), there are three types of alternate assessments for SWDs in the field: alternate assessments based on alternate achievement standards (AA-AAS), alternate assessments based on modified achievement standards (AA-MAS), and alternate assessments based on grade-level achievement standards (AA-GLAS) (Exhibit 2-2). Because of the wide acceptance that not all students with severe cognitive disabilities will be able to master the same standards as their non-disabled peers in the same manner, ED permitted the use of AA-AAS in its regulations introduced in 2003. According to ED data, 8.4 percent of all SWDs in tested grades across the nation took an AA-AAS in the 2009–10 school year.[20]

Although there is no limit to the number of students who can be tested using AA-AAS , there are district- and state-level caps on how the scores can be used toward AYP determinations. Under ED's 2003 regulations, states are permitted to count the scores of students scoring proficient or above on AA-AAS toward AYP determination of schools or districts, but the number of such scores counted for AYP determination may not exceed 1 percent of all students (not just SWDs) in the tested grades at the district level (as opposed to the school level).[21] This regulation allows the number of proficient scores from AA-AAS that count toward an individual school's AYP determination to exceed 1 percent of the school's tested population, as long as the total number of AA-AAS proficiency scores across all schools in a district does not exceed 1 percent of the district's tested enrollment. Often referred to as the "1 percent rule," all 50 states have used this flexibility to determine whether schools or districts meet their AYP standards.

[20] Based on analyses of data from the U.S. Department of Education, Office of Special Education and Rehabilitative Services, Office of Special Education Programs, Data Accountability Center. Obtained from www.ideadata.org.
[21] One percent of all students is 9 percent of SWDs, according to the *Federal Register*, Vol. 68, No. 236, December 9, 2003 (http://www2.ed.gov/legislation/FedRegister/finrule/2003-4/120903a.html).

Exhibit 2-2. Types of alternate assessments for SWDs

Alternate Assessments Based on Alternate Achievement Standards (AA-AAS), for students with the most significant cognitive disabilities. These assessments are based on the grade-level content covered by the general assessment but at reduced depth, breadth, and complexity. These assessments describe achievement based on what a state determines is a high expectation for these students.

Alternate Assessment Based on Modified Academic Achievement Standards (AA-MAS), for SWDs who are working on grade-level content that is covered on the general assessment but whose disabilities may result in their needing more time to master the content. These assessments measure a student's mastery of grade-level content but are less difficult than grade-level achievement standards.

Alternate Assessments Based on Grade-level Achievement Standards (AA-GLAS), for SWDs who need testing formats or procedures that are not included in the general assessment or are not addressed with the use of accommodations. These assessments include the same grade-level content as the general assessment and describe achievement in the same way as the general assessment.

Source: National Center on Educational Outcomes (NCEO). http://www.cehd.umn.edu/NCEO/TopicAreas/AlternateAssessments/altAssessTopic.htm

A less common assessment option is the AA-MAS. In 2007, ED introduced regulations allowing the use of AA-MAS and capping the use of proficient scores based on AA-MAS toward a school's or district's AYP determination at 2 percent of all students enrolled in the tested grades at the district level (often referred to as the "2 percent rule").[22] Across the two types of assessments (AA-AAS and AA-MAS), there is a cap of 3 percent in using the proficient scores toward AYP.[23] As of October 2010, 17 states had an AA-MAS in place, with 4 having passed the ED peer-review process (Lazarus, Hodgson, Price, and Thurlow 2011).[24] In 2009–10, between 6 percent (Michigan) and 47 percent (Oklahoma) of SWDs in grades for which the AA-MAS was available participated in the AA-MAS for mathematics across 12 states, with a similar range for reading (Exhibit 2-3).[25]

[22] Eligible states are permitted to apply this flexibility to state-level AYP determinations (with a state-level 2 percent cap).

[23] If waivers are granted for the 1 percent cap on using the proficient scores from AA-AAS toward AYP, the total percentage of scores that can be used across both the AA-AAS and the AA-MAS cannot exceed 3 percent. The percentage of proficient scores from the AA-MAS can never exceed 2 percent.

[24] The 17 states that had an AA-MAS as of October 2010 were California, Connecticut, Georgia, Indiana, Kansas, Louisiana, Maryland, Michigan, Minnesota, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, and Virginia. Four had received ED approval: Kansas, Louisiana, North Carolina, and Texas (Lazarus et al. 2011).

[25] Six of the 17 states did not report SWDs taking AA-MAS in 2009–10 (using data obtained from www.ideadata.org).

Exhibit 2-3. Percentage of SWDs in tested grades taking regular assessments and alternate assessments based on alternate academic standards (AA-AAS) and modified academic achievement standards (AA-MAS), in states administering an AA-MAS and the nation, 2009–10 school year

States administering AA-MAS	Grades in which the AA-MAS was available[a]	Mathematics % of SWDs in the grades in which the AA-MAS was available taking:			Reading: % of SWDs in the grades in which the AA-MAS was available taking:		
		Regular assessment[b]	AA-AAS	AA-MAS	Regular assessment[b]	AA-AAS	AA-MAS
California	3–8	56.9%	9.0%	31.7%	49.1%	9.0%	39.3%
Connecticut	3–8, High School	64.6%	9.8%	22.8%	59.4%	9.8%	27.5%
Kansas	3–8, High School	68.8%	8.0%	22.1%	66.4%	7.9%	24.7%
Louisiana	4–8, High School	68.8%	7.6%	23.2%	69.0%	7.7%	23.0%
Maryland	3–8, High School	68.8%	8.8%	21.5%	68.4%	8.9%	21.9%
Michigan	3–8	76.4%	15.5%	6.2%	74.4%	16.4%	7.5%
North Carolina	3–8	70.5%	6.5%	22.4%	67.4%	6.5%	25.6%
North Dakota	3–8, High School	69.0%	9.5%	19.0%	64.5%	9.2%	23.3%
Oklahoma	3–8, High School	41.7%	7.5%	46.9%	38.5%	7.5%	49.6%
Pennsylvania	4–8, High School	77.0%	8.9%	12.4%	--	--	--
Tennessee	3–8	69.6%	8.2%	20.4%	69.8%	8.2%	20.2%
Texas	3–8, High School	49.3%	8.6%	41.3%	50.9%	8.6%	39.5%
All 50 states, DC, and Puerto Rico[c]	All tested grades	78.5%	8.4%	9.5%	78.1%	8.4%	9.8%

EXHIBIT READS: In California, 56.9 percent of all SWDs in grades 3 through 8 took the regular state assessment in mathematics in the 2009–10 school year.

SOURCE: Data from the U.S. Department of Education, Office of Special Education and Rehabilitative Services, Office of Special Education Programs, Data Accountability Center. Obtained from www.ideadata.org.

NOTES: [a] The percentages for the individual states in this exhibit are based on the grades in which the AA-MAS was available. The percentages for all 50 states, DC, and Puerto Rico include Bureau of Indian Education schools and are based on all tested grades (irrespective of whether the AA-MAS was available).

[b] These figures represent SWDs taking regular assessments with and without accommodations.

[c] The percentages for "All 50 states, DC, and Puerto Rico" were computed by dividing the sum of all SWDs taking a particular type of assessment across all tested grades in all states by the sum of all SWDs across all tested grades in all states.

Percentages do not add up to 100 percent by state due to students whose scores were considered invalid or who were not assessed because of parental exemptions, student absence, or other reasons.

Proxy Adjustment for Determining AYP Status

At the time that the previously described assessment options were first permitted, few states had an AA-MAS in place. To allow time for states to develop these assessments, ED permitted states without an AA-MAS to adjust upward the proficiency score of the SWD subgroup for the purpose of determining AYP for schools that missed AYP solely because of the performance of that subgroup (known as the "proxy adjustment"). With this adjustment, the equivalent of 2 percent of all assessed students (using state-level calculations) could be added to the percentage of SWDs who scored proficient and advanced in schools that missed AYP solely due to SWD subgroup performance.[26] First issued for the 2004–05 school year, this flexibility was available to states that demonstrated that the performance of SWDs was improving and did not have a modified-standards assessment. Although this flexibility ended following the 2008–09 school year, it has implications for looking at prior years' AYP results. For example, Elledge, Le Floch, Taylor, and Anderson (2009) found that 21 states used this flexibility in the 2005–06 school year, and that among the 8 states with data available for that year, an average of 40 percent (with as many as 96 percent in California) of schools that initially missed AYP because of the performance of the SWD subgroup made AYP after the adjustment. This adjustment was no longer allowed after the 2008–09 school year.

Growth Models for Measuring Change for Accountability Purposes

Recent developments in using growth models for accountability purposes have implications for including SWDs in the accountability system and measuring their performance. Sometimes described as a "status" model, the ESEA accountability system established in 2001 provides a snapshot of a school's performance in a given year and holds all students to a single bar of proficiency—100 percent by the 2013–14 school year. Although students have diverse needs with different starting points in terms of proficiency, they are expected to reach the same level of proficiency each year. Therefore, SWDs with lower levels of proficiency than other students would need to make greater progress in a single year than students with higher levels of proficiency.

One alternative to the uniform proficiency targets is a system of growth models that measure changes in the achievement of individual students over time. In 2005, ED instituted a pilot program to encourage qualified states to develop these models, and by 2009, 15 states had been approved to use growth models in their accountability systems (Ahearn 2009). Although the exact approaches vary, these models generally measure change in the same student's performance over 2 or more years. Among the 15 states with approved growth models, 2 include students taking AA-AAS in their model. Some researchers have raised concerns about aggregating growth for AA-AAS students with growth for students held to grade-level achievement standards, given the different scales of the tests and the potentially different paces

[26] In an example provided by ED in 2005: "Assume that the state identifies 12 percent of its students as those with disabilities; 2.0 percent of the total number of students assessed equates to 16.67 percent of students with disabilities (2 percent divided by 12 percent). Using traditional rounding rules, the state may round this proxy to the nearest whole number; in this instance the proxy would be 17 percent." If a school in an eligible state did not make AYP solely on the basis of its SWD subgroup in a particular content area, that school could add 17 percentage points to the percent of SWDs scoring proficient or above for AYP determination (source: http://www2.ed.gov/policy/speced/guid/secletter/051214a.html).

at which the two types of students learn and exhibit growth (Ahearn 2009; Thurlow, Lazarus, Quenemoen, and Moen 2010). Researchers have also expressed concern that mobility and attendance problems can result in students missing the testing window, and missing data on individual students can make aggregated scores unreliable (Thurlow et al. 2010).

State Policies for Reporting Test Scores for Accountability Purposes

All SWDs are expected to participate in state assessment systems, and all public schools are to be included in the ESEA accountability system. However, the way in which these scores are reported for school-level AYP purposes varies across states. SWDs may be educated in a number of settings, such as their neighborhood regular school, a central special education program within their district of residence, a separate special education school (public or non-public), or placements outside their district of residence. Where the test scores of SWDs are attributed may be different in different cases; thus, the different ways of including the test scores of SWDs in AYP determinations adds another layer of complexity to the accountability for the performance of SWDs.

The study team's review of state accountability plans approved by ED as of March 2010 found that half of the plans did not address the reporting issue explicitly, while the other half provided some information about reporting the scores of students placed outside their school or district of residence. Seven states specified that the resident school was responsible for the reporting if the school or district made the decision to place the student elsewhere. New Jersey described its rationale: "This makes schools accountable for their placement decisions, as well as ensures that, once a student is placed in another school either within or outside of the district, the school maintains responsibility for the student's continued academic growth" (New Jersey Department of Education 2008, p. 31). Seven other states required that the scores for certain placements outside the district be tracked back to the district of residence but made no mention of school-level reporting. Five states designated the serving school (in specific cases) as being the reporting entity, and two states left the decision up to the district or schools. North Carolina uses a "feeder pattern" for its special education schools, whereby "at least half the feeding schools must make AYP for the receiving school to be designated as having made AYP" (North Carolina Department of Public Instruction 2009, p. 5).

A further complication in determining how SWDs perform academically for school accountability purposes is the inclusion of the scores of students who no longer receive special education services in calculating the proficiency rates for the SWD subgroup. In 2007, ED issued regulations that allowed states to include the scores of such students with the SWD subgroup for up to two years.

Summary

Although the ESEA may be straightforward in its overall objective to improve the achievement of all students, the numerous provisions and regulations may make it challenging to determine exactly how well SWDs have been performing. Adding to these complexities is the fact that states use different tests, adopt different proficiency standards, use different methods for measuring progress, and set different minimum subgroup size for accountability purposes. These differences lead to variation across states in how SWDs are included or excluded from school accountability systems and how SWD performance affects schools' AYP determination and school improvement status, which make cross-state comparisons difficult to interpret.

Chapter 3: Study Design

To address the research questions about the inclusion of SWDs in school accountability systems and the AYP and school improvement status of SWD-accountable schools, the study team analyzed data from extant sources using a variety of analytic methods. This chapter provides a description of the data sources, analytic samples, and analytic methods used to address the research questions.

Data Sources

This report draws primarily on school-level data reported by states through ED*Facts*, an ED initiative to collect and place K–12 performance data at the center of policy, management, and budget decisions. The ED*Facts* data used in this report follow:

- School-level data on AYP status as well as the results for each AYP target (reading proficiency, mathematics proficiency, reading test participation, mathematics test participation, and the other academic indicator) for all students in the school and each of the eight student subgroups (i.e., five racial/ethnic categories, students from low-income families, SWDs, and students with limited English proficiency) for the 2006–07 through 2009–10 school years
- School-level data on the number of enrolled SWDs for the 2006–07 through 2009–10 school years
- School-level data on school improvement status for the 2007–08 through 2010–11 school years[27]

Additional data on school demographic characteristics, including school type, poverty levels, and minority concentrations, were drawn from the Common Core of Data.

Data Caveats

ED*Facts* is periodically updated to reflect amended data provided by the states, and data used in this report were obtained at different points in time.[28] Although all 50 states and DC submit data that are compiled into ED*Facts*, not all states reported the specific data that were used in this report (see the *Analytic Samples* section). Furthermore, among states included in the analyses, not all schools reported the necessary data. For example, 73,462 schools across 44 states and DC reported information on whether they met the AMO (i.e., AYP target) for SWD subgroup performance (the variable used to determine a school's accountability status for SWDs) and the number of SWDs enrolled in the 2009–10 school year, representing 92 percent of all schools in

[27] The identification of schools for improvement in a given year is based on the prior year's AYP performance. Whether a school made AYP or not in the 2009–10 school year, for example, would affect its school improvement status in 2010–11.

[28] The 2006–07 ED*Facts* data used for the analyses in this report were obtained in August 2008. The 2007–08 ED*Facts* data were obtained in October 2009. The 2008–09 data on AYP targets were obtained in April 2010, and the 2008–09 data on overall AYP, school improvement status, and performance were obtained in May 2010. The 2009–10 ED*Facts* data were obtained in June 2011.

ED*Facts* in those 44 states and DC. At the state level, between 71 and 99 percent of schools reported these data in that year (Appendix C provides this information by state). Accordingly, the study findings generalize only to the states and schools included in each analysis, rather than the entire nation.

Lastly, it is possible that ED*Facts* and the other data sources used may contain reporting errors. This study did not attempt to identify and correct reporting errors; instead, the study team analyzed the data as reported by the states.

Analytic Samples

The analyses in this report examine schools subject to the ESEA accountability requirements. The eligible school population in ED*Facts* used in the analyses excludes PK–2 schools because these schools do not include any of the tested grades required by the ESEA (i.e., grades 3 through 8 and at least once between grades 10 and 12).[29] The eligible school population also excludes non-Title I schools in the 12 states that do not subject non-Title I schools to the same accountability sanctions as Title I schools. These states are: Florida, Indiana, Kansas, Kentucky, Minnesota, Missouri, North Carolina, North Dakota, Oregon, Utah, Virginia, and West Virginia. Among all schools in ED*Facts* across the 50 states and DC in 2009–10, 10 percent (8,384 schools) were non-Title I schools in these 12 states.

The states and schools included in specific analyses vary, depending on the research questions addressed and data availability. Analyses relied on snapshot data from the 2009–10 school year, as well as trend data from the 2006–07 to 2009–10 school years.[30] The analytic sample size for the 2009–10 school year varied from 39 to 44 states plus DC, and from 58,748 to 73,462 schools when examining all public schools, depending on the data available for the particular analysis.[31] For analyses of four-year trends from 2006–07 to 2009–10, the sample size ranged from 25 to 31 states and from 37,100 to 44,807 schools. Some of the trend analyses were limited to schools that were accountable (or not accountable) for SWD subgroup performance in *each* of the 4 years (referred to in the report as "consistently SWD-accountable schools" or "consistently non-SWD-accountable schools"). The actual number of states and schools included in each analysis can be found in the exhibits in Chapters 4 and 5; the states included in each analysis and the reasons for the exclusion of certain states from particular analyses are described in Exhibits 3-1 and 3-2.

[29] All schools and states in the eligible population were analyzed as long as they had the data needed for a specific analysis.

[30] The updated report uses 2006–07 as the base year for trend analyses instead of the 2005–06 base year used in the interim report in order to include more states (25 instead of 17 states) in the trend analyses.

[31] These sample n's are based on analyses examining all public schools. Some analyses compare different types of schools, and the sample size differ by school type, ranging from 23 special education charters to 66,924 traditional regular education schools for the 2009–10 analyses.

Exhibit 3-1. Number of states included in the 2009–10 analyses

44-state and DC sample (Exhibits 4-1, 4-2, 4-3, 4-4, 4-5, and 4-6)

- Primary analysis: Percentage of public schools accountable for the performance of the SWD subgroup and the percentage of SWDs enrolled in those schools, 2009–10 school year
- 6 states (AL, KY, OK, TN, WV, and WY) were excluded because they were missing some or all of the following school-level information for 2009–10:
  (1) school performance on AYP targets for mathematics and reading proficiency for the SWD subgroup;
  (2) the number of enrolled SWDs; and
  (3) school type (or, in the case of Exhibit 4-3, school level).

39-state and DC sample (Exhibits 5-1, 5-2, 5-3, and 5-4)

- Primary analysis: Percentage of public schools and SWD-accountable schools that made and did not make AYP, 2009–10 school year
- 11 states (AL, CA, GA, KY, ME, NJ, OK, TN, VT, WV, and WY) were excluded because they were missing some or all of the following school-level information for 2009–10:
  (1) school performance on AYP targets for mathematics and reading proficiency for the SWD subgroup;
  (2) the number of enrolled SWDs;
  (3) AYP status; and/or
  (4) all AYP targets (i.e., reading/mathematics proficiency and participation for all students and the 8 subgroups and the other academic indicator).

Exhibit 3-2. Number of states included in the trend analyses (2006–07 through 2009–10)

31-state sample (Exhibits 4-10, 4-11, 4-12A, and 4-12B)

- Primary analysis: Changes in SWD-accountability status over time, 2006–07 through 2009–10 school years
- States included: AL, AK, AR, CA, CO, FL, GA, HI, IA, IL, IN, KS, MA, MD, ME, MN, MO, MS, MT, NC, ND, NE, NH, OH, OR, PA, UT, VA, VT, WA, and WI
- 19 states and DC were excluded because they were missing data on schools' performance on AYP targets for mathematics and reading proficiency for the SWD subgroup in 2006–07 through 2009–10.

25-state sample (Exhibit 4-7)

- Analysis: Percentage of public schools accountable for the performance of the SWD subgroup and the percentage of SWDs enrolled in those schools, 2006–07 to 2009–10 school years
- States included: AR, CA, FL, GA, HI, IA, ID, IL, KS, MA, MD, MN, MO, MT, NC, ND, NE, NH, OH, PA, UT, VA, VT, WA, and WI
- 25 states and DC were excluded because they were missing some or all of the following school-level information, 2006–07 through 2009–10:
  (1) school performance on AYP targets for mathematics and reading proficiency for the SWD subgroup; and/or
  (2) the number of enrolled SWDs.

22-state sample (Exhibits 5-6, 5-8, 5-9A, and 5-9B)

- Primary analysis: Percentage of public schools and SWD-accountable schools by school improvement status, 2006–07 to 2009-10 school years
- States included: AR, CO, FL, GA, HI, IA, IL, MA, MD, MN, MO, MT, NC, ND, NE, OH, OR, PA, VA, VT, WA, and WI
- 28 states and DC were excluded because they were missing some or all of the following school-level information:
  (1) school performance on AYP targets for mathematics and reading proficiency for the SWD subgroup in 2006–07 through 2009–10; and/or
  (2) school improvement status for 2007–08 through 2010–11 (Note: The 2007–08 school improvement status is based on the schools' 2006–07 performance.).

20-state sample (Exhibit 5-7)

- Analysis: Average number of applicable subgroups by accountability and school improvement status, 2006–07 to 2009–10 school years
- States included: AR, CO, FL, HI, IA, IL, MA, MD, MN, MO, MT, NC, ND, NE, OH, OR, PA, VA, WA, and WI
- 30 states and DC were excluded because they were missing some or all of the following school-level information:
  (1) school performance on AYP targets for mathematics and reading proficiency for the SWD subgroup in 2006–07 through 2009–10;
  (2) school improvement status for 2007–08 through 2010–11; and/or
  (3) AYP targets for reading/mathematics proficiency and participation for all subgroups for 2006–07 through 2009–10.

15-state sample (Exhibit 5-5)

- Analysis: Percentage of SWD-accountable schools that made and did not make AYP by reason, 2006–07 to 2009–10 school years
- States included: FL, IL, KS, MA, MD, MN, MO, NC, ND, NE, OH, OR, PA, VA, and WI
- 35 states and DC were excluded because they were missing some or all of the following school-level information for 2006–07 through 2009–10:
  (1) school performance on AYP targets for mathematics and reading proficiency for the SWD subgroup;
  (2) AYP status; and/or
  (3) all AYP targets (i.e., reading/mathematics proficiency and participation for all students and the 8 subgroups and the other academic indicator).

Analytic Methods

The research questions examined in this report were addressed through descriptive analyses of school-level ED*Facts* data. Using ED*Facts* data for the 2006–07 through 2009–10 school years, the study team computed the percentage of schools that were accountable for the performance of the SWD subgroup as well as the percentage of SWDs represented by the SWD-accountable schools both among all public schools and within different types of public schools (e.g., regular schools, charter schools, special education schools, and vocational/alternative schools). Note that this study focuses on schools accountable for the *performance* of the SWD subgroup; because some states have different minimum n requirements for participation rates, schools could be accountable for SWD subgroup participation but not necessarily for SWD subgroup performance. Furthermore, accountability for subgroup performance is generally determined by the number of students tested in a given subject. Therefore, a school could be accountable for the performance of a subgroup in mathematics only, or reading only, or both subjects, depending on the number of students tested in each subject and the state's minimum subgroup n. In determining school accountability for SWD performance, the study team used information in ED*Facts* on AMOs. Schools that were reported to have met or did not meet the performance AMO for the SWD subgroup in either subject were designated as "SWD-accountable." Schools that reported no students or too few students to be accountable for the SWD subgroup for both reading and mathematics performance AMOs were designated as "non-SWD-accountable." Schools that reported no students or too few students to be accountable for the SWD subgroup for one subject and were missing data on AYP performance target for the other subject also were designated as "non-SWD-accountable."

The study also examined the changes over time in schools' SWD-accountability status, the percentage of schools that missed AYP due to the SWD subgroup performance, either solely or partly, and the percentage of SWD-accountable and non-SWD-accountable schools identified for school improvement, based on descriptive analyses of school-level accountability data. Because all those analyses are based on the population of relevant schools across all states with available data, rather than a random sample of schools, tests of the statistical significance of the results were not performed. Moreover, tests of statistical significance can be less informative when the number of schools is extremely large (e.g., 73,462 schools) as is sometimes the case with this report. The results of the descriptive analyses are presented in the following two chapters.

Chapter 4: The Inclusion of Students With Disabilities in School Accountability Systems

Using school-level data from ED*Facts*, this chapter examines the inclusion of SWDs in school accountability systems. Specifically, it addresses the following research questions:

- *What percentage of schools were accountable for the performance of the SWD subgroup between the 2006–07 and 2009–10 school years?*
- *What percentage of different types of schools were accountable for the performance of the SWD subgroup?*
- *What percentage of schools moved in and out of accountability for the performance of the SWD subgroup?*

The following sections report on key findings related to these questions. To put the findings into a larger context, a description of the distribution of SWDs among different types of public schools precedes the key findings.

The Distribution of SWDs in Public Schools

The majority of SWDs attended regular schools in 44 states with relevant data and DC.[32]

The ESEA accountability provisions apply to all kinds of public schools, including traditional regular schools, charter schools, special education schools, and vocational/alternative schools. At the same time, the characteristics of non-regular schools, such as a smaller student population relative to traditional regular schools, may result in differences in how SWDs in different types of schools are represented in the accountability system. As shown in Exhibit 4-1, the majority of SWDs enrolled in public schools—95.5 percent based on the 2009–10 school year data from 44 states and DC—were in traditional regular schools that served students both with and without disabilities, while 2.5 percent were enrolled in regular charter schools.[33] The exhibit also shows that 1.2 percent of SWDs in public schools in 2009–10 attended schools that exclusively serve special education students (including 0.1 percent in special education charters) and 0.9 percent were in vocational/alternative schools.

[32] "Regular schools" in this report refers to traditional schools and charter schools that serve students with and without disabilities. This finding is based on the schools to which students' test scores were assigned, which may not be the same as the schools that the students actually attended. This is because some students might be attending a school outside their residential area but their test scores were reported by their neighborhood school (see the discussion on reporting practices in Chapter 2).

[33] This pattern is consistent with federal IDEA educational placement data, which showed that 98.5 percent of students receiving special education services under the IDEA were served in regular schools in the 2008–09 school year (Source: https://www.ideadata.org/arc_toc10.asp#partbLRE).

Exhibit 4-1. Distribution of SWDs enrolled by school type in 44 states with relevant data and DC, 2009–10 school year

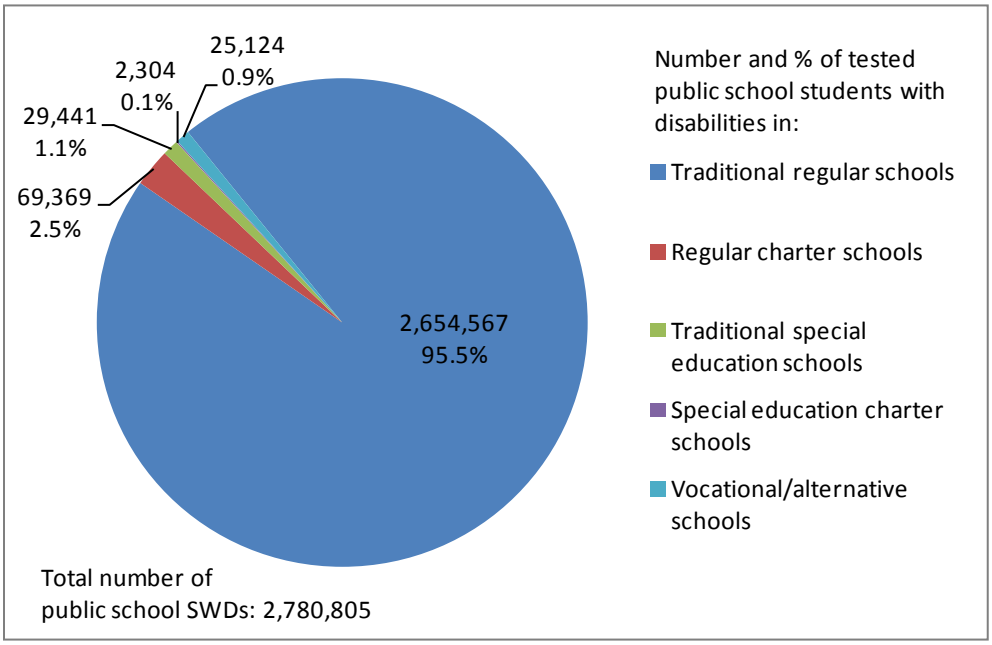

EXHIBIT READS: Among SWDs participating in state assessments in the 44 states with relevant data in the 2009–10 school year and DC, 95.5 percent were enrolled in traditional regular schools.
SOURCE: ED*Facts* data, 2009–10.
NOTES: 1. "Regular" refers to non-special education, and "traditional" refers to non-charter schools. 2. The numbers of schools included in the analysis are: 66,924 traditional regular schools; 3,448 regular charter schools; 564 traditional special education schools; 54 special education charter schools; and 2,450 vocational/alternative schools. 3. The list of states excluded from this analysis is provided in Exhibit 3-1.

Several studies have pointed to the fact that the percentage of SWDs in charter schools is lower than the percentage in traditional public schools (Finnegan, Adelman, Anderson, Cotton, Donnelly, and Price 2004; Miron, Urschel, Mathis, and Torquist 2010; Nelson, Berman, Ericson, Kamprath, Perry, Silverman, and Solomon 2000; Rhim, Faukner, and McLaughlin 2006). Further, the disabilities of SWDs attending charter schools tend to be less severe than those of SWDs attending traditional public schools (*H.R. 4330, The All Students Achieving Through Reform Act* 2010; Rhim et al. 2006).[34] According to the 2009–10 ED*Facts* data, an average of 14 percent of all students in a traditional regular school were SWDs, in comparison to 12 percent for regular charter schools (Exhibit 4-2). On average, 87 percent and 74 percent of students enrolled in traditional special education schools and special education charter schools, respectively, were SWDs, whereas 19 percent of students in vocational/alternative schools were SWDs.[35]

[34] For example, Rhim et al. (2006) found that, compared with traditional public schools in 2003–04, charter schools in California served more students with specific learning disabilities (61 percent compared to 55 percent) and fewer students with mental retardation (2 percent compared to 6 percent).
[35] Although special education schools generally serve special education students exclusively, it is possible that some students were not IDEA eligible at the time of testing. In addition, some schools may operate inclusion programs and enroll non-disabled students. Therefore, not 100 percent of the students in special education schools were SWDs.

Exhibit 4-2. Average percentage of students who were SWDs by school type in 44 states with relevant data and DC, 2009–10 school year

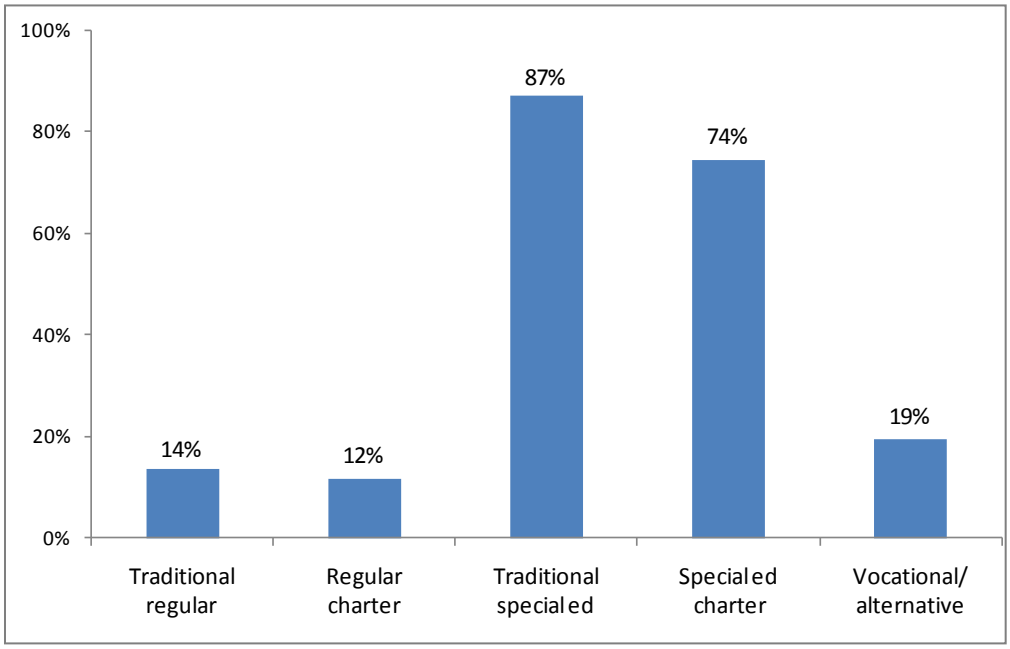

EXHIBIT READS: In the 2009–10 school year, an average of 14 percent of students in traditional regular schools in 44 states with relevant data and DC were SWDs.
SOURCE: ED*Facts* data, 2009–10.
NOTES: 1. "Regular" refers to non-special education, and "traditional" refers to non-charter schools. 2. The number of schools, all students, and SWDs, respectively, included in this exhibit are 66,924; 20,787,139; and 2,654,567 for traditional regular schools; 3,448; 695,357; and 69,369 for regular charter schools; 564; 41,448; and 29,441 for traditional special education schools; 54; 6,923; and 2,304 for special education charter schools; and 2,450; 190,676; and 25,124 for vocational/alternative schools. 3. The list of states excluded from this analysis is provided in Exhibit 3-1.

Inclusion of SWDs in School-Level Accountability Systems

The percentage of schools accountable for SWD subgroup performance varied by school level and by type of school in 44 states with relevant data and DC.

Across the 44 states with relevant data for the 2009–10 school year and DC, more than a third (35 percent) of the schools that reported both information on the annual measurable objective for the SWD subgroup and the number of SWDs were accountable for SWD subgroup performance in mathematics, reading, or both subjects, representing 59 percent of SWDs in these states (Exhibit 4-3). Similar variation has been reported in other studies (Commission on NCLB 2006; Johnson, Peck, and Wise 2007a). For context, 33 percent and 95 percent of schools in 43 states and DC were accountable for the performance of the English language learner subgroup and the economically disadvantaged subgroup, respectively.[36]

[36] One state in the 44-state sample did not have data on accountability for the ELL and economically disadvantaged subgroups.

Across school levels, there was variation in both the percentage of schools accountable for SWD subgroup performance and the percentage of SWDs enrolled in these schools. As shown in Exhibit 4-3, 62 percent of all middle schools in the 44 states with relevant data and DC included SWD performance in determining AYP in the 2009–10 school year, while 32 percent of elementary schools and 23 percent of high schools did so. The difference in rates between elementary, middle, and high schools may be a consequence of the grade levels tested. ESEA requires that schools test annually in grades 3 through 8 and at least once in grades 10 through 12. Thus, high schools may include just one tested grade, while elementary and middle schools include several, potentially affecting the number of students counted in subgroup determination.

The percentage of SWDs enrolled in SWD-accountable schools was the highest at the middle school level: 80 percent compared with 48 percent at the elementary school level and 46 percent at the high school level. Differences in the percentage of SWD-accountable schools by state and DC and by school level are reported in Appendices D through F.

Exhibit 4-3. Percentage of public schools accountable for SWD subgroup performance and percentage of SWDs enrolled in SWD-accountable schools in 44 states with relevant data and DC, by school level, 2009–10 school year

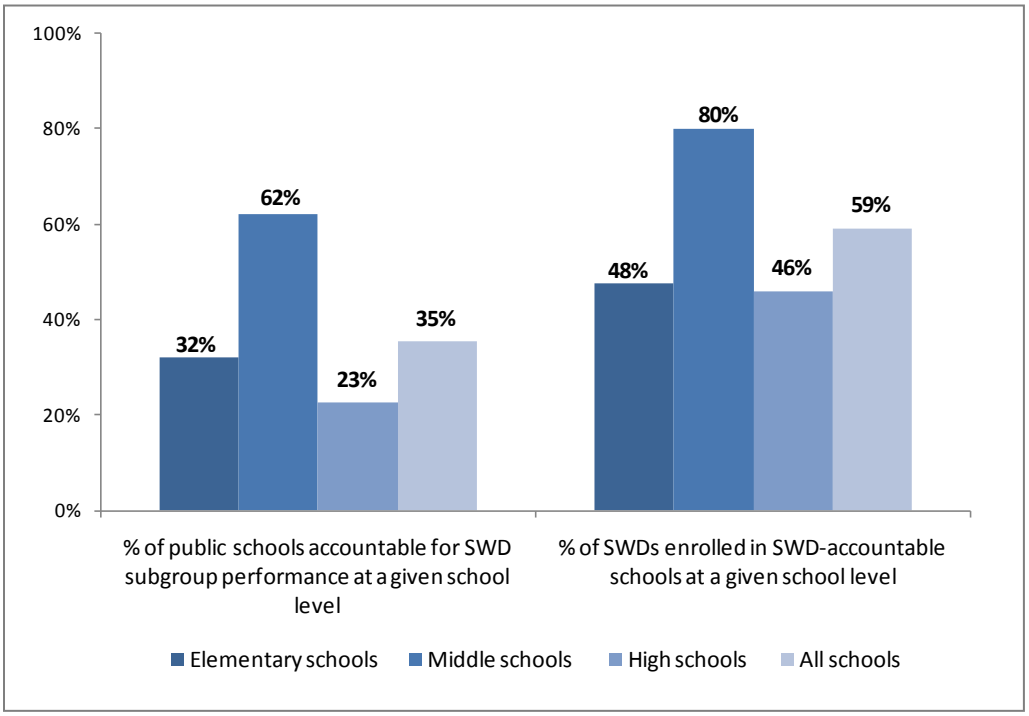

EXHIBIT READS: Across the 44 states with relevant data and DC, 32 percent of all elementary schools were accountable for the performance of the SWD subgroup in the 2009–10 school year. SWDs enrolled in the SWD-accountable elementary schools represented 48 percent of SWDs in all elementary schools in these states and DC.
SOURCE: ED*Facts* data, 2009–10.
NOTES: 1. The number of schools and SWDs, respectively, included in this exhibit are 42,615 and 1,345,704 for elementary schools; 13,777 and 980,794 for middle schools; 13,585 and 353,525 for high schools; and 73,462 and 2,780,997 for all schools. 2. "All schools" includes any public school, including those not categorized as elementary, middle, or high schools. 3. This analysis includes only schools that reported data on both school performance on the annual measurable objectives for SWD performance and the number of SWDs for 2009–10 to ED*Facts*. 4. The list of states excluded from this analysis is provided in Exhibit 3-1. Appendices D through F provide results for individual states and DC by school level.

The percentage of SWD-accountable schools and the percentage of SWDs enrolled in these schools varied across the 44 states with the relevant data and DC. Exhibit 4-4 shows that the percentage of SWD-accountable schools was between 19 and 63 percent in half of the states, above 63 percent in a quarter, and below 19 percent in a quarter of the states. Among other factors, the minimum subgroup n for SWD accountability may explain some of the variation shown. For example, 97.3 percent of schools in Maryland, which has a minimum n of 5, were SWD-accountable, in comparison to 9.6 percent in California, which has a minimum n of 100, or 50 students and 15 percent of valid scores. As noted in Chapter 3, these results pertain only to the schools included in the analysis and cannot be generalized beyond the analysis sample. (Appendix C provides the total number and percentage of eligible schools included in the analysis by state.)

Exhibit 4-4. Percentage of public schools accountable for SWD subgroup performance and percentage of SWDs in SWD-accountable schools, by state, 2009–10 school year

State	# SWD-accountable schools	% SWD-accountable schools	# of SWDs in SWD-accountable schools	% of SWDs in SWD-accountable schools
Total	25,983	35.4%	1,642,582	59.1%
Alaska	147	31.6%	7,637	72.0%
Arizona	130	7.0%	10,728	15.0%
Arkansas	177	17.1%	11,930	37.6%
California	871	9.6%	89,983	26.0%
Colorado	372	22.2%	24,076	51.5%
Connecticut	981	100.0%	33,795	100.0%
Delaware	71	37.0%	5,936	63.8%
DC	68	36.6%	3,204	66.9%
Florida	1,303	51.1%	121,912	71.4%
Georgia	588	27.1%	52,776	50.3%
Hawaii	48	17.1%	4,001	38.3%
Idaho	91	14.7%	5,025	37.0%
Illinois	960	26.0%	79,222	52.5%
Indiana	828	62.1%	53,034	82.6%
Iowa	293	22.1%	16,961	51.6%
Kansas	241	21.1%	12,841	49.8%
Louisiana	1,077	88.1%	39,301	97.4%
Maine	565	99.5%	16,217	100.0%
Maryland	1,319	97.3%	48,483	99.5%
Massachusetts	797	48.8%	64,603	75.6%
Michigan	1,539	44.6%	82,580	70.7%
Minnesota	564	66.6%	23,194	89.3%
Mississippi	158	18.7%	9,746	51.4%
Missouri	307	29.7%	15,641	55.7%
Montana	108	13.4%	3,942	44.4%
Nebraska	261	27.7%	14,343	61.9%
Nevada	381	63.9%	20,790	87.3%
New Hampshire	277	76.5%	12,569	99.3%
New Jersey	1,257	57.0%	94,718	78.9%
New Mexico	279	36.0%	15,361	70.3%
New York	2,391	55.7%	160,403	82.3%
North Carolina	566	29.8%	40,061	55.3%
North Dakota	256	86.5%	4,114	97.7%
Ohio	1,734	50.1%	99,578	76.7%
Oregon	405	68.1%	17,838	86.3%
Pennsylvania	1,398	46.3%	109,763	73.1%
Rhode Island	58	20.4%	4,577	37.9%
South Carolina	472	43.8%	33,356	67.6%
South Dakota	96	16.3%	4,252	54.1%
Texas	781	10.4%	71,444	28.9%
Utah	262	100.0%	10,356	100.0%
Vermont	28	9.3%	1,633	26.5%
Virginia	98	14.0%	7,175	30.5%
Washington	1,011	50.2%	56,515	77.1%
Wisconsin	369	18.5%	26,968	44.6%

SOURCE: ED*Facts* data, 2009–10.
NOTES: This analysis includes all eligible public schools that reported data on both school performance on the annual measurable objectives for SWD performance and the number of SWDs for 2009–10 to ED*Facts*. Eligible schools exclude PK–2 schools and non-Title I schools in states that do not subject non-Title I schools to the same accountability sanctions as Title I schools. Of the 12 states that do not sanction non-Title I schools (see footnote 16), Florida, Indiana, Kansas, Minnesota, Missouri, North Carolina, North Dakota, Oregon, Utah, and Virginia are included in this analysis.

Schools accountable and schools not accountable for SWD subgroup performance in the 2009–10 school year differed not only by accountability status for this subgroup but also by other demographic characteristics. Based on the 2009–10 school year data from 44 states and DC, SWD-accountable schools were larger in size (685 students versus 465 students), were less likely to be rural (22 percent versus 35 percent), and had lower percentages of students eligible to receive free or reduced-price lunch (42 percent versus 47 percent) and lower percentages of non-white students (41 percent versus 45 percent), compared with their non-SWD-accountable counterparts (Exhibit 4-5).

Exhibit 4-5. Demographic characteristics of schools accountable and schools not accountable for SWD subgroup performance in 44 states with relevant data and DC, 2009–10 school year

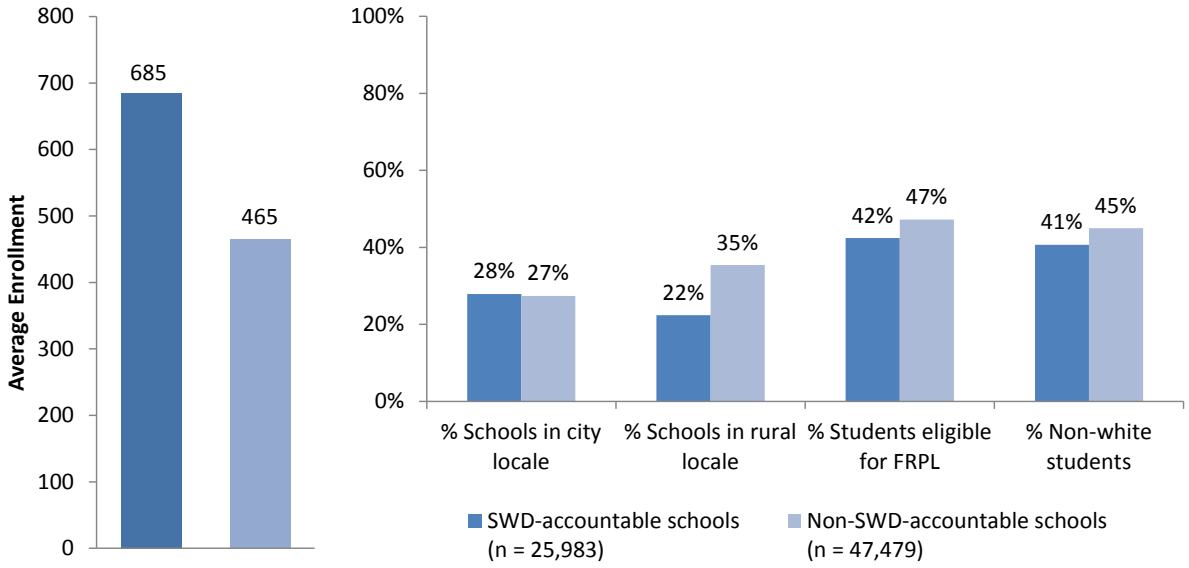

EXHIBIT READS: Across the 44 states with relevant data and DC, the average enrollment for schools that were accountable for the performance of the SWD subgroup in the 2009–10 school year was 685 students.
SOURCE: ED*Facts* data and Common Core of Data, 2009–10.
NOTES: 1. FRPL = free and reduced-price lunch. 2. The number of SWD-accountable and non-SWD-accountable schools included in this exhibit is 25,983 and 47,479, respectively. 3. The list of 44 states excluded from this analysis is provided in Exhibit 3-1. Appendices G and H provide results for individual states.

In addition to differences by school level discussed earlier, there also were differences in the percentage of SWD-accountable schools by school type: traditional regular, regular charter, vocational/alternative schools, and special education schools that exclusively or primarily serve SWDs.[37] As Exhibit 4-6 shows, 38 percent of traditional regular schools included the SWD subgroup in their AYP determinations in the 2009–10 school year, compared with 13 percent of regular charters. These schools enrolled 60 percent and 38 percent of SWDs attending traditional regular schools and regular charters, respectively. Forty-three percent of traditional special

[37] The special education schools in this analysis include state-operated schools, such as those for the deaf or blind, as well as separate schools or centers that educate SWDs in a particular district or region. This category does not include district programs or centers for SWDs that are located within regular schools.

education schools and 46 percent of special education charter schools were accountable for the performance of SWDs in the 2009–10 school year, representing 72 percent and 80 percent of SWDs attending these two types of schools, respectively.[38]

Exhibit 4-6. Percentage of public schools accountable for SWD subgroup performance and percentage of SWDs in SWD-accountable schools in 44 states with relevant data and DC, by school type, 2009–10 school year

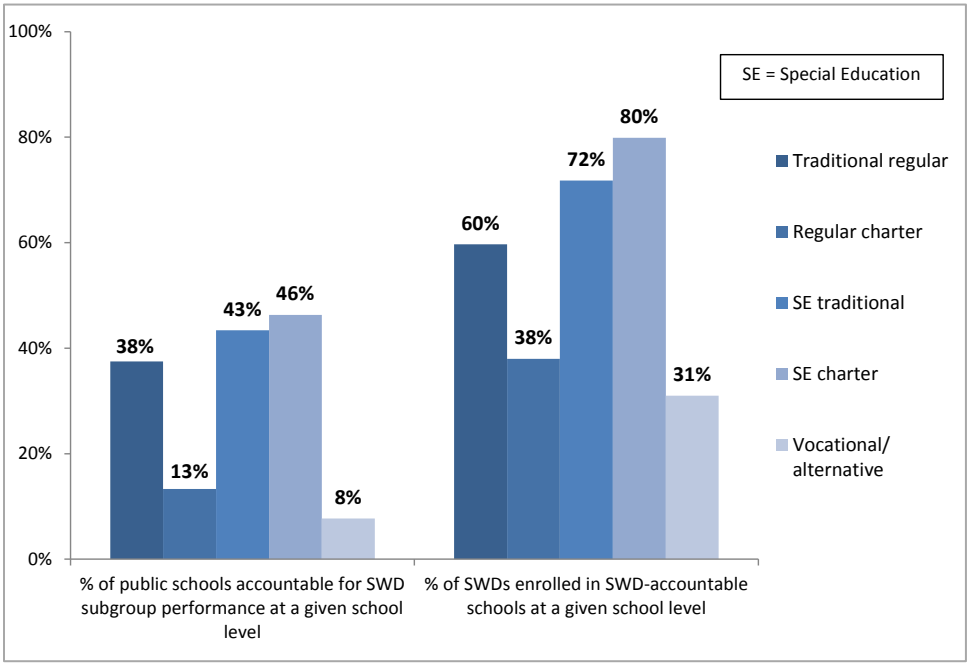

EXHIBIT READS: Of the traditional regular schools in the 44 states with relevant data and DC, 38 percent were accountable for the performance of the SWD subgroup in the 2009–10 school year. SWDs enrolled in these SWD-accountable schools represented 60 percent of SWDs in all traditional regular schools in these states.
SOURCE: ED*Facts* data, 2009–10.
NOTES: 1. "Regular" refers to non-special education, and "traditional" refers to non-charter schools. 2. The number of schools and SWDs, respectively, included in this exhibit are 66,924 and 2,654,567 for traditional regular schools; 3,448 and 69,369 for regular charter schools; 564 and 29,441 for traditional special education schools; 54 and 2,304 for special education charters; and 2,450 and 25,124 for vocational/alternative schools. 3. This analysis includes only schools that reported data on both school performance on the annual measurable objectives for SWD performance and the number of SWDs. 4. The list of states excluded from this analysis is provided in Exhibit 3-1.

Eight percent of vocational and alternative schools were accountable for SWD subgroup performance in the 2009–10 school year, representing 31 percent of SWDs who attended these types of schools. The lower percentage of SWD-accountable vocational and alternative schools in comparison to traditional regular schools may be attributed to their smaller program size as well as the mobile population these schools tend to serve, which may result in fewer students attending for the full school year.[39] Reporting practices in some states, such as reporting the scores back to the students' home schools (described in Chapter 2) also may have implications for whether these schools are accountable for the SWD subgroup.

[38] Given the small number of special education charters in this analysis (n = 54) compared with the number of traditional special education schools (n = 564), these findings should be interpreted with caution.
[39] Only students present for the full school year are used to determine AYP.

The percentage of public schools accountable for SWD subgroup performance increased and then dropped over time in 25 states with relevant data.

Analyses of the 4 most recent years of available ED*Facts* data show that the percentage of public schools accountable for the performance of the SWD subgroup increased from 30 percent in the 2006–07 school year to 36 percent in 2007–08 and 2008–09, and then dropped to 34 percent in 2009–10, in the 25 states that had relevant data (Exhibit 4-7).[40] SWDs served by SWD-accountable schools as a proportion of SWDs in all public schools in these states increased from 54 percent in the 2006–07 school year to 58 percent in 2007–08, and then fell to 57 percent in 2008–09 and 56 percent in 2009–10.[41]

Exhibit 4-7. Percentage of public schools accountable for SWD subgroup performance and percentage of SWDs enrolled in SWD-accountable schools in 25 states with relevant data, 2006–07 to 2009–10 school years

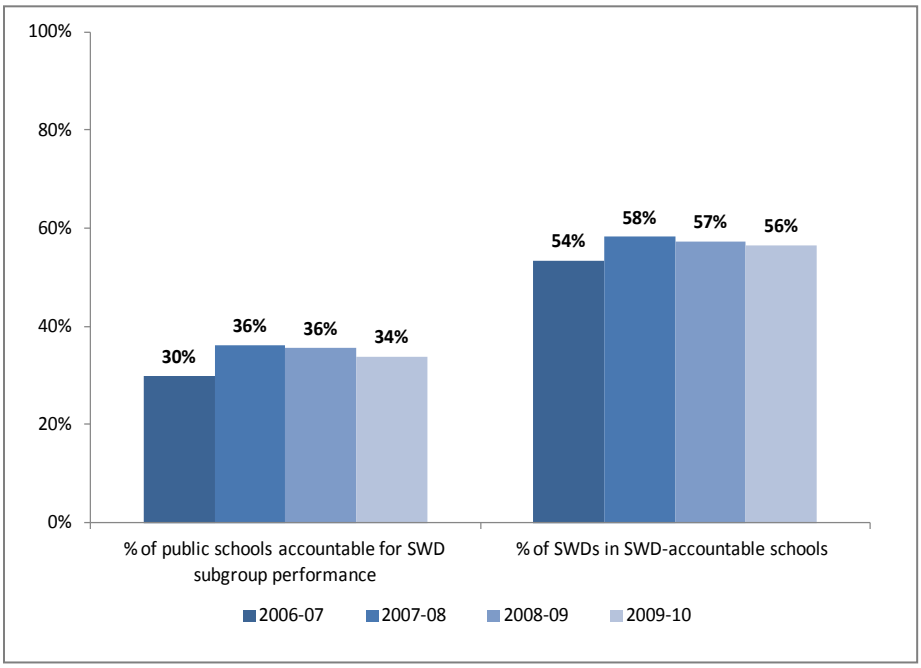

EXHIBIT READS: In the 2006–07 school year, 30 percent of public schools in 25 states with relevant data were accountable for the performance of the SWD subgroup. SWDs enrolled in the SWD-accountable schools represented 54 percent of SWDs in all public schools in these 25 states.
SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: 1. The number of schools included in this exhibit each year is 37,100. The number of students ranged from 1,403,582 to 1,489,462 across the 4 years. 2. For the purpose of examining trends over time, the analysis is restricted to the 20 states that reported relevant data for all 4 years. The list of 25 states included in this analysis is provided in Exhibit 3-2. Appendices I and J provide results for individual states. 3. This analysis includes only schools that reported data on both school performance on the annual measurable objectives for SWD performance and the number of SWDs for all 4 years.

[40] Appendix I displays state-level results.
[41] Appendix J displays state-level results.

Forty-nine percent of the schools in states with a minimum n of 30 had an SWD subgroup size at or above the minimum n, as did 38 percent of schools in states with a minimum n of 40.

Accountability for the SWD subgroup performance is determined by the minimum subgroup size. To illustrate the findings discussed previously, the following exhibits present the distribution of schools by the number of tested SWDs in states with two of the most common minimum group sizes for determining AYP in the 2009–10 school year.[42] Exhibit 4-8 depicts the distribution of schools in 14 states with a minimum n size of 30. Of the 31,133 schools in these states, the number of tested SWDs ranged from 0 students in 674 schools to 495 students in 1 school.[43] Forty-nine percent of the schools reported an SWD subgroup at or above the minimum n of 30, representing 79 percent of the entire tested SWD population in the 14 states.[44]

Exhibit 4-8. Distribution of public schools by the number of tested SWDs in states with a minimum subgroup size of 30 in 14 states with relevant data, 2009–10 school year

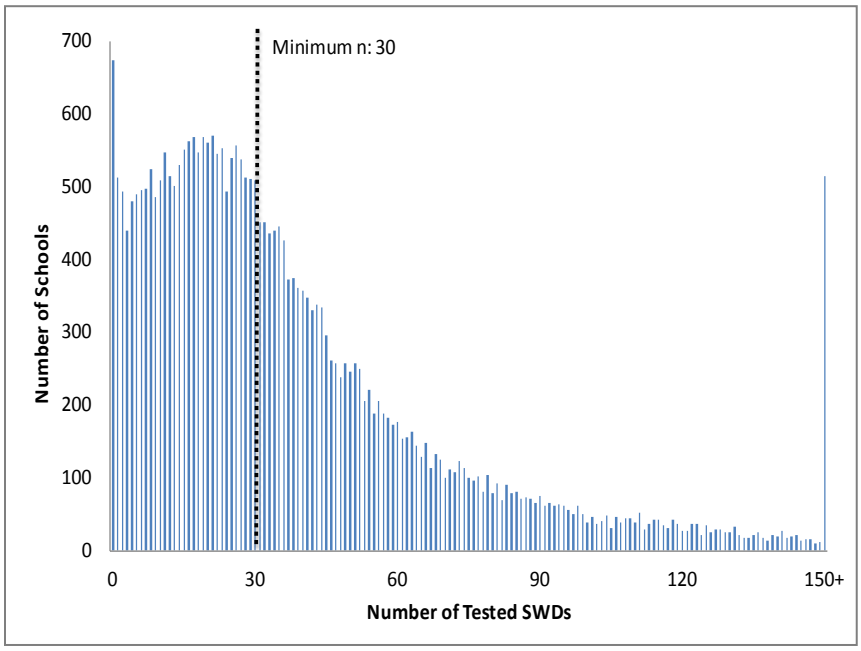

EXHIBIT READS: Among the 14 states with a minimum n of 30 for subgroup performance and with relevant data, 674 schools had no tested SWDs in the 2009–10 school year.
SOURCE: ED*Facts* data, 2009–10.
NOTES: 1. The number of schools included in this exhibit is 31,133. 2. Of the 14 states in Exhibit 2-1 with a minimum subgroup size of 30, 13 reported the relevant data for this analysis: Colorado, Indiana, Iowa, Kansas, Michigan, Missouri, Montana, Nebraska, New Jersey, New York, Ohio, Oklahoma, and Washington. With a minimum n of 30 and 15 percent of the student population or 100 students, Florida was included in this analysis.

[42] Note that the data showed schools in these states below the minimum n cut-point that were accountable for the SWD subgroup, as well as schools above the cut-point that were not accountable for this student group.
[43] Some of the schools had zero tested SWDs in ED*Facts*, which may be reporting errors. However, based on the data available, it is not possible to know which schools have questionable data. Therefore, the study team analyzed the data as reported in ED*Facts*.
[44] Simpson, Gong, and Marion (2005) used data from five states to assess the impact of changes in minimum n's on the inclusion of SWDs. At a minimum group size of 30, they found that between 20 percent and 76 percent of SWDs would still be excluded from the school accountability system across the five states.

A similar pattern existed for the 13 states with a minimum n of 40 for subgroup performance, with a range of 0 tested SWDs in 530 schools to 474 tested SWDs in 1 school (Exhibit 4-9). Apart from the 3 percent of schools reporting no tested SWDs, 58 percent had tested SWDs that were below the minimum n of 40, representing a third (32 percent) of the overall tested SWD population in these states. If the minimum n was lowered to 30, the percentage of schools *at or above* the threshold would grow from 38 percent to 53 percent, and the percentage of tested SWDs in these schools would increase from two-thirds (68 percent) to 82 percent.

Exhibit 4-9. Distribution of public schools by the number of tested SWDs in states with a minimum subgroup size of 40 in 13 states with relevant data, 2009–10 school year

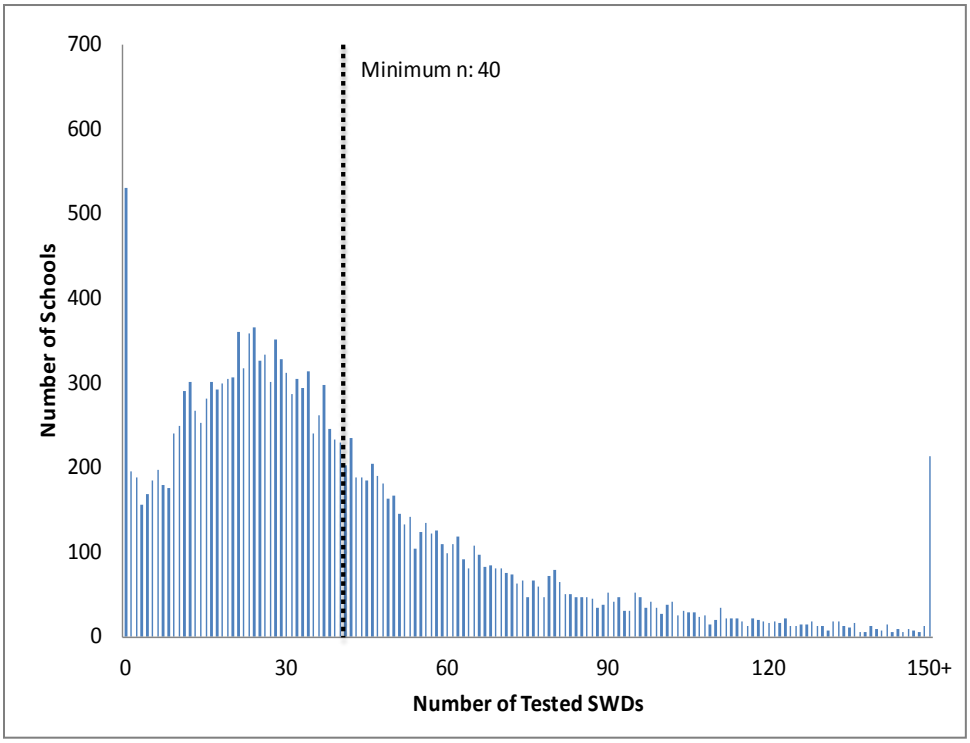

EXHIBIT READS: Among 13 states with a minimum n of 40 for subgroup performance and with relevant data, 457 schools had no tested SWDs in the 2009–10 school year.
SOURCE: ED*Facts* data, 2009–10.
NOTES: 1. The number of schools included in this exhibit is 18,049. 2. Although 14 states had a minimum subgroup size of 40, 13 reported the relevant data for this analysis: Arizona, Arkansas, Connecticut, Delaware, Georgia, Hawaii, Massachusetts, Mississippi, North Carolina, Pennsylvania, South Carolina, Vermont, and Wisconsin.

Changes in Schools' Accountability for SWDs Over Time

More than half (56 percent) of public schools in 31 states with relevant data were not accountable for SWD subgroup performance in any of the 4 years examined.

At the school level, the number of SWDs can vary from year to year. Schools may have a sufficient number of SWDs tested to meet the minimum subgroup size in one year but not necessarily the next. Analyses of schools' accountability for SWDs from the 2006–07 to 2009–10 school years revealed a pattern of fluctuation. Across all 4 years, the majority of schools (56 percent) in the 31 states that had the relevant data were never accountable for SWD subgroup performance, 7 percent of the schools were accountable in only 1 of the 4 years, and 14 percent were accountable in either 2 or 3 of the 4 years (Exhibit 4-10).[45]

Exhibit 4-10. Number and percentage of public schools accountable for SWD subgroup performance, by the number of years in which they were accountable in 31 states with relevant data, 2006–07 to 2009–10 school years

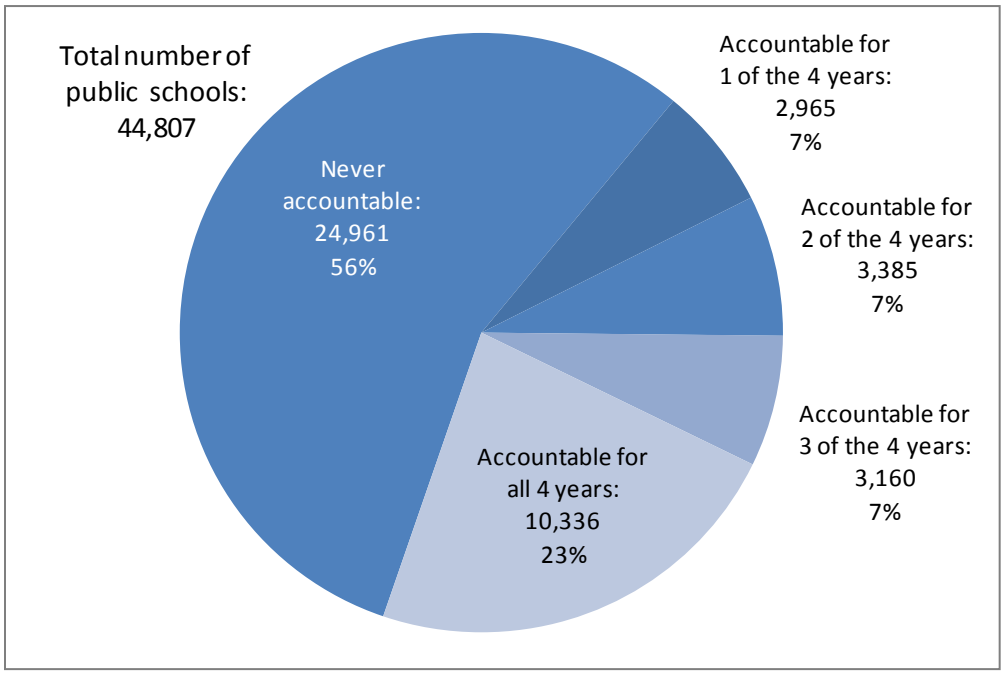

EXHIBIT READS: Of the 44,807 schools in 31 states with relevant data, 56 percent were never accountable for the performance of the SWD subgroup between the 2006–07 and 2009–10 school years.
SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: Analyses were based on 31 states for which there was information for all 4 years. Exhibit 3-2 provides a list of these 31 states and the data requirements. Appendix K provides results for individual states.

To illustrate the yearly changes in school accountability for SWDs, Exhibit 4-11 shows the extent to which schools moved in and out of accountability status for the following four groups of schools in the 31 states with relevant data for all 4 school years: schools accountable for SWD

[45] Appendix K displays results for individual states.

performance in 2006–07, schools accountable in 2007–08, schools accountable in 2008–09, and schools accountable in 2009–10. As Exhibit 4-11 shows:

- Of the 13,936 schools accountable for SWD subgroup performance in the 2006–07 school year in 31 states, 91 percent continued to be accountable in 2007–08, and 83 percent and 79 percent were accountable in the 2008–09 and 2009–10 school years, respectively.
- Of the 16,370 schools accountable for SWD subgroup performance in the 2007–08 school year, more than three-fourths (77 percent) also were accountable in the previous year (2006–07), 85 percent remained accountable in the following year (2008–09), and 77 percent were accountable in the 2009–10 school year.
- Of the 15,506 schools accountable for SWD subgroup performance in the 2008–09 school year, 84 percent continued to be accountable in the following year (2009–10), 90 percent were accountable in the previous year (2007–08), and 75 percent were accountable in the 2006–07 school year.
- Of the 14,747 schools accountable for SWD subgroup performance in the 2009–10 school year, 88 percent also were accountable in the previous year (2008–09), and 86 percent and 75 percent were accountable in the 2007–08 and 2006–07 school years, respectively.

Exhibit 4-11. Percentage of public schools accountable for SWD subgroup performance in a specified year that also were accountable in other years in 31 states with relevant data, 2006–07 to 2009–10 school years

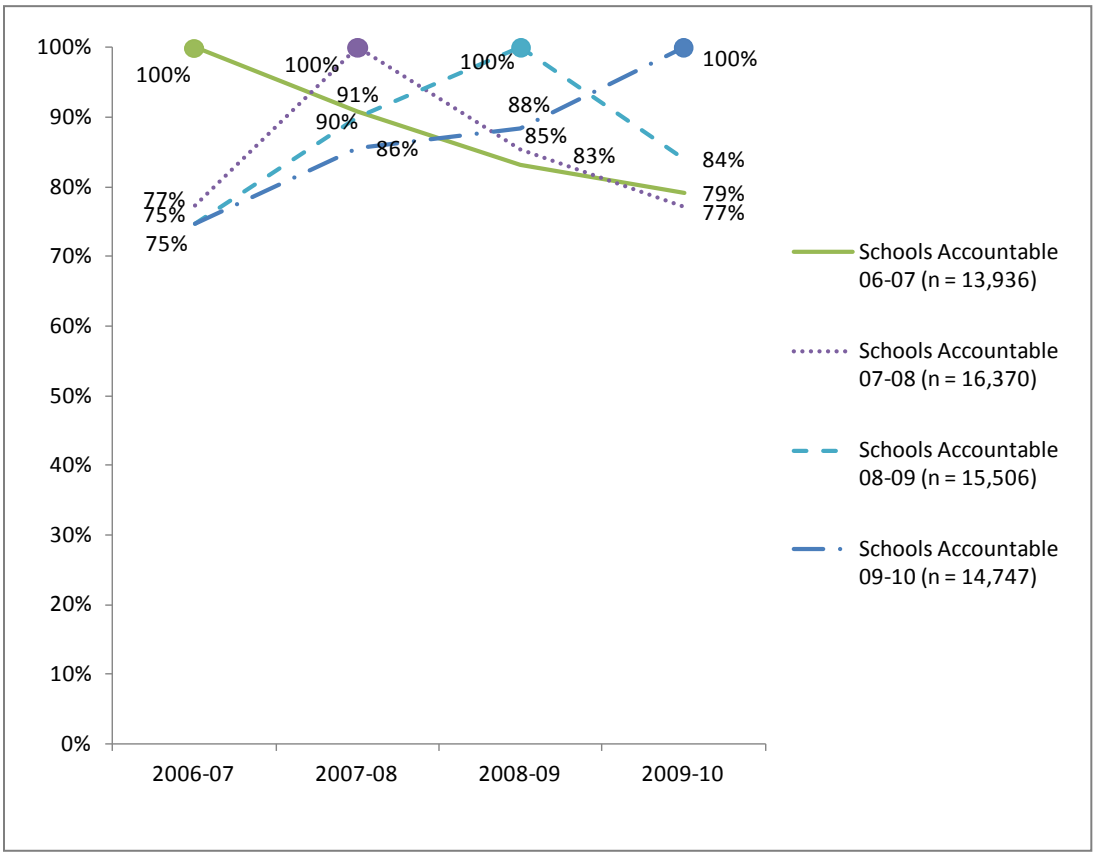

EXHIBIT READS: Of the 13,936 schools that were accountable for the performance of the SWD subgroup in the 2006–07 school year in 31 states with relevant data, 91 percent continued to be accountable in the 2006–07 school year, and 83 percent and 79 percent were accountable in the 2008–09 and 2009–10 school years, respectively.
SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: Analyses were based on 31 states for which there was information for all 4 years. Exhibit 3-2 provides a list of these 31 states and the data requirements.

To explore these patterns in greater depth, Exhibit 4-12A tracks changes over time in SWD subgroup accountability for schools accountable in the 2006–07 school year in 31 states. It shows, for example, that 74 percent of the 13,936 schools accountable for SWD subgroup performance in the 2006–07 school year were accountable in each of the following three years. Of the 13,936 schools accountable in the 2006–07 school year, 9 percent became not accountable in 2007–08, and 3 percent were not accountable in 2007–08 but became accountable again in 2008–09.

Exhibit 4-12A. Change in accountability for SWD subgroup performance over time among public schools accountable for the SWD subgroup in 2006–07 in 31 states with relevant data, 2006–07 to 2009–10 school years

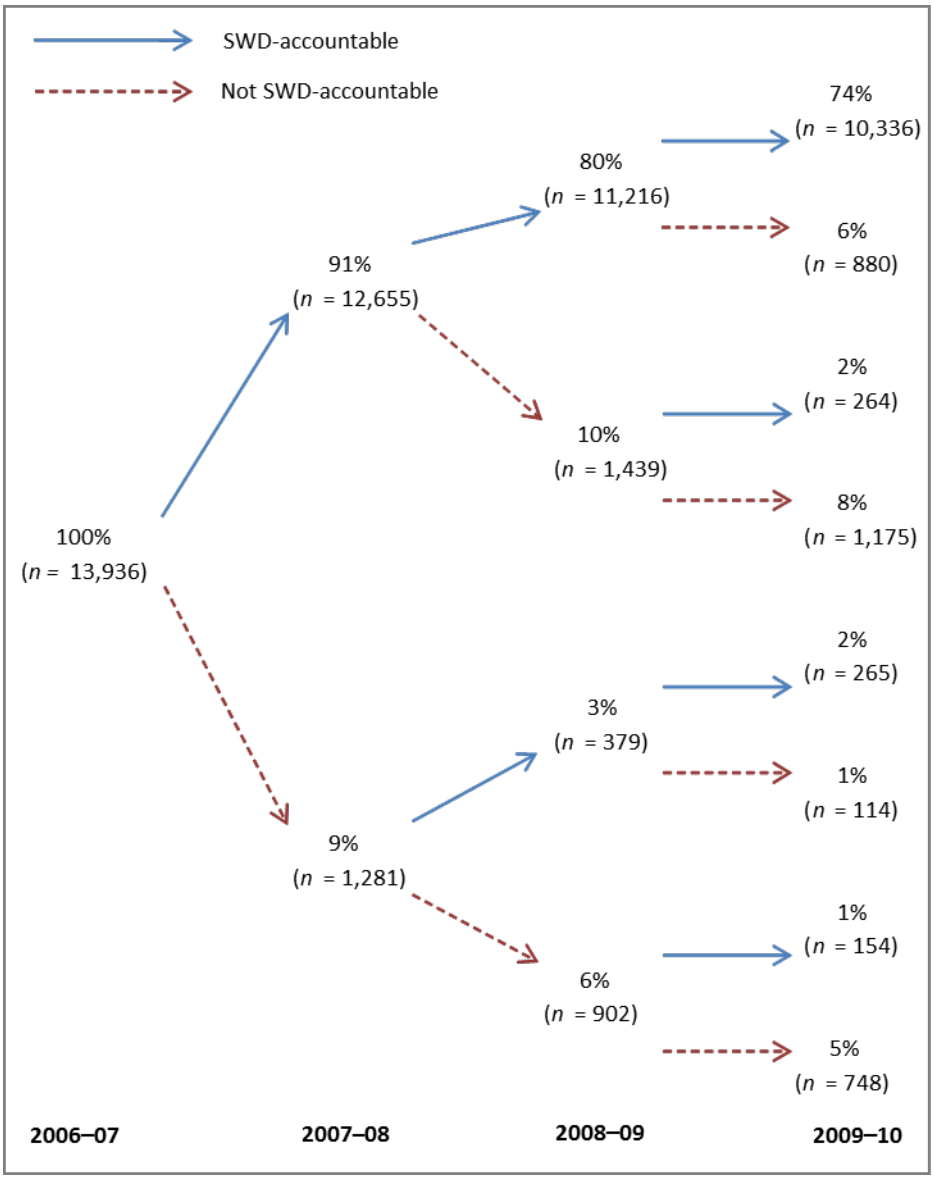

EXHIBIT READS: Of the 13,936 schools that were accountable for the performance of the SWD subgroup in the 2006–07 school year in 31 states with relevant data, 74 percent were consistently accountable for this subgroup through the 2009–10 school year.
SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: 1. Analyses were based on 31 states for which there was information for all 4 years. Exhibit 3-2 provides a list of these 31 states and the data requirements. 2. Numbers in a given year may not add up to the numbers in the previous year due to rounding.

In a similar fashion, Exhibit 4-12B depicts changes over time for schools not accountable for the SWD subgroup in the 2006–07 school year. Although 81 percent of the 30,871 schools were consistently not accountable for this subgroup, the other 19 percent became accountable at some point between the 2007–08 and 2009–10 school years. For example, 6 percent of the schools not accountable in the 2006–07 school year became accountable in 2007–08 and remained accountable in 2008–09 and 2009–10.

Exhibit 4-12B. Change in accountability for SWD subgroup performance over time among public schools not accountable for the SWD subgroup in 2006–07 in 31 states with relevant data, 2006–07 to 2009–10 school years

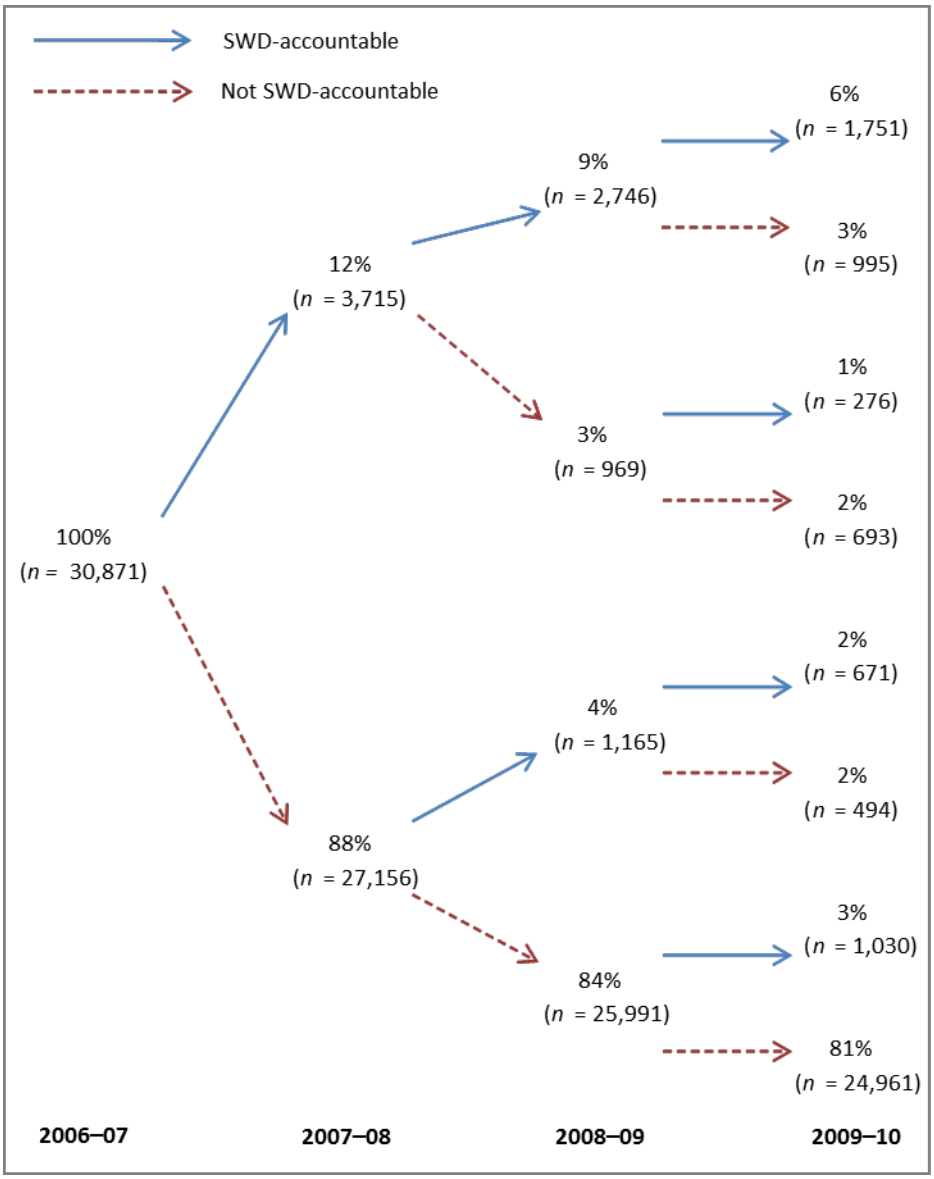

EXHIBIT READS: Of the 30,871 schools that were not accountable for the performance of the SWD subgroup in the 2006–07 school year in 31 states with relevant data, 81 percent were consistently not accountable for this subgroup through the 2009–10 school year.
SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: Analyses were based on 31 states for which there was information for all 4 years. Exhibit 3-2 provides a list of these 31 states and the data requirements.

Summary

This chapter explored three questions related to the inclusion of SWDs in the school accountability system. These questions and the corresponding findings are as follows:

What percentage of schools were accountable for the performance of the SWD subgroup between the 2006–07 and 2009–10 school years?

Schools are required to explicitly include the performance of the SWD subgroup in determining AYP if the number of SWDs in the tested grades meets or exceeds a minimum subgroup size, which varies by state from 5 to 100 students in 2009–10. There was variation across states, school levels, and years in the percentages of schools accountable for this student subgroup. Across the 44 states with relevant data for the 2009–10 school year and DC, more than a third (35 percent) of public schools were accountable for the performance of the SWD subgroup, representing 59 percent of SWDs in those states. In those same 44 states and DC, 62 percent of middle schools were accountable for SWD performance, while 32 percent of elementary schools and 23 percent of high schools were accountable. In the 25 states that had relevant data for all 4 years, there was an increase in the percentage of SWD-accountable schools, from 30 percent in the 2006–07 school year to 34 percent in the 2009–10 school year, following a peak of 36 percent in 2007–08 and 2008–09.

What percentage of different types of schools were accountable for the performance of the SWD subgroup?

To address this question, the study team examined the following types of public schools: traditional regular schools, regular charters, traditional special education schools, special education charters, and vocational/alternative schools. Thirteen percent of regular charters in the 44 states with relevant data and DC were accountable for SWD subgroup performance in the 2009–10 school year, compared with 38 percent of traditional regular schools, 43 percent of traditional special education schools, and 46 percent of special education charters. In the 44 states with relevant data and DC, there also was variation across school types in the percentage of SWDs enrolled in SWD-accountable schools, which ranged from 31 percent for vocational/alternative schools to 80 percent for special education charters.

What percentage of schools moved in and out of accountability for the performance of the SWD subgroup?

To address this question, the study team examined whether schools were accountable for the performance of the SWD subgroup in each of the 4 school years: 2006–07 through 2009–10. The majority (56 percent) of the public schools in 31 states with relevant data were not accountable for the SWD subgroup in any of the 4 years examined, in comparison with 23 percent of the schools that were consistently accountable in each of the 4 years. There was year-to-year fluctuation in schools' accountability for the SWD subgroup among the remaining schools, which were accountable for the SWD subgroup in some years but not all 4 years. In the 31 states with relevant data, among the schools accountable for the SWD subgroup in the 2006–07 school year, 91 percent, 80 percent, and 74 percent also were accountable in the following 3 school years, respectively.

Chapter 5: Adequate Yearly Progress and School Improvement Status of Schools Accountable for the Performance of the Students With Disabilities Subgroup

Using school-level data from ED*Facts*, this chapter addresses the following research questions:

- *What percentage of schools missed AYP because of the performance of the SWD subgroup?*
- *What percentage of schools accountable for SWD subgroup performance were identified for school improvement?*

AYP of Schools Accountable for the Performance of the SWD Subgroup

Schools can miss AYP for several reasons, including not meeting the AMOs for performance in reading or mathematics, or for participation in the reading or mathematics assessment, for the whole school or for any of its applicable subgroups. This section examines the extent to which schools missed AYP due to the performance of the SWD subgroup, either solely or as one of multiple reasons.

In the 2009–10 school year, 11 percent of all public schools missed AYP due to SWD subgroup performance and other reason(s), and 6 percent missed AYP solely due to SWD subgroup performance in 39 states with relevant data and DC.

Exhibit 5-1 presents results for all public schools in 39 states for which the study team could identify the reasons for which schools missed AYP in the 2009–10 school year, as well as the percentage of SWDs enrolled in these schools and DC. Among the more than 58,000 public schools that reported the necessary ED*Facts* data in these 39 states and DC, 65 percent made AYP in the 2009–10 school year, representing 54 percent of SWDs in all public schools. Another 18 percent missed AYP for reasons that did not include SWD subgroup performance. Eleven percent of all public schools missed AYP because of SWD subgroup performance and other reason(s)[46] (representing 22 percent of SWDs enrolled in all public schools), whereas 6 percent missed AYP solely due to the performance of the SWD subgroup (representing 11 percent of SWDs in all public schools).

[46] "Other reason(s)" included missing the AMO for reading proficiency or mathematics proficiency for the "all students" group or one of the other student groups, or other academic indicator for the "all students" group. "Other reason(s)" also included missing the AMO for reading or mathematics test participation for the "all students" group, the SWD subgroup, or one of the other student subgroups.

Exhibit 5-1. Percentage of all public schools that made and missed AYP by reason and the percentage of SWDs in these schools in 39 states with relevant data and DC, 2009–10 school year

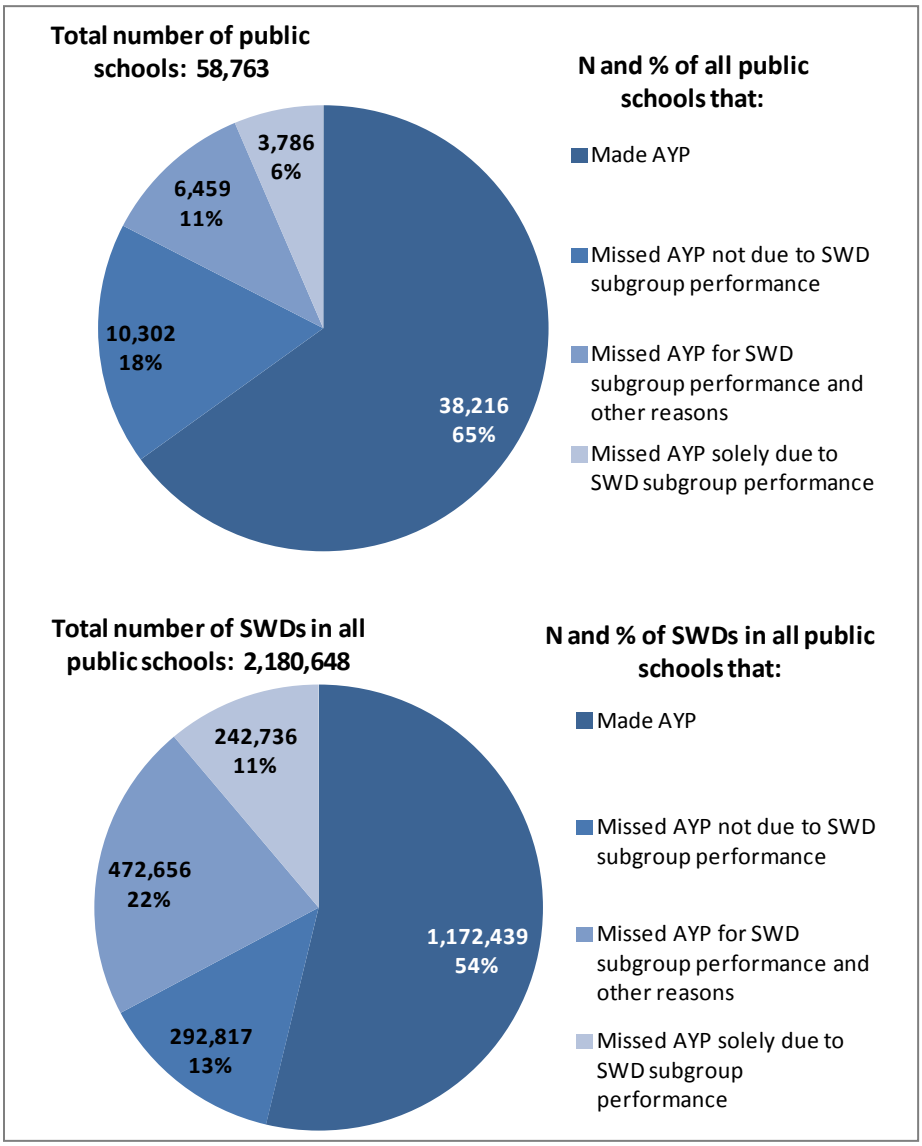

EXHIBIT READS: Sixty-five percent of the 58,763 public schools in 39 states with relevant data and DC made AYP in the 2009–10 school year.
SOURCE: ED*Facts* data, 2009–10.
NOTES: This analysis includes only schools that reported data on both school performance on the annual measurable objectives for SWD performance and the number of SWDs in 39 states and DC. Exhibit 3-1 provides a list of states excluded from this analysis.

In the 2009–10 school year, 28 percent of schools accountable for SWD subgroup performance missed AYP due to SWD subgroup performance and other reason(s), and 17 percent missed AYP solely due to SWD subgroup performance in 39 states with relevant data and DC.

When restricting the analyses to schools accountable for SWD subgroup performance in the 39 states with relevant data and DC, 49 percent made AYP in the 2009–10 school year; these

schools enrolled 43 percent of SWDs attending SWD-accountable schools (Exhibit 5-2). Six percent of the SWD-accountable schools missed AYP for reasons that did not include SWD subgroup performance. Twenty-eight percent of SWD-accountable schools missed AYP because of the performance of the SWD subgroup and other reason(s), representing 34 percent of all SWDs attending SWD-accountable schools. The other 17 percent of SWD-accountable schools missed AYP solely because of the SWD subgroup performance, representing 17 percent of SWDs in all SWD-accountable schools in the 39 states and DC.

Exhibit 5-2. Percentage of SWD-accountable schools that made and missed AYP by reason, and the percentage of SWDs in these schools in 39 states with relevant data and DC, 2009–10 school year

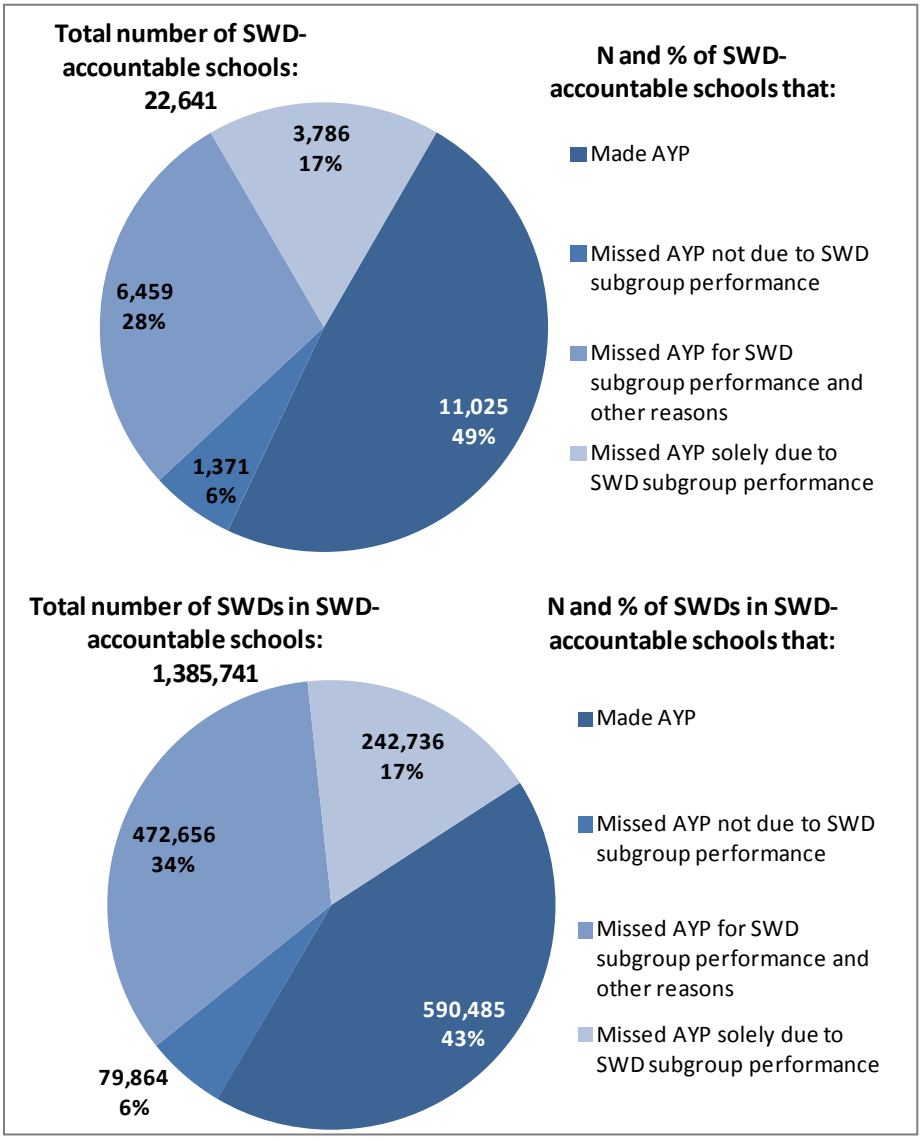

EXHIBIT READS: Forty-nine percent of the 22,641 schools accountable for the performance of the SWD subgroup in 39 states with relevant data and DC made AYP in the 2009–10 school year.
SOURCE: ED*Facts* data, 2009–10.
NOTES: This analysis includes only schools that reported data on both school performance on the annual measurable objectives for SWD performance and the number of SWDs in 39 states and DC. Exhibit 3-1 provides a list of states excluded from this analysis.

Previous research suggests that whereas relatively few schools missed AYP because of the performance of a single subgroup, among schools that *did* miss AYP for a single subgroup, more schools missed it because of the SWD subgroup performance than for any other subgroup (IES 2006; Johnson, Peck, and Wise 2007b; Taylor, Stecher, O'Day, Naftel, and Le Floch 2010).

The percentage of all public schools and SWD-accountable schools that missed AYP for reasons including SWD performance varied across different types of schools in 39 states with relevant data and DC.

The overall distribution of schools that made AYP or missed AYP for various reasons may obscure differences by school type. To understand whether AYP performance varied by type of school, this section examines the percentage of regular schools, special education schools, and vocational/alternative schools that made AYP in the 39 states with the relevant 2009–10 school year data and DC. As Exhibit 5-3 shows, among all public schools in these states and DC, 66 percent of traditional regular schools and 63 percent of regular charters made AYP in the 2009–10 school year, whereas 48 percent of traditional special education schools, 36 percent of special education charters, and 50 percent of the vocational/alternative schools did so.[47]

Exhibit 5-3 also shows that 11 percent of traditional regular schools and 5 percent of regular charter schools missed AYP due to both the SWD subgroup performance and other reason(s); such reasons, however, accounted for 28 percent of traditional special education schools and 36 percent of special education charters missing AYP. Fewer than 1 in 10 schools missed AYP solely due to the SWD subgroup performance, ranging from 1 percent for special education schools to 7 percent for traditional regular schools.

[47] Findings about special education charters should be interpreted with caution given the small number of such schools in this analysis (n = 45).

Exhibit 5-3. Percentage of all public schools that made and missed AYP by reason in 39 states with relevant data and DC, by school type, 2009–10 school year

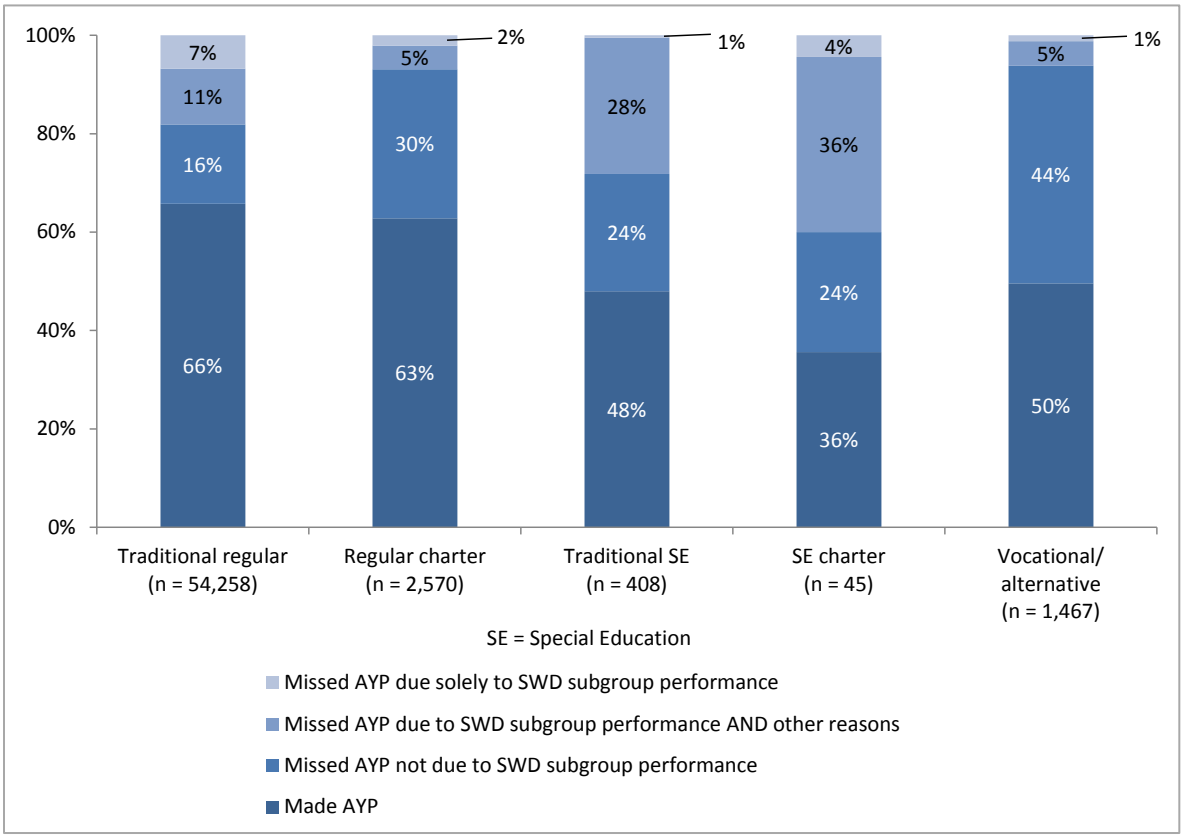

EXHIBIT READS: Seven percent of all traditional regular schools in 39 states with relevant data and DC missed AYP solely due to the performance of the SWD subgroup in the 2009–10 school year.
SOURCE: ED*Facts* data, 2009–10.
NOTES: 1. "Regular" refers to non-special education, and "traditional" refers to non-charter schools. 2. This analysis includes only schools that reported data on both school performance on the annual measurable objectives for SWD performance and the number of SWDs in 39 states and DC that provided data for all AYP targets in 2009–10. Exhibit 3-1 provides a list of states excluded from this analysis.

Exhibit 5-4 depicts the distribution of SWD-accountable schools that made AYP and missed AYP for different reasons by school type in the 39 states with available data for the 2009–10 school year and DC. It shows that 49 percent of SWD-accountable traditional regular schools and regular charters made AYP in the 2009–10 school year, compared with 40 percent of traditional special education schools and 17 percent of special education charter schools.[48]

[48] Findings about special education charters should be interpreted with caution given the small number of such schools in this analysis (n = 23).

Exhibit 5-4. Percentage of SWD-accountable schools that made and missed AYP by reason in 39 states with relevant data and DC, by school type, 2009–10 school year

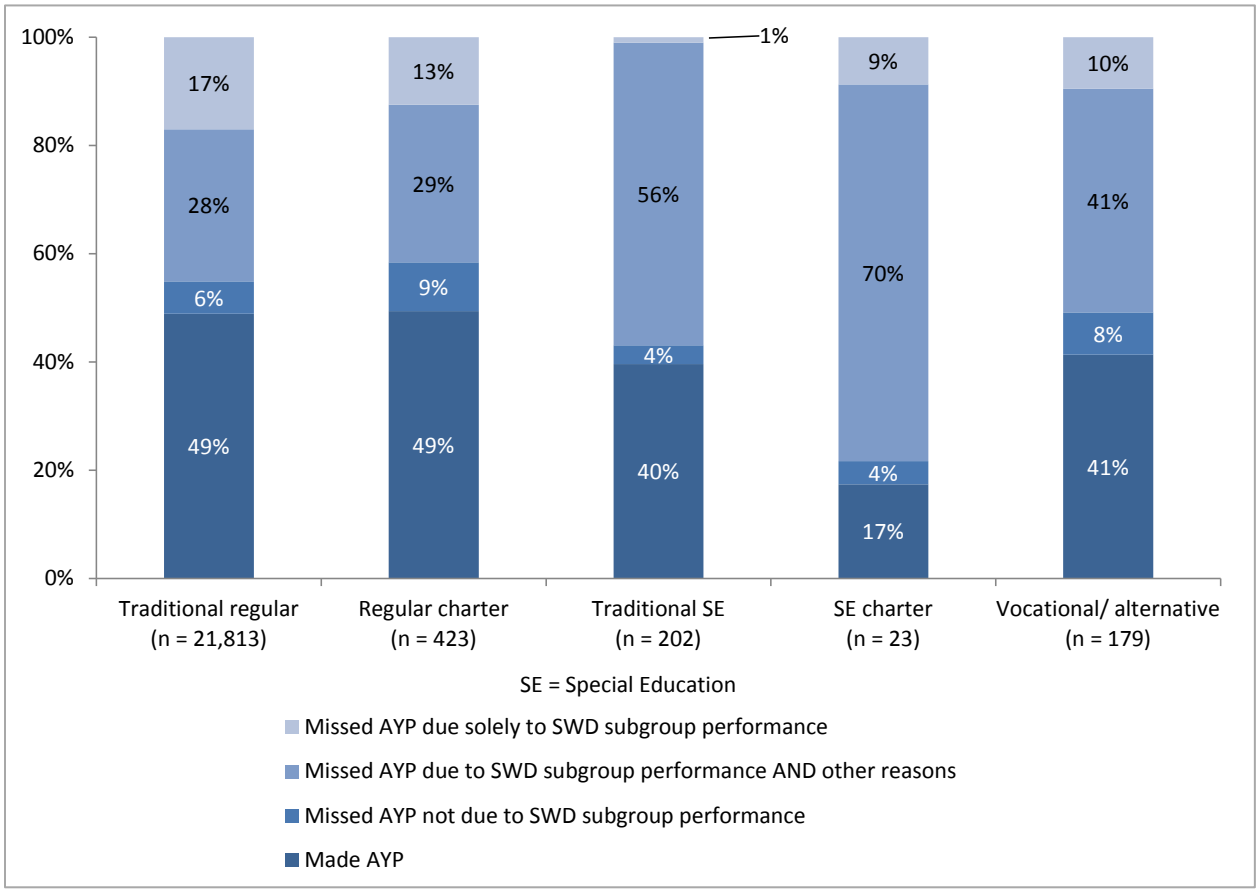

EXHIBIT READS: Seventeen percent of traditional regular schools accountable for the SWD subgroup in 39 states with relevant data and DC missed AYP in the 2009–10 school year solely due the performance of the SWD subgroup.
SOURCE: ED*Facts* data, 2009–10.
NOTES: 1. "Regular" refers to non-special education, and "traditional" refers to non-charter schools. 2. This analysis includes only schools that reported data on both school performance on the annual measurable objectives for SWD performance and the number of SWDs in 39 states and DC that provided data for all AYP targets for the 2009–10 school year. Exhibit 3-1 provides a list of states excluded from this analysis.

The majority of SWD-accountable special education schools (56 percent of traditional special education schools and 70 percent of special education charter schools) missed AYP due to SWD subgroup performance and other reason(s), whereas less than a third of regular schools did so (28 percent and 29 percent for traditional regular schools and regular charter schools, respectively). Exhibit 5-4 also shows that the percentage of SWD-accountable schools that missed AYP due solely to the performance of the SWD subgroup ranged from 1 percent for traditional special education schools to 17 percent for traditional regular schools.

The higher rate at which special education charter schools did not make AYP for reasons including SWD subgroup performance (70 percent in comparison to 56 percent for traditional special education schools) needs further examination. One of a number of possible reasons for this difference in rates may be the 1 percent cap at the district level on the use of AA-AAS proficient scores toward AYP (because charter schools may serve as their own districts). Given

that special education schools cater to SWDs, they may make greater use of alternate assessments than regular public schools do.

The percentage of SWD-accountable schools that missed AYP for reasons including SWD subgroup performance in 15 states with relevant data increased over time.

This section examines the percentage of schools that missed AYP for reasons including SWD subgroup performance from the 2006–07 to 2009–10 school years. In the 15 states that had the relevant data, between 45 percent and 52 percent of the SWD-accountable schools made AYP in each of the 4 years (Exhibit 5-5). During these 4 years, the percentage of SWD-accountable schools that missed AYP partially or solely due to SWD subgroup performance increased from 43 percent in 2006–07 to 49 percent in 2009–10. The increase in 2009–10 may be attributed in part to the fact that the proxy interim adjustment expired after 2008–09.

Exhibit 5-5. Percentage of SWD-accountable schools that made and missed AYP by reason in 15 states with relevant data, 2006–07 to 2009–10 school years

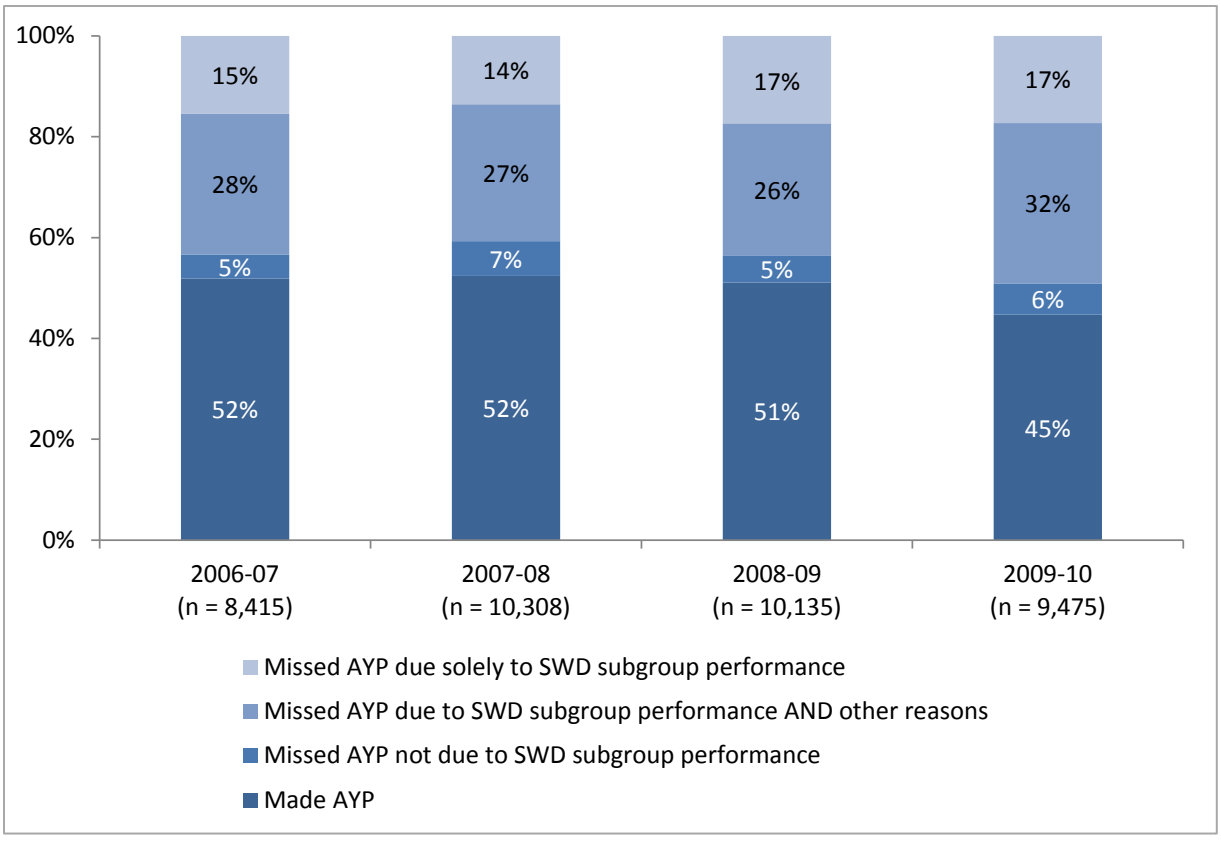

EXHIBIT READS: Fifteen percent of schools accountable for the performance of the SWD subgroup in 15 states with relevant data missed AYP in the 2006–07 school year solely due the performance of the SWD subgroup.
SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: 1. This analysis includes only schools that reported data on both school performance on the annual measurable objectives for SWD performance in 15 states that provided data for all AYP targets over the 4 years. 2. For the purpose of examining trends over time, the analysis was restricted to the 15 states that reported relevant data for all 4 years. Exhibit 3-2 provides a list of the 15 states included in this analysis.

School Improvement Status of Schools Accountable for the Performance of the SWD Subgroup

The majority (56 percent) of schools consistently accountable for the SWD subgroup performance from the 2006–07 to 2009–10 school years in 22 states with relevant data were never identified for school improvement.

Under the ESEA, schools that miss AYP for two consecutive years[49] are identified as "in need of improvement" and are to receive technical assistance from their district and state to support their improvement efforts. Subsequent failure to make AYP results in increasingly intensive interventions, including corrective action and school restructuring. Once identified for improvement, a school must make AYP for two consecutive years to exit improvement status. Exhibit 5-6 examines the percentage of schools consistently accountable for SWD subgroup performance from the 2006–07 to 2009–10 school years that were never identified for improvement between the 2007–08 and 2010–11 school years, as well as those that were identified, by the year of identification. Note that the identification of schools for improvement in a given year is based on the prior years' AYP performance. Accordingly, the school improvement identification status reported in the 2006–07 ED*Facts* database represents schools' identification status for the 2007–08 school year.

Among the 8,204 schools that were consistently accountable for the performance of the SWD subgroup from the 2006–07 to 2009–10 school years in 22 states, 56 percent were never identified for school improvement during the 4 years examined.[50] Twenty-four percent were first identified in the 2007–08 school year, while the remaining 20 percent were identified during the following three years. For comparison, similar data also are presented for schools consistently not accountable for SWD performance. As expected, schools that were consistently not accountable for SWD subgroup performance were more likely to never be identified for improvement between the 2007–08 and 2010–11 school years than be identified for improvement in at least one of those years.

[49] Or schools that have failed to meet the state's transitional criteria for two consecutive years.
[50] The proxy adjustment for schools that missed AYP solely due to SWD subgroup performance in eligible states was in effect through 2008–09 and may have implications for making AYP and consequently identification for school improvement.

Exhibit 5-6. Number and percentage of public schools consistently accountable and consistently not accountable for SWD subgroup performance during the 2006–07 to 2009–10 school years in 22 states with relevant data, by year identified for school improvement

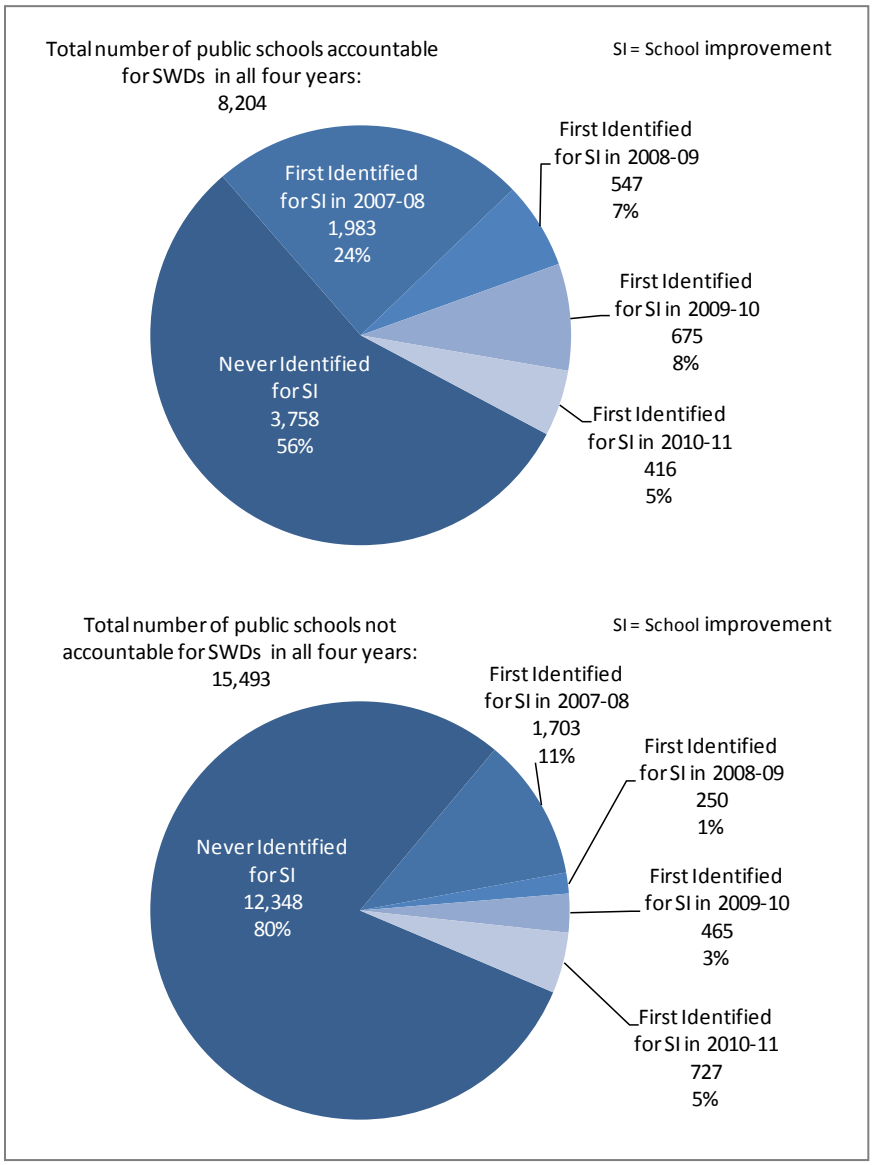

EXHIBIT READS: Of the 8,204 public schools that were consistently accountable for SWD subgroup performance from the 2006–07 to 2009–10 school years in 22 states with relevant data, 56 percent were never identified for school improvement.
SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: 1. Analyses were based on 22 states for which there was information for all 4 years. Exhibit 3-2 provides a list of these states and the data requirements. Appendices L and M provide state-level results. 2. The identification of schools for improvement in a given year is based on the prior years' AYP performance. Accordingly, the school improvement identification status reported in the 2006–07 ED*Facts* database represents schools' identification status for the 2007–08 school year.

SWD-accountable schools that were identified for improvement may have been identified due to the performance or test participation of the school as a whole or other subgroups; they were not necessarily identified due to the SWD subgroup performance. Schools, depending on their subgroup sizes, can be accountable for as many as eight subgroups and as many as 37 AYP targets. As noted in the prior section, 17 percent of SWD-accountable schools missed AYP solely due to the SWD

subgroup performance in the 2009–10 school year, in comparison to 28 percent that missed due to the SWD subgroup and other reason(s). Furthermore, Taylor et al. (2010) found that schools accountable for more subgroups were less likely to make AYP than schools with fewer subgroups.[51] As shown in Exhibit 5-7, schools that were consistently accountable for the SWD subgroup performance during the 4-year study period and were identified for school improvement in 20 states were accountable for an average of 4.5 subgroups across those years. In comparison, identified schools that were consistently not accountable had 2.8 applicable subgroups on average. These results suggest that the performance of the SWD subgroup alone may not be the only determinant for the identification of SWD-accountable schools for improvement.

Exhibit 5-7. Average number of applicable subgroups for consistently SWD-accountable schools and consistently non-SWD-accountable schools (2006–07 to 2009–10) among schools identified for school improvement and schools never identified (2007–08 to 2010–11) in 20 states with relevant data

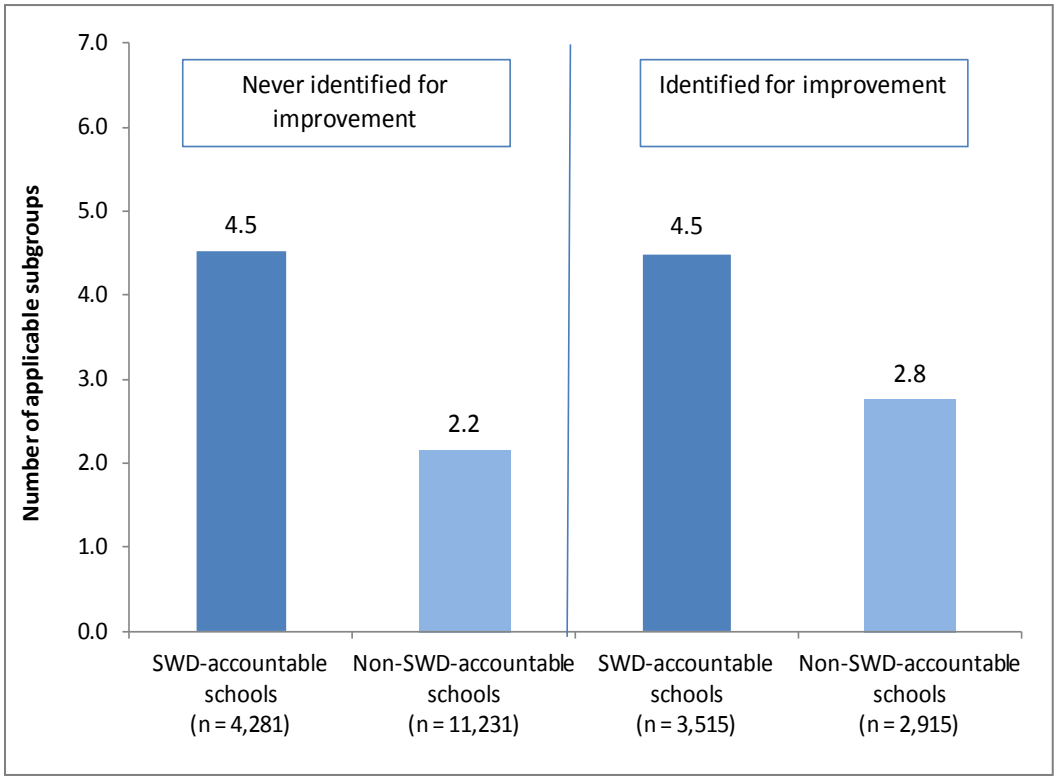

EXHIBIT READS: The 4,281 public schools that were consistently accountable for the performance of the SWD subgroup from the 2006–07 to 2009–10 school years and never identified for improvement in 20 states with relevant data were accountable for an average 4.5 subgroups during a 4-year period.
SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: Analyses were based on 20 states for which there was information for all 4 years. Exhibit 3-2 provides a list of these 20 states and the data requirements.)

[51] Taylor et al. (2010) reported that 66 percent of schools for which AYP was calculated for six or more subgroups in the 2005–06 school year made AYP, compared with 93 percent of schools for which AYP was calculated for one subgroup.

Exhibit 5-8 presents the distribution of schools across different stages of school improvement among the schools that were consistently accountable for the performance of the SWD subgroup from the 2006–07 through 2009–10 school years in 22 states. In the 2007–08 school year, for example, 76 percent of those schools were not identified for school improvement, 11 percent were in Year 1 or Year 2 improvement status, 6 percent were in corrective action, and 7 percent were planning for or in restructuring. By the 2010–11 school year, the percentage of non-identified schools declined to 61 percent, whereas schools planning for or in restructuring increased to 17 percent.

Exhibit 5-8. Percentage of schools consistently accountable for SWD subgroup performance from the 2006–07 to 2009–10 school years by stage of school improvement in 22 states with relevant data, by year

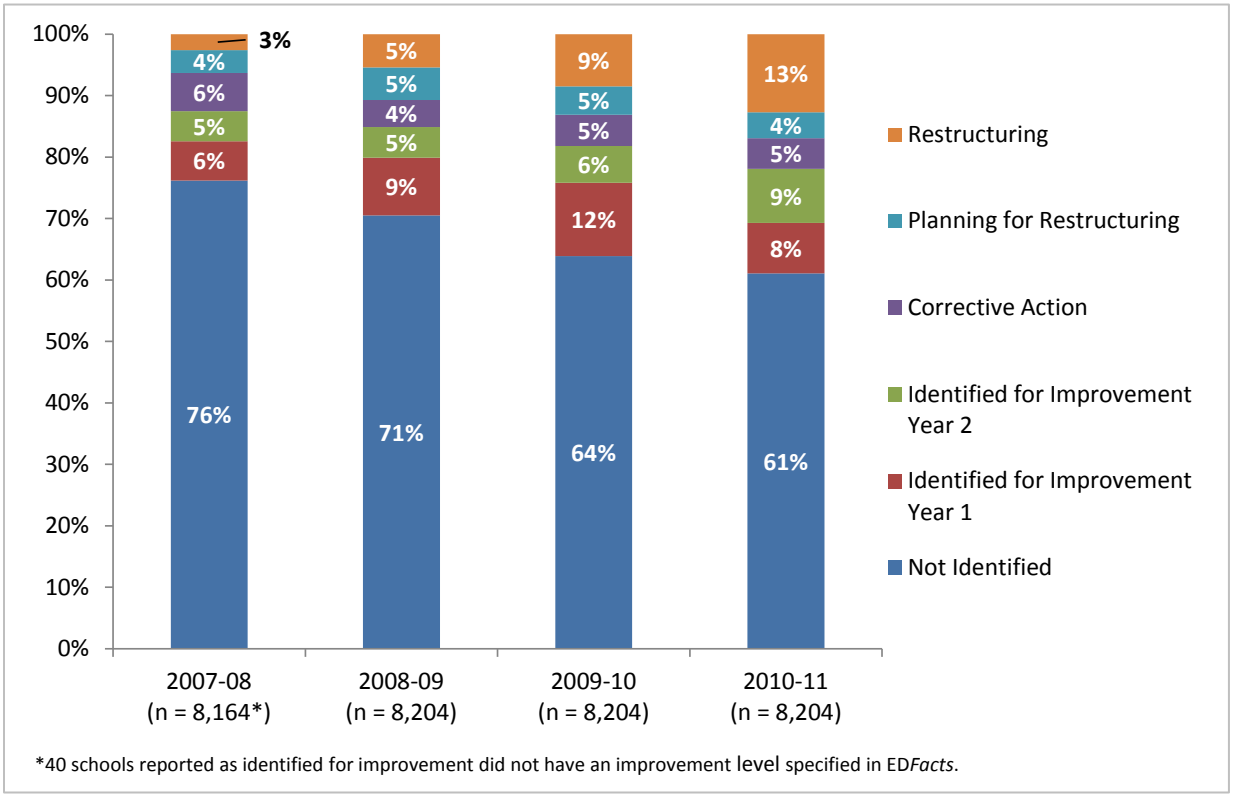

EXHIBIT READS: Of the public schools that were consistently accountable for the performance of the SWD subgroup from the 2006–07 to 2009–10 school years in 22 states with relevant data, 76 percent were not identified for school improvement in the 2007–08 school year.
SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: Analyses were based on 22 states for which there was information for all 4 years. Exhibit 3-2 provides a list of these 22 states and the data requirements.

Among schools consistently accountable for SWD subgroup performance from the 2006–07 to 2009–10 school years and not identified for improvement in 2007–08 in 22 states with relevant data, 74 percent retained their school improvement status in each of the 4 years analyzed.

To explore the movement in and out of school improvement status, the study team examined changes in identification over time. The following exhibits track the history of school improvement identification for schools consistently accountable for the performance of the SWD subgroup from the 2006–07 to 2009–10 school years. Of the 6,197 consistently SWD-accountable schools not identified for improvement in the 2007–08 school year in 22 states, 91 percent were not identified in 2009–10, 81 percent were not identified in 2009–10, and 74 percent remained not identified through 2010–11 (Exhibit 5-9A). Exhibit 5-9B focuses on the 1,969 consistently SWD-accountable schools identified for improvement in the 2007–08 school year. It shows that 83 percent were consistently identified for school improvement during the 4-year period. These findings suggest that school improvement identification was largely stable, with relatively few schools experiencing changes in their identification status. Once identified for school improvement, schools were likely to remain identified during the study period, and the same is true for schools not identified for improvement.

Exhibit 5-9A. Change in school improvement identification over time among public schools not identified for school improvement in 2007–08 and accountable for SWD subgroup performance from the 2006–07 to 2009–10 school years in 22 states with relevant data

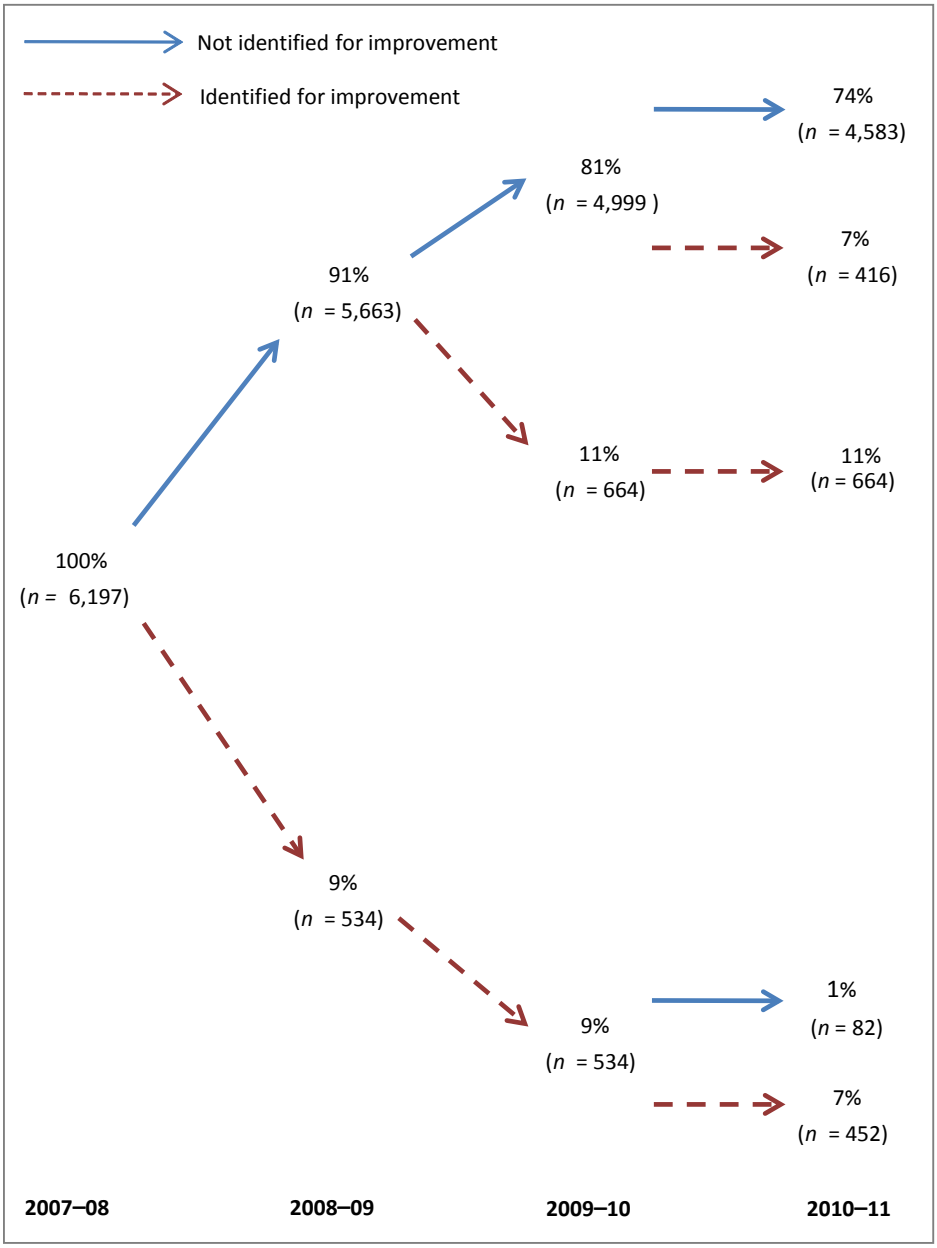

EXHIBIT READS: Of the 6,197 schools that were consistently accountable for the performance of the SWD subgroup from the 2006–07 to 2009–10 school years and not identified for school improvement in the 2007–08 school year in 22 states with relevant data, 91 percent remained not identified in the 2008–09 school year.
SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: 1. Analyses were based on 22 states for which there was information for all 4 years. Exhibit 3-2 provides a list of these 22 states and the data requirements. 2. Numbers in a given year may not add up to the numbers in the previous year due to rounding.

Exhibit 5-9B. Change in school improvement identification over time among public schools identified for school improvement in 2007–08 and accountable for the SWD subgroup performance from the 2006–07 to 2009–10 school years in 22 states with relevant data

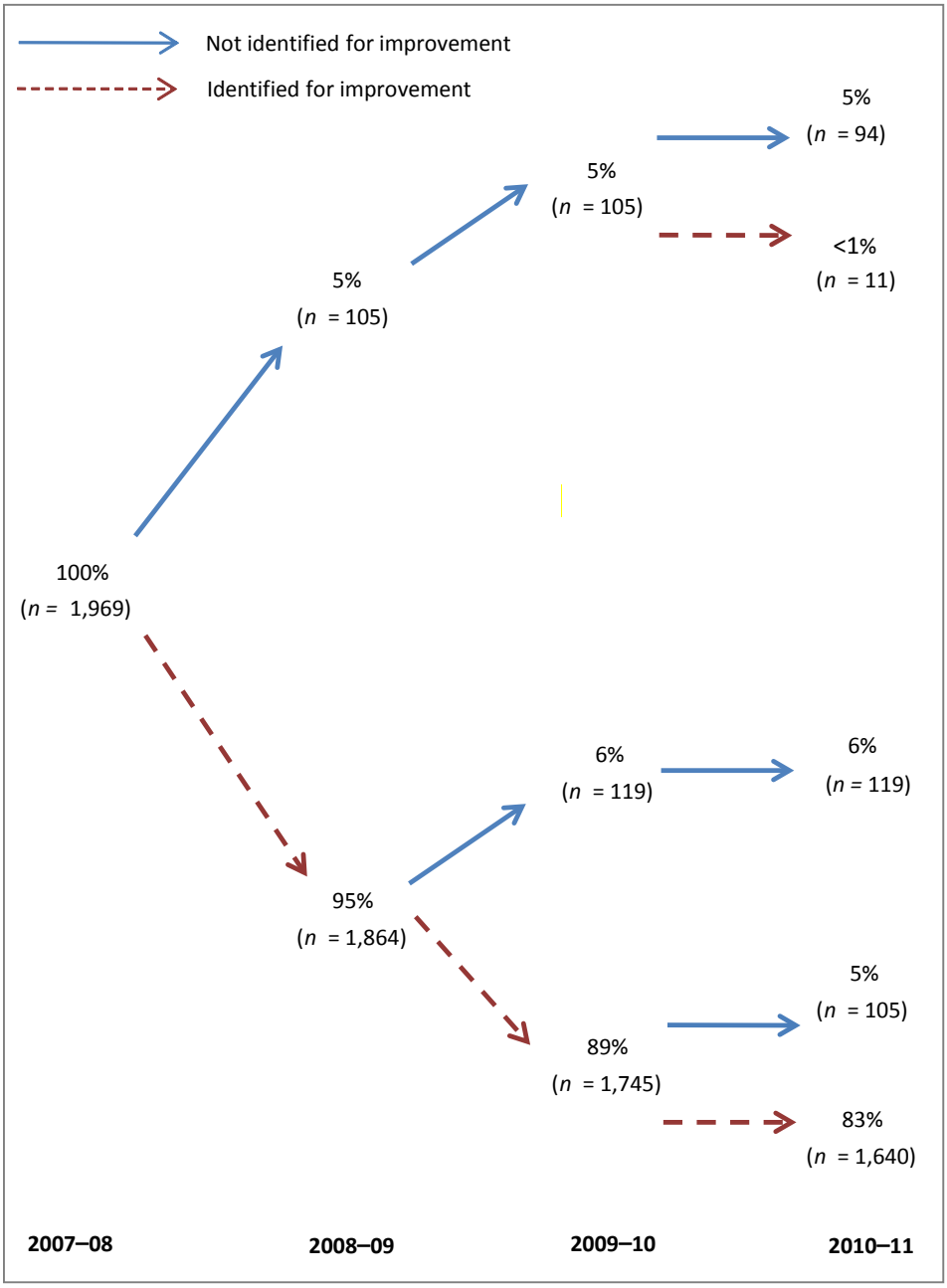

EXHIBIT READS: Of the 1,969 schools that were consistently accountable for the performance of the SWD subgroup from the 2006–07 to 2009–10 school years and identified for school improvement in the 2007–08 school year in 22 states with relevant data, 95 percent remained identified in the 2008–09 school year.
SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: 1. Analyses were based on 22 states for which there was information for all 4 years. Exhibit 3-2 provides a list of these 22 states and the data requirements. 2. Numbers in a given year may not add up to the numbers in the previous year due to rounding.

Summary

This chapter explored two questions regarding school-level AYP determination as it relates to the performance of the SWD subgroup and school improvement identification for SWD-accountable schools. These questions and the corresponding findings are as follows:

What percentage of schools missed AYP because of the performance of the SWD subgroup?

To answer this question, the study team examined the reasons for which schools missed AYP. To make AYP, schools must meet the AMOs for performance and participation for the whole school as well any applicable subgroup in both reading and mathematics, as well as another academic indicator. Eleven percent of all public schools in 39 states and DC missed AYP in the 2009–10 school year because of SWD subgroup performance and other reason(s), and 6 percent missed it solely because of SWD subgroup performance. Together these schools represented a third (33 percent) of SWDs in all public schools in these states. Among schools accountable for SWD subgroup performance in these 39 states and DC, 28 percent missed AYP because of SWD performance and other reason(s), and 17 percent missed AYP solely because of SWD performance in the 2009–10 school year. Combined, these schools enrolled 51 percent of SWDs attending SWD-accountable schools in these states. In the 15 states that had relevant data during the 4 years analyzed, 43 percent of SWD-accountable schools missed AYP either partially or solely due to SWD performance in the 2006–07 school year, and 49 percent did so in 2009–10.

What percentage of schools accountable for SWD subgroup performance were identified for school improvement?

To address this question, the study team focused on schools that were accountable for the performance of SWDs from the 2006–07 through 2009–10 school years. Among schools that were consistently accountable for the performance of the SWD subgroup across 22 states during the 4 years, the majority (56 percent) were never identified for school improvement during this time period. By comparison, among schools that were consistently not accountable for SWD subgroup performance in these states, 80 percent were never identified for improvement. Further, identification for school improvement was mostly stable over time. Of the consistently SWD-accountable schools in these 22 states, 83 percent of the schools identified for improvement and 74 percent of the schools not identified for improvement in the 2007–08 school year retained the same identification status through 2010–11.

References

Ahearn, E. (2009). *Growth Models and Students With Disabilities: Report of State Interviews.* Alexandria, VA: Project Forum, National Association of State Directors of Special Education. Retrieved January 15, 2012, from http://nasdse.org/DesktopModules/DNNspot-Store/ProductFiles/89_301cac3e-e6aa-437d-875e-049abd89b21d.pdf

Albus, D., Thurlow, M., and Bremer, C. (2009). *Achieving Transparency in the Public Reporting of 2006–2007 Assessment Results* (Technical Report 53). Minneapolis: University of Minnesota, National Center on Educational Outcomes. Retrieved January 15, 2012, from http://www.cehd.umn.edu/NCEO/OnlinePubs/TechnicalReport53.pdf.

Bandeira de Mello, V. (2011). *Mapping State Proficiency Standards Onto the NAEP Scales: Variation and Change in State Standards for Reading and Mathematics*, 2005–2009 (NCES 2011-458). National Center for Education Statistics, Institute of Education Sciences, U.S. Department of Education, Washington, DC: U.S. Government Printing Office. Retrieved January 15, 2012, from http://nces.ed.gov/nationsreportcard/pdf/studies/2011458.pdf.

Blackorby, J., Schiller, E., Mallik, S., Hebbeler, K., Huang, T., Javitz, H., Marder, C., Nagle, K., Shaver, D., Wagner, M., and Williamson, C. (2010). *Patterns in the Identification of and Outcomes for Children and Youth With Disabilities* (NCEE 2010-4005). Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education. Retrieved January 15, 2012, from http://ies.ed.gov/ncee/pubs/20104005/pdf/20104005.pdf.

Cameto, R., Knokey, A.-M., Nagle, K., Sanford, C., Blackorby, J., Sinclair, B., and Riley, D. (2009). *State Profiles on Alternate Assessments Based on Alternate Achievement Standards: A Report From the National Study on Alternate Assessments* (NCSER 2009-3013). Menlo Park, CA: SRI International. Retrieved January 15, 2012, from http://ies.ed.gov/ncser/pdf/20093013.pdf.

Chudowsky, N., Chudowsky, V., and Keber, N. (2009). *State Test Score Trends Through 2007–08, Part 4: Has Progress Been Made in Raising Achievement for Students With Disabilities?* Washington, DC: Center on Education Policy. Retrieved January 15, 2012, from http://www.edweek.org/media/studentswdisabilities.pdf.

Commission on No Child Left Behind. (2006). *Children With Disabilities and LEP Students: Their Impact on the AYP Determinations of Schools* (Commission Staff Research Report). Washington, DC: The Aspen Institute. Retrieved January 15, 2012, from http://www.aspeninstitute.org/sites/default/files/content/docs/commission%20on%20no%20child%20left%20behind/LEP_and_Disabilities_Subgroup_report_finala.pdf.

Elledge, A., Le Floch, K. C., Taylor, J., and Anderson, L. (2009). *State and Local Implementation of the No Child Left Behind Act: Volume V—Implementation of the 1 Percent Rule and 2 Percent Interim Policy Options.* Washington, DC: U.S. Department of Education, Office of Planning, Evaluation, and Policy Development, Policy and

Program Studies Service. Retrieved January 15, 2012, from http://www2.ed.gov/rschstat/eval/disadv/nclb-disab/nclb-disab.pdf.

Finnegan, K., Adelman, N., Anderson, L., Cotton, L., Donnelly, M. B., and Price, T. (2004). *Evaluation of the Public Charter Schools Program: Final Report.* Washington, DC: U.S. Department of Education, Office of the Deputy Secretary. Retrieved January 15, 2012, from http://www2.ed.gov/rschstat/eval/choice/pcsp-final/finalreport.pdf.

Fulton, M. (2006). *Minimum Subgroup Size for Adequate Yearly Progress (AYP)*: *State Trends and Highlights*. Denver, CO: Education Commission of the States. Retrieved January 15, 2012, from http://www.ecs.org/clearinghouse/71/71/7171.pdf.

H.R. 4330, *The All Students Achieving Through Reform Act of 2009: Hearing before the Committee on Education and Labor, U.S. House of Representatives, 111th Congress, 2nd Session* (2010) (testimony of Thomas Hehir). Retrieved January 15, 2012, from http://republicans.edlabor.house.gov/UploadedFiles/2.24.10_hehir.pdf.

Harr-Robins, J., Song, M., Hurlburt, S., Pruce, C., Danielson, L., Garet, M., and Taylor, J. (2012). *The Inclusion of Students With Disabilities in School Accountability Systems: Interim Report* (NCEE 2012-4056). Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education.

Institute of Education Sciences. (2006). *National Assessment of Title I: Interim Report: Executive Summary.* Washington, DC: U.S. Department of Education, Institute of Education Sciences. Retrieved January 15, 2012, from http://www2.ed.gov/rschstat/eval/disadv/title1interimreport/execsum.pdf.

Johnson, K. E., Peck, K., and Wise, J. (2007a). *The Students With Disabilities Subgroup and Adequate Yearly Progress in Mid-Atlantic Region Schools.* (Issues & Answers Report, REL 2007–No. 018). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Mid-Atlantic. Retrieved January 15, 2012, from http://ies.ed.gov/ncee/edlabs/regions/midatlantic/pdf/REL_2007018.pdf.

Johnson, K. E., Peck, K., and Wise, J. (2007b). *Subgroups and Adequate Yearly Progress in Mid-Atlantic Region Schools* (Issues & Answers Report, REL 2007–No. 028). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Mid-Atlantic. Retrieved January 15, 2012, from http://ies.ed.gov/ncee/edlabs/regions/midatlantic/pdf/REL_2007028.pdf

Lazarus, S. S., Hodgson, J. R., Price, L. M., and Thurlow, M. L. (2011). *States' Participation Guidelines for Alternate Assessments Based on Modified Academic Achievement Standards (AA-MAS) in 2010* (Synthesis Report 82). Minneapolis: University of Minnesota, National Center on Educational Outcomes. Retrieved February 19, 2013, from http://www.cehd.umn.edu/NCEO/OnlinePubs/Synthesis82/SynthesisReport82.pdf.

Miron, G., Urschel, J. L., Mathis, W, J., and Tornquist, E. (2010). *Schools Without Diversity: Education Management Organizations, Charter Schools, and the Demographic Stratification of the American School System*. Boulder, CO: University of Colorado, Education and the Public Interest Center. Retrieved January 15, 2012, from http://nepc.colorado.edu/files/EMO-Seg.pdf.

National Center for Education Statistics. (2011a). *The Nation's Report Card: Mathematics 2011* (NCES 2012–458). Washington, DC: Institute of Education Sciences, U.S. Department of Education. Retrieved February 13, 2013, from http://nces.ed.gov/nationsreportcard/pdf/main2011/2012458.pdf.

National Center for Education Statistics. (2011b). *The Nation's Report Card: Reading 2011* (NCES 2012–457). Washington, DC: Institute of Education Sciences, U.S. Department of Education. Retrieved February 13, 2013, from http://nces.ed.gov/nationsreportcard/pdf/main2011/2012457.pdf.

National Center for Education Statistics. (2012). Table 46. Children 3 to 21 years old served under Individuals with Disabilities Education Act, Part B, by type of disability: Selected years, 1976-77 through 2009-10. In *Digest of Education Statistics, 2011* (NCES 2012-001).Washington, DC: U.S. Department of Education, Institute of Education Sciences. Retrieved February 13, 2013, from http://nces.ed.gov/programs/digest/d11/tables/dt11_046.asp.

Nelson, B., Berman, P., Ericson, J., Kamprath, N., Perry, R., Silverman, D., and Solomon, D. (2000). *The State of Charter Schools, 2000: National Study of Charter Schools, Fourth-Year Report*. Washington, DC: U.S. Department of Education, Office of Educational Research and Improvement. Retrieved January 15, 2012, from http://www2.ed.gov/PDFDocs/4yrrpt.pdf.

New Jersey Department of Education. (2008). *State of New Jersey Consolidated State Application Accountability Workbook: No Child Left Behind in New Jersey* (revised June 27, 2008). Retrieved January 15, 2012, from http://www2.ed.gov/admins/lead/account/stateplans03/njcsa.pdf.

North Carolina Department of Public Instruction. (2009). *State Board of Education State of North Carolina Consolidated State Application Accountability Workbook* (approved by the State Board of Education January 7, 2010). Retrieved January 15, 2012, from http://www2.ed.gov/admins/lead/account/stateplans03/nccsa.pdf.

Rhim, L. M., Faukner, J., and McLaughlin, M. (2006). *Access and Accountability for Students With Disabilities in California Charter Schools* (Research Report No. 5). College Park, MD: University of Maryland, Institute for the Study of Exceptional Children and Youth. Retrieved January 15, 2012, from http://www.education.umd.edu/EDSP/ProjectIntersect/docs/IRR5Revimar07.pdf.

Taylor, J., Stecher, B., O'Day, J., Naftel, S., and Le Floch, K. C. (2010). *State and Local Implementation of the No Child Left Behind Act: Volume IX—Accountability Under NCLB: Final Report.* Washington, DC: U.S. Department of Education, Office of

Planning, Evaluation, and Policy Development, Policy and Program Studies Service. Retrieved January 15, 2012, from http://www2.ed.gov/rschstat/eval/disadv/nclb-accountability/nclb-accountability-final.pdf.

Thurlow, M., Altman, J., and Vang, M. (2009). *Annual Performance Report, 2006–2007: State Assessment Data*. Minneapolis: University of Minnesota, National Center on Educational Outcomes. Retrieved January 15, 2012, from http://www.cehd.umn.edu/NCEO/OnlinePubs/APRreport2006-2007.pdf.

Thurlow, M., Lazarus, S., Quenemoen, R., and Moen, R. (2010). *Using Growth for Accountability: Considerations for Students With Disabilities* (NCEO Policy Directions No. 21). Minneapolis: University of Minnesota, National Center on Educational Outcomes. Retrieved January 15, 2012, from http://www.cehd.umn.edu/nceo/OnlinePubs/Policy21/PolicyDirections21.pdf.

Thurlow, M., Quenemoen, R., Altman, J., and Cuthbert, M. (2008). *Trends in the Participation and Performance of Students With Disabilities* (Technical Report 50). Minneapolis: University of Minnesota, National Center on Educational Outcomes. Retrieved January 15, 2012, from http://www.cehd.umn.edu/NCEO/OnlinePubs/Tech50/TR50report.pdf.

U.S. Department of Education. (2007). *Additional Title I Provisions Included in the Regulations Package on Modified Academic Achievement Standards Published in the Federal Register on April 9, 2007* (Non-regulatory Guidance). Washington, DC: Author. Retrieved January 15, 2012, from http://www2.ed.gov/policy/elsec/guid/040907-regs.doc.

Appendix A: Technical Work Group Members

Education Research/Student Achievement

Tom Cook, Northwestern University

Larry Hedges, Northwestern University

Special Education Research

Douglas Fuchs, Vanderbilt University

Margaret McLaughlin, University of Maryland

Martha Thurlow, Director, National Center on Educational Outcomes

School Accountability and State/District Data Systems

Pete Goldschmidt, CRESST/UCLA

Brian Gong, Executive Director, National Center for the Improvement of Educational Assessment ("Center for Assessment")

Appendix B: Minimum subgroup size for AYP determination, by state, 2009–10 school year

State	Minimum subgroup size[a]
Alabama	40
Alaska	25
Arizona	40
Arkansas	40 for enrollment of 800 or less; for enrollments of more than 800: 5% of average daily membership not to exceed 200
California	100 students or 50 students who comprise 15% of the valid scores
Colorado	30
Connecticut	40
Delaware	40
DC	25
Florida	30 students and 15% of the school's population or 100 students
Georgia	40 students or 10% of students enrolled in AYP grades, whichever is greater (with a 75-student cap)
Hawaii	40
Idaho	34
Illinois	45
Indiana	30
Iowa	30
Kansas	30
Kentucky	Each subpopulation must have at least 10 students in a subpopulation in each grade in which state assessments are administered and 60 students in the subpopulation in these grades combined or the subpopulation constitutes at least 15% of the students in these grades combined.
Louisiana	10 with a confidence interval of 99%
Maine	20
Maryland	5
Massachusetts	(1) there are 40 or more subgroup members and (2) the number of subgroup members is at least 5% of students whose assessment results are included in the school's or district's aggregate AYP calculation OR (3) the number of subgroup members is 200 or more.
Michigan	30
Minnesota	20
Mississippi	40
Missouri	30
Montana	30
Nebraska	30
Nevada	25
New Hampshire	11
New Jersey	30
New Mexico	25
New York	30
North Carolina	40, or 1% of the tested students, whichever is greater
North Dakota	The State has established a test of statistical significance for the method of determining a minimum number within a given population and referenced to the established measurable objective, safe harbor, participation rate, graduation rate, or attendance rate.
Ohio	30
Oklahoma	30
Oregon	42 for two years or 21 for one year
Pennsylvania	40
Rhode Island	45
South Carolina	40
South Dakota	25
Tennessee	45 or 1% of the tested students, whichever is greater
Texas	District or campus must have 50 or more students in the group enrolled on the test date (summed across grades 3–8 and 10) for the subject, and the student group must comprise at least 10% of all students enrolled on the test date, or; the district or campus must have 200 or more students in the group enrolled on the test date, even if that group represents less than 10% of all students enrolled on the test date.
Utah	10
Vermont	40
Virginia	50 or 1% of the enrolled student population, whichever is greater
Washington	30 or 1% of enrollment when school enrollment is > 3,000
West Virginia	50
Wisconsin	40
Wyoming	30

SOURCE: Obtained from a review of the approved state accountability plans posted on the ED website (http://ed.gov/admins/lead/account/stateplans03/index.html).
NOTE: [a] States may use different minimum subgroup sizes for participation rates.

Appendix C: Number and percentage of public schools accountable for SWD subgroup performance and the percentage of SWDs enrolled in SWD-accountable schools in 44 states with relevant data and DC, 2009–10 school year

State	N of eligible schools[a]	N of eligible schools with data[b]	% of eligible schools with data	N of SWD-accountable schools	% SWD-accountable schools	N of SWDs in SWD-accountable schools	% of SWDs in SWD-accountable schools
Total	80,245	73,462	91.5%	25,983	35.4%	1,642,582	59.1%
Alaska	501	465	92.8%	147	31.6%	7,637	72.0%
Arizona	2,211	1,846	83.5%	130	7.0%	10,728	15.0%
Arkansas	1,068	1,033	96.7%	177	17.1%	11,930	37.6%
California	9,966	9,047	90.8%	871	9.6%	89,983	26.0%
Colorado	1,737	1,679	96.7%	372	22.2%	24,076	51.5%
Connecticut	1,086	981	90.3%	981	100.0%	33,795	100.0%
Delaware	209	192	91.9%	71	37.0%	5,936	63.8%
DC	218	186	85.3%	68	36.6%	3,204	66.9%
Florida	2,817	2,552	90.6%	1,303	51.1%	121,912	71.4%
Georgia	2,386	2,169	90.9%	588	27.1%	52,776	50.3%
Hawaii	288	281	97.6%	48	17.1%	4,001	38.3%
Idaho	729	620	85.0%	91	14.7%	5,025	37.0%
Illinois	4,127	3,694	89.5%	960	26.0%	79,222	52.5%
Indiana	1,406	1,334	94.9%	828	62.1%	53,034	82.6%
Iowa	1,387	1,328	95.7%	293	22.1%	16,961	51.6%
Kansas	1,177	1,141	96.9%	241	21.1%	12,841	49.8%
Louisiana	1,425	1,223	85.8%	1,077	88.1%	39,301	97.4%
Maine	606	568	93.7%	565	99.5%	16,217	100.0%
Maryland	1,420	1,356	95.5%	1,319	97.3%	48,483	99.5%
Massachusetts	1,758	1,634	92.9%	797	48.8%	64,603	75.6%
Michigan	3,700	3,448	93.2%	1,539	44.6%	82,580	70.7%
Minnesota	1,028	847	82.4%	564	66.6%	23,194	89.3%
Mississippi	1,026	847	82.6%	158	18.7%	9,746	51.4%
Missouri	1,158	1,033	89.2%	307	29.7%	15,641	55.7%
Montana	815	806	98.9%	108	13.4%	3,942	44.4%

State	N of eligible schools[a]	N of eligible schools with data[b]	% of eligible schools with data	N of SWD-accountable schools	% SWD-accountable schools	N of SWDs in SWD-accountable schools	% of SWDs in SWD-accountable schools
Nebraska	1,053	941	89.4%	261	27.7%	14,343	61.9%
Nevada	629	596	94.8%	381	63.9%	20,790	87.3%
New Hampshire	459	362	78.9%	277	76.5%	12,569	99.3%
New Jersey	2,469	2,207	89.4%	1,257	57.0%	94,718	78.9%
New Mexico	817	775	94.9%	279	36.0%	15,361	70.3%
New York	4,501	4,291	95.3%	2,391	55.7%	160,403	82.3%
North Carolina	1,978	1,901	96.1%	566	29.8%	40,061	55.3%
North Dakota	350	296	84.6%	256	86.5%	4,114	97.7%
Ohio	3,611	3,459	95.8%	1,734	50.1%	99,578	76.7%
Oregon	606	595	98.2%	405	68.1%	17,838	86.3%
Pennsylvania	3,138	3,019	96.2%	1,398	46.3%	109,763	73.1%
Rhode Island	302	284	94.0%	58	20.4%	4,577	37.9%
South Carolina	1,157	1,077	93.1%	472	43.8%	33,356	67.6%
South Dakota	703	590	83.9%	96	16.3%	4,252	54.1%
Texas	8,250	7,491	90.8%	781	10.4%	71,444	28.9%
Utah	326	262	80.4%	262	100.0%	10,356	100.0%
Vermont	318	300	94.3%	28	9.3%	1,633	26.5%
Virginia	984	700	71.1%	98	14.0%	7,175	30.5%
Washington	2,229	2,012	90.3%	1,011	50.2%	56,515	77.1%
Wisconsin	2,116	1,994	94.2%	369	18.5%	26,968	44.6%

SOURCE: ED*Facts* data, 2009–10.

NOTES: [a] The eligible school population excludes the following schools: (1) PK–2 schools; (2) non-Title I schools in states that did not subject non-Title I schools to the same accountability sanctions as Title I schools. Of the 12 states that did not sanction non-Title I schools (see footnote 16), Florida, Indiana, Kansas, Minnesota, Missouri, North Carolina, North Dakota, Oregon, Utah, and Virginia are included in this analysis; and (3) schools with one of the following operational statuses in 2009–10: missing (school not included in 2009–10 Common Core of Data), school closed, school temporarily closed, or school scheduled to be operational within 2 years.

[b] This analysis includes only eligible schools that reported both data on the annual measurable objectives for SWD performance and the number of enrolled SWDs for 2009–10 to ED*Facts*.

Appendix D: Number and percentage of public elementary schools accountable for SWD subgroup performance and the percentage of SWDs enrolled in SWD-accountable elementary schools in 44 states with relevant data and DC, 2009–10 school year

State	N of eligible schools[a]	N of eligible schools with data[b]	% of eligible schools with data	N of SWD-accountable schools	% SWD-accountable schools	N of SWDs in SWD-accountable schools	% of SWDs in SWD-accountable schools
Total	43,376	42,615	98.2%	13,588	31.9%	639,142	47.5%
Alaska	167	162	97.0%	90	55.6%	3,666	79.5%
Arizona	1,127	1,091	96.8%	0	0.0%	0	0.0%
Arkansas	497	495	99.6%	42	8.5%	2,490	20.3%
California	5,743	5,568	97.0%	409	7.3%	23,344	13.5%
Colorado	975	966	99.1%	90	9.3%	4,005	19.5%
Connecticut	598	589	98.5%	589	100.0%	15,619	100.0%
Delaware	106	105	99.1%	23	21.9%	1,258	34.7%
DC	127	120	94.5%	39	32.5%	1,643	58.9%
Florida	1,547	1,536	99.3%	739	48.1%	46,152	62.0%
Georgia	1,232	1,231	99.9%	284	23.1%	19,506	39.8%
Hawaii	181	180	99.4%	13	7.2%	758	15.3%
Idaho	345	322	93.3%	31	9.6%	1,355	20.5%
Illinois	2,288	2,256	98.6%	390	17.3%	27,181	34.3%
Indiana	890	889	99.9%	484	54.4%	23,637	72.7%
Iowa	682	670	98.2%	89	13.3%	4,071	30.0%
Kansas	622	621	99.8%	102	16.4%	4,178	32.2%
Louisiana	694	671	96.7%	609	90.8%	19,469	97.7%
Maine	341	336	98.5%	333	99.1%	7,264	99.9%
Maryland	870	867	99.7%	858	99.0%	24,273	99.9%
Massachusetts	973	953	97.9%	358	37.6%	22,952	60.6%
Michigan	1,755	1,736	98.9%	957	55.1%	38,273	71.8%
Minnesota	648	640	98.8%	476	74.4%	19,013	91.2%
Mississippi	400	398	99.5%	59	14.8%	3,345	46.0%
Missouri	899	894	99.4%	246	27.5%	11,776	50.9%

State	N of eligible schools[a]	N of eligible schools with data[b]	% of eligible schools with data	N of SWD-accountable schools	% SWD-accountable schools	N of SWDs in SWD-accountable schools	% of SWDs in SWD-accountable schools
Montana	411	408	99.3%	60	14.7%	1,639	37.7%
Nebraska	575	548	95.3%	157	28.6%	6,682	53.8%
Nevada	370	355	95.9%	254	71.5%	9,675	86.4%
New Hampshire	270	183	67.8%	138	75.4%	3,363	99.9%
New Jersey	1,388	1,384	99.7%	618	44.7%	36,841	64.3%
New Mexico	429	424	98.8%	146	34.4%	6,256	58.8%
New York	2,313	2,300	99.4%	1,304	56.7%	73,544	79.0%
North Carolina	1,114	1,112	99.8%	231	20.8%	12,160	34.4%
North Dakota	216	206	95.4%	186	90.3%	2,809	98.6%
Ohio	1,839	1,815	98.7%	789	43.5%	36,127	65.1%
Oregon	488	482	98.8%	350	72.6%	13,615	87.3%
Pennsylvania	1,742	1,739	99.8%	673	38.7%	42,272	61.2%
Rhode Island	173	170	98.3%	27	15.9%	1,272	26.4%
South Carolina	614	611	99.5%	211	34.5%	12,340	53.6%
South Dakota	331	294	88.8%	53	18.0%	1,937	47.0%
Texas	4,066	4,015	98.7%	92	2.3%	5,877	5.8%
Utah	230	219	95.2%	219	100.0%	8,751	100.0%
Vermont	215	213	99.1%	20	9.4%	1,083	31.0%
Virginia	654	653	99.8%	69	10.6%	4,327	21.6%
Washington	1,117	1,085	97.1%	576	53.1%	26,980	71.1%
Wisconsin	1,114	1,103	99.0%	105	9.5%	6,364	22.0%

SOURCE: ED*Facts* data, 2009–10.

NOTES: [a] The eligible elementary school population excludes the following schools: (1) PK–2 schools; (2) non-Title I schools in states that did not subject non-Title I schools to the same accountability sanctions as Title I schools. Of the 12 states that did not sanction non-Title I schools (see footnote 16), Florida, Indiana, Kansas, Minnesota, Missouri, North Carolina, North Dakota, Oregon, Utah, and Virginia are included in this analysis; and (3) schools with one of the following operational statuses in 2009–10: missing (school not included in 2009–10 Common Core of Data), school closed, school temporarily closed, or school scheduled to be operational within 2 years.

[b] This analysis includes only eligible elementary schools that reported both data on the annual measurable objectives for SWD performance and the number of enrolled SWDs for 2009–10 to ED*Facts*.

Appendix E: Number and percentage of public middle schools accountable for SWD subgroup performance and the percentage of SWDs enrolled in SWD-accountable middle schools in 44 states with relevant data and DC, 2009–10 school year

State	N of eligible schools[a]	N of eligible schools with data[b]	% of eligible schools with data	N of SWD-accountable schools	% SWD-accountable schools	N of SWDs in SWD-accountable schools	% of SWDs in SWD-accountable schools
Total	14,050	13,777	98.1%	8,565	62.2%	785,334	80.1%
Alaska	36	35	97.2%	27	77.1%	2,109	95.0%
Arizona	281	270	96.1%	54	20.0%	6,099	34.5%
Arkansas	224	223	99.6%	108	48.4%	7,905	70.7%
California	1,466	1,408	96.0%	402	28.6%	55,507	49.6%
Colorado	297	294	99.0%	172	58.5%	11,950	84.4%
Connecticut	199	195	98.0%	195	100.0%	13,312	100.0%
Delaware	40	39	97.5%	36	92.3%	3,866	98.5%
DC	29	26	89.7%	19	73.1%	1,046	93.3%
Florida	463	459	99.1%	331	72.1%	48,238	86.6%
Georgia	495	493	99.6%	276	56.0%	31,648	72.4%
Hawaii	38	38	100.0%	20	52.6%	2,253	68.2%
Idaho	120	116	96.7%	50	43.1%	3,124	68.7%
Illinois	787	771	98.0%	444	57.6%	42,222	81.1%
Indiana	272	272	100.0%	254	93.4%	23,168	98.2%
Iowa	289	288	99.7%	153	53.1%	10,988	80.8%
Kansas	218	216	99.1%	117	54.2%	7,665	81.8%
Louisiana	261	240	92.0%	235	97.9%	13,916	99.7%
Maine	114	113	99.1%	113	100.0%	6,635	100.0%
Maryland	239	236	98.7%	235	99.6%	18,151	100.0%
Massachusetts	336	332	98.8%	312	94.0%	33,216	98.3%
Michigan	620	616	99.4%	420	68.2%	35,550	83.8%
Minnesota	85	72	84.7%	52	72.2%	2,913	93.5%
Mississippi	193	191	99.0%	78	40.8%	5,522	69.2%
Missouri	85	85	100.0%	55	64.7%	3,615	86.3%
Montana	233	231	99.1%	37	16.0%	1,921	56.9%

State	N of eligible schools[a]	N of eligible schools with data[b]	% of eligible schools with data	N of SWD-accountable schools	% SWD-accountable schools	N of SWDs in SWD-accountable schools	% of SWDs in SWD-accountable schools
Nebraska	130	125	96.2%	76	60.8%	6,356	89.7%
Nevada	111	109	98.2%	88	80.7%	9,118	97.9%
New Hampshire	97	94	96.9%	84	89.4%	7,122	99.5%
New Jersey	448	441	98.4%	392	88.9%	43,161	96.2%
New Mexico	174	172	98.9%	101	58.7%	7,756	90.3%
New York	857	850	99.2%	746	87.8%	69,546	97.0%
North Carolina	393	393	100.0%	317	80.7%	26,756	92.0%
North Dakota	27	27	100.0%	26	96.3%	1,024	99.3%
Ohio	735	729	99.2%	630	86.4%	45,990	96.0%
Oregon	60	59	98.3%	50	84.7%	3,903	94.2%
Pennsylvania	557	553	99.3%	486	87.9%	50,184	96.4%
Rhode Island	58	57	98.3%	23	40.4%	2,715	49.6%
South Carolina	259	257	99.2%	209	81.3%	17,923	92.8%
South Dakota	167	161	96.4%	37	23.0%	2,125	70.7%
Texas	1,755	1,702	97.0%	572	33.6%	56,439	53.1%
Utah	16	11	68.8%	11	100.0%	802	100.0%
Vermont	26	26	100.0%	4†	15.4%†	309†	26.2%†
Virginia	43	43	100.0%	28	65.1%	2,787	83.1%
Washington	339	335	98.8%	280	83.6%	21,567	95.8%
Wisconsin	378	374	98.9%	210	56.1%	17,212	81.8%

SOURCE: ED*Facts* data, 2009–10.

NOTES: [a] The eligible middle school population excludes the following schools: (1) PK–2 schools; (2) non-Title I schools in states that did not subject non-Title I schools to the same accountability sanctions as Title I schools. Of the 12 states that did not sanction non-Title I schools (see footnote 11), Florida, Indiana, Kansas, Minnesota, Missouri, North Carolina, North Dakota, Oregon, Utah, and Virginia are included in this analysis; and (3) schools with one of the following operational statuses in 2009–10: missing (school not included in 2009–10 Common Core of Data), school closed, school temporarily closed, or school scheduled to be operational within 2 years.

[b] This analysis includes only eligible middle schools that reported both data on the annual measurable objectives for SWD performance and the number of enrolled SWDs for 2009–10 to ED*Facts*.

† Results should be interpreted with caution due to small number (N < 10) of schools in the eligible school population with data.

Appendix F: Number and percentage of public high schools accountable for SWD subgroup performance and the percentage of SWDs enrolled in SWD-accountable high schools in 44 states with relevant data and DC, 2009–10 school year

State	N of eligible schools[a]	N of eligible schools with data[b]	% of eligible schools with data	N of SWD-accountable schools	% SWD-accountable schools	N of SWDs in SWD-accountable schools	% of SWDs in SWD-accountable schools
Total	16,556	13,585	82.1%	3,062	22.5%	162,258	45.9%
Alaska	70	66	94.3%	21	31.8%	1,326	75.0%
Arizona	623	370	59.4%	74	20.0%	4,429	54.8%
Arkansas	314	285	90.8%	12	4.2%	551	8.1%
California	2,212	1,624	73.4%	21	1.3%	2,216	5.0%
Colorado	353	316	89.5%	102	32.3%	7,392	75.8%
Connecticut	233	180	77.3%	180	100.0%	4,344	100.0%
Delaware	36	35	97.2%	5†	14.3%†	273†	25.2%†
DC	32	25	78.1%	4†	16.0%†	127†	31.7%†
Florida	379	321	84.7%	139	43.3%	18,721	65.6%
Georgia	392	383	97.7%	23	6.0%	1,245	11.9%
Hawaii	40	40	100.0%	13	32.5%	882	49.9%
Idaho	191	143	74.9%	7†	4.9%†	288†	17.0%†
Illinois	841	634	75.4%	120	18.9%	8,788	48.6%
Indiana	175	139	79.4%	72	51.8%	4,787	77.4%
Iowa	371	330	88.9%	43	13.0%	1,666	33.4%
Kansas	294	281	95.6%	22	7.8%	998	31.0%
Louisiana	259	208	80.3%	145	69.7%	3,413	90.0%
Maine	138	106	76.8%	106	100.0%	2,035	100.0%
Maryland	246	219	89.0%	197	90.0%	5,152	99.3%
Massachusetts	333	315	94.6%	103	32.7%	6,499	56.1%
Michigan	924	813	88.0%	103	12.7%	4,961	36.6%
Minnesota	201	104	51.7%	24	23.1%	904	62.6%
Mississippi	297	197	66.3%	11	5.6%	549	18.2%
Missouri	106	35	33.0%	3†	8.6%†	104†	24.7%†
Montana	171	167	97.7%	11	6.6%	382	32.8%

State	N of eligible schools[a]	N of eligible schools with data[b]	% of eligible schools with data	N of SWD-accountable schools	% SWD-accountable schools	N of SWDs in SWD-accountable schools	% of SWDs in SWD-accountable schools
Nebraska	319	268	84.0%	28	10.4%	1,305	35.6%
Nevada	114	103	90.4%	37	35.9%	1,910	72.5%
New Hampshire	88	84	95.5%	55	65.5%	2,084	98.3%
New Jersey	462	363	78.6%	240	66.1%	14,161	83.7%
New Mexico	186	160	86.0%	28	17.5%	1,199	52.4%
New York	947	920	97.1%	263	28.6%	13,248	57.7%
North Carolina	317	293	92.4%	10	3.4%	581	9.9%
North Dakota	73	63	86.3%	44	69.8%	281	85.4%
Ohio	864	771	89.2%	244	31.6%	12,041	59.9%
Oregon	34	31	91.2%	4†	12.9%†	297†	44.1%†
Pennsylvania	698	622	89.1%	197	31.7%	12,846	55.3%
Rhode Island	61	53	86.9%	8†	15.1%†	590†	34.5%†
South Carolina	245	188	76.7%	46	24.5%	2,574	41.9%
South Dakota	181	128	70.7%	6†	4.7%†	190†	27.9%†
Texas	1,570	1,309	83.4%	104	7.9%	8,053	25.8%
Utah	57	20	35.1%	20	100.0%	213	100.0%
Vermont	45	44	97.8%	4†	9.1%†	241†	20.6%†
Virginia	55	0	0.0%	N/A	N/A	N/A	N/A
Washington	479	380	79.3%	116	30.5%	5,547	63.9%
Wisconsin	530	449	84.7%	47	10.5%	2,865	31.6%

SOURCE: ED*Facts* data, 2009–10.

NOTES: [a] The eligible high school population excludes the following schools: (1) PK–2 schools; (2) non-Title I schools in states that did not subject non-Title I schools to the same accountability sanctions as Title I schools. Of the 12 states that did not sanction non-Title I schools (see footnote 16), Florida, Indiana, Kansas, Minnesota, Missouri, North Carolina, North Dakota, Oregon, Utah, and Virginia are included in this analysis; and (3) schools with one of the following operational statuses in 2009–10: missing (school not included in 2009–10 Common Core of Data), school closed, school temporarily closed, or school scheduled to be operational within 2 years.

[b] This analysis includes only eligible high schools that reported both data on the annual measurable objectives for SWD performance and the number of enrolled SWDs for 2009–10 to ED*Facts*.

† Results should be interpreted with caution due to small number (N < 10) of schools in the eligible school population with data.

N/A: No SWD-accountable schools in the eligible population.

Appendix G: Average enrollment for schools accountable and schools not accountable for SWD subgroup performance, in 44 states with relevant data and DC, 2009–10 school year

State	SWD-accountable school average enrollment	Non-SWD-accountable school average enrollment	Difference
Alaska	585	136	449
Arizona	1,586	497	1,089
Arkansas	622	406	216
California	905	645	260
Colorado	911	363	548
Connecticut	545	N/A	N/A
Delaware	715	589	126
DC	384	316	68
Florida	840	615	225
Georgia	880	696	184
Hawaii	1,177	527	650
Idaho	744	381	363
Illinois	900	414	486
Indiana	631	365	266
Iowa	581	286	295
Kansas	554	242	312
Louisiana	546	379	167
Maine	310	9†	301†
Maryland	627	228	399
Massachusetts	682	439	243
Michigan	561	368	193
Minnesota	471	155	316
Mississippi	753	493	260
Missouri	467	266	201
Montana	479	124	355
Nebraska	600	194	406
Nevada	902	369	533
New Hampshire	572	131	441
New Jersey	745	396	349
New Mexico	672	266	406
New York	752	441	311
North Carolina	674	481	193
North Dakota	182	59	123
Ohio	611	364	247

State	SWD-accountable school average enrollment	Non-SWD-accountable school average enrollment	Difference
Oregon	451	207	244
Pennsylvania	733	429	304
Rhode Island	673	440	233
South Carolina	787	537	250
South Dakota	527	137	390
Texas	996	575	421
Utah	493	N/A	N/A
Vermont	629	246	383
Virginia	627	428	199
Washington	669	337	332
Wisconsin	718	354	364

SOURCE: ED*Facts* data and Common Core of Data, 2009–10.
NOTES: † Results should be interpreted with caution due to small number (N < 10) of schools in the eligible school population with data.
N/A: No non-SWD-accountable schools in the eligible population.

Appendix H: Percentage of urban and rural schools, percentage of students eligible to receive free or reduced-priced lunch (FRPL), and percentage of non-white students, for schools accountable and schools not accountable for SWD subgroup performance, in 44 states with relevant data and DC, 2009–10 school year

State	% of urban schools			% of rural schools			% of students eligible to receive FRPL			% of non-white students		
	SWD-accountable schools	Non-SWD-accountable schools	Difference	SWD-accountable schools	Non-SWD-accountable schools	Difference	SWD-accountable schools	Non-SWD-accountable schools	Difference	SWD-accountable schools	Non-SWD-accountable schools	Difference
Alaska	44.2%	7.9%	36.4%	27.2%	75.8%	-48.6%	36.5%	48.4%	-11.9%	33.2%	60.8%	-27.5%
Arizona	53.8%	44.3%	9.5%	19.2%	26.5%	-7.2%	40.9%	46.9%	-6.0%	52.9%	56.8%	-3.8%
Arkansas	34.5%	16.9%	17.5%	29.4%	59.5%	-30.1%	59.0%	63.4%	-4.3%	36.2%	29.8%	6.3%
California	45.9%	40.4%	5.5%	6.3%	15.5%	-9.2%	56.8%	52.2%	4.6%	69.2%	63.8%	5.5%
Colorado	36.0%	27.3%	8.7%	18.5%	36.9%	-18.3%	38.2%	43.7%	-5.6%	38.8%	37.9%	0.9%
Connecticut	28.1%	N/A	N/A	15.6%	N/A	N/A	32.1%	N/A	N/A	36.9%	N/A	N/A
Delaware	8.5%	22.3%	-13.9%	26.8%	21.5%	5.3%	50.3%	50.2%	0.1%	47.3%	52.2%	-4.9%
DC	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	75.3%	61.2%	14.1%	94.0%	89.4%	4.6%
Florida	28.3%	27.3%	1.0%	17.8%	18.9%	-1.1%	67.4%	66.7%	0.6%	57.2%	64.6%	-7.4%
Georgia	7.5%	21.4%	-14.0%	38.9%	36.8%	2.1%	53.0%	62.9%	-9.9%	45.5%	56.6%	-11.0%
Hawaii	14.6%	26.6%	-12.0%	10.4%	19.7%	-9.3%	46.6%	46.4%	0.2%	85.0%	78.9%	6.1%
Idaho	35.2%	19.3%	15.9%	25.3%	49.5%	-24.3%	46.3%	46.9%	-0.6%	20.7%	19.0%	1.7%
Illinois	29.3%	24.8%	4.4%	10.2%	30.1%	-19.9%	41.2%	39.1%	2.1%	45.3%	37.1%	8.2%
Indiana	33.7%	24.9%	8.8%	27.9%	41.7%	-13.8%	55.0%	56.8%	-1.8%	25.0%	25.5%	-0.5%
Iowa	33.8%	12.8%	21.0%	23.2%	62.0%	-38.8%	42.8%	36.4%	6.4%	19.1%	10.5%	8.6%
Kansas	28.6%	13.0%	15.6%	21.2%	62.4%	-41.2%	55.7%	51.5%	4.3%	31.6%	21.1%	10.5%
Louisiana	26.3%	27.4%	-1.1%	34.7%	39.0%	-4.3%	70.6%	65.2%	5.4%	53.6%	53.7%	-0.1%
Maine	8.5%†	0.0%†	8.5%†	70.1%†	100.0%†	-29.9%†	45.5%†	32.1%†	13.5%†	5.8%†	0.0%†	5.8%†
Maryland	20.2%	32.4%	-12.2%	18.4%	21.6%	-3.2%	43.5%	36.9%	6.7%	55.2%	60.2%	-5.0%
Massachusetts	22.1%	23.8%	-1.7%	11.9%	13.5%	-1.6%	35.4%	33.9%	1.5%	30.3%	28.1%	2.3%
Michigan	23.8%	22.7%	1.1%	22.2%	37.8%	-15.7%	47.9%	51.8%	-3.9%	27.5%	28.8%	-1.3%
Minnesota	24.5%	26.9%	-2.4%	34.0%	57.2%	-23.2%	49.5%	49.0%	0.5%	32.2%	27.6%	4.6%
Mississippi	8.9%	12.3%	-3.5%	49.4%	54.7%	-5.3%	68.5%	77.3%	-8.8%	48.9%	60.2%	-11.3%
Missouri	21.5%	22.0%	-0.5%	31.6%	53.7%	-22.1%	55.7%	58.8%	-3.1%	29.2%	27.1%	2.2%

State	% of urban schools			% of rural schools			% of students eligible to receive FRPL			% of non-white students		
	SWD-accountable schools	Non-SWD-accountable schools	Difference	SWD-accountable schools	Non-SWD-accountable schools	Difference	SWD-accountable schools	Non-SWD-accountable schools	Difference	SWD-accountable schools	Non-SWD-accountable schools	Difference
Montana	25.0%	4.7%	20.3%	30.6%	82.5%	-52.0%	42.7%	28.1%	14.7%	17.5%	15.5%	2.1%
Nebraska	47.5%	6.6%	40.9%	11.1%	74.4%	-63.3%	45.0%	40.3%	4.7%	31.2%	14.8%	16.3%
Nevada	38.6%	35.8%	2.8%	17.6%	41.9%	-24.3%	45.6%	31.1%	14.5%	56.5%	52.0%	4.6%
New Hampshire	11.6%	0.0%	11.6%	42.2%	84.7%	-42.5%	25.2%	27.9%	-2.6%	7.9%	3.4%	4.4%
New Jersey	8.8%	12.5%	-3.7%	10.0%	9.6%	0.4%	28.3%	35.2%	-7.0%	42.0%	49.9%	-7.8%
New Mexico	39.4%	17.1%	22.3%	22.2%	50.2%	-28.0%	62.5%	70.9%	-8.4%	72.8%	72.6%	0.3%
New York	46.3%	34.8%	11.5%	11.9%	26.5%	-14.6%	-13.7%	-0.7%	-13.0%	51.0%	41.2%	9.8%
North Carolina	24.6%	24.2%	0.4%	43.3%	51.5%	-8.2%	56.9%	60.7%	-3.9%	50.7%	52.8%	-2.1%
North Dakota	9.4%	*	*	71.5%	97.5%	-26.0%	42.1%	48.7%	-6.6%	17.6%	20.4%	-2.8%
Ohio	22.3%	24.2%	-1.9%	25.7%	33.0%	-7.3%	45.4%	44.2%	1.2%	24.4%	23.1%	1.3%
Oregon	32.6%	8.9%	23.6%	16.5%	59.5%	-42.9%	65.4%	60.5%	5.0%	37.1%	26.0%	11.1%
Pennsylvania	20.2%	18.4%	1.9%	21.5%	33.0%	-11.5%	40.0%	38.7%	1.2%	28.3%	23.4%	4.9%
Rhode Island	43.1%	31.4%	11.7%	8.6%	14.2%	-5.5%	44.8%	41.9%	2.8%	34.6%	31.5%	3.1%
South Carolina	14.4%	16.5%	-2.1%	43.4%	51.2%	-7.8%	56.2%	61.4%	-5.2%	45.0%	53.4%	-8.4%
South Dakota	33.3%	4.9%	28.5%	24.0%	85.8%	-61.9%	41.8%	36.7%	5.1%	23.4%	15.8%	7.6%
Texas	46.5%	35.4%	11.1%	16.8%	33.9%	-17.1%	54.3%	52.5%	1.8%	69.4%	62.2%	7.2%
Utah	26.7%	N/A	N/A	31.3%	N/A	N/A	65.4%	N/A	N/A	32.7%	N/A	N/A
Vermont	0.0%	5.1%	-5.1%	46.4%	77.6%	-31.1%	35.9%	33.5%	2.3%	4.0%	4.0%	0.0%
Virginia	30.6%	25.7%	4.9%	30.6%	44.5%	-13.9%	61.4%	58.4%	3.0%	60.5%	44.7%	15.8%
Washington	27.6%	20.9%	6.7%	15.7%	35.7%	-19.9%	42.5%	26.2%	16.3%	33.2%	31.4%	1.8%
Wisconsin	36.9%	21.5%	15.3%	14.1%	45.5%	-31.4%	41.7%	39.6%	2.0%	30.1%	20.8%	9.2%

SOURCE: ED*Facts* data and Common Core of Data, 2009–10.
NOTES: * Figures were suppressed due to small number of SWD-accountable schools.
† Results should be interpreted with caution due to small number (N < 10) of schools in the eligible school population with data.
N/A: No SWD-accountable schools in the eligible population.

Appendix I: Percentage of public schools accountable for SWD subgroup performance, in 25 states with relevant data, 2006–07 to 2009–10 school years

State	2006–07			2007–08			2008–09			2009–10		
	Total N of schools	N of SWD-accountable schools	% SWD-accountable schools	Total N of schools	N of SWD-accountable schools	% SWD-accountable schools	Total N of schools	N of SWD-accountable schools	% SWD-accountable schools	Total N of schools	N of SWD-accountable schools	% SWD-accountable schools
Total	37,100	11,148	30.0%	37,100	13,455	36.3%	37,100	13,234	35.7%	37,100	12,576	33.9%
Arkansas	835	204	24.4%	835	193	23.1%	835	178	21.3%	835	163	19.5%
California	7,816	719	9.2%	7,816	825	10.6%	7,816	831	10.6%	7,816	844	10.8%
Florida	2,047	1,241	60.6%	2,047	1,211	59.2%	2,047	1,146	56.0%	2,047	1,094	53.4%
Georgia	1,952	718	36.8%	1,952	643	32.9%	1,952	550	28.2%	1,952	536	27.5%
Hawaii	277	51	18.4%	277	50	18.1%	277	57	20.6%	277	48	17.3%
Illinois	3,503	1,014	28.9%	3,503	958	27.3%	3,503	955	27.3%	3,503	942	26.9%
Indiana	703	492	70.0%	703	529	75.2%	703	501	71.3%	703	377	53.6%
Iowa	1,261	285	22.6%	1,261	289	22.9%	1,261	280	22.2%	1,261	271	21.5%
Kansas	741	195	26.3%	741	741	100.0%	741	701	94.6%	741	178	24.0%
Maryland	1,284	1,268	98.8%	1,284	1,264	98.4%	1,284	1,266	98.6%	1,284	1,270	98.9%
Massachusetts	1,566	743	47.4%	1,566	753	48.1%	1,566	761	48.6%	1,566	765	48.9%
Minnesota	661	460	69.6%	661	469	71.0%	661	475	71.9%	661	469	71.0%
Missouri	894	84	9.4%	894	247	27.6%	894	277	31.0%	894	266	29.8%
Montana	791	40	5.1%	791	78	9.9%	791	65	8.2%	791	107	13.5%
Nebraska	889	222	25.0%	889	257	28.9%	889	254	28.6%	889	256	28.8%
New Hampshire	115	84	73.0%	115	85	73.9%	115	85	73.9%	115	86	74.8%
North Carolina	920	223	24.2%	920	222	24.1%	920	219	23.8%	920	214	23.3%
North Dakota	271	199	73.4%	271	226	83.4%	271	233	86.0%	271	235	86.7%
Ohio	3,262	900	27.6%	3,262	1,662	51.0%	3,262	1,725	52.9%	3,262	1,663	51.0%
Pennsylvania	2,484	1,032	41.5%	2,484	1,293	52.1%	2,484	1,143	46.0%	2,484	1,161	46.7%
Utah	181	144	79.6%	181	132	72.9%	181	181	100.0%	181	181	100.0%
Vermont	265	16	6.0%	265	20	7.5%	265	20	7.5%	265	21	7.9%

State	2006–07			2007–08			2008–09			2009–10		
	Total N of schools	N of SWD-accountable schools	% SWD-accountable schools	Total N of schools	N of SWD-accountable schools	% SWD-accountable schools	Total N of schools	N of SWD-accountable schools	% SWD-accountable schools	Total N of schools	N of SWD-accountable schools	% SWD-accountable schools
Virginia	632	99	15.7%	632	80	12.7%	632	80	12.7%	632	80	12.7%
Washington	1,862	483	25.9%	1,862	862	46.3%	1,862	896	48.1%	1,862	987	53.0%
Wisconsin	1,888	232	12.3%	1,888	366	19.4%	1,888	355	18.8%	1,888	362	19.2%

SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: 1. For the purpose of examining trends over time, the analysis is restricted to the 25 states that reported relevant data for all 4 years. 2. This analysis includes only schools that reported data on both school performance on the annual measurable objectives for SWD performance and number of enrolled SWDs to ED*Facts* for all 4 years.

Appendix J: SWDs enrolled in public schools accountable for SWD subgroup performance as a percentage of SWDs enrolled in all public schools, in 25 states with relevant data, 2006–07 to 2009–10 school years

State	2006–07			2007–08			2008–09			2009–10		
	Total N of SWDs	N of SWDs in SWD-account-able schools	% of SWDs in SWD-account-able schools	Total N of SWDs	N of SWDs in SWD-account-able schools	% of SWDs in SWD-account-able schools	Total N of SWDs	N of SWDs in SWD-account-able schools	% of SWDs in SWD-account-able schools,	Total N of SWDs	N of SWDs in SWD-account-able schools	% of SWDs in SWD-account-able schools
Total	1,403,582	751,275	53.5%	1,406,418	818,600	58.2%	1,489,462	854,436	57.4%	1,480,352	835,850	56.5%
Arkansas	25,170	11,767	46.8%	26,641	12,478	46.8%	28,223	12,503	44.3%	27,356	11,077	40.5%
California	323,143	78,041	24.2%	328,964	84,830	25.8%	334,318	90,367	27.0%	328,649	87,685	26.7%
Florida	142,683	112,910	79.1%	135,307	105,946	78.3%	141,089	104,699	74.2%	135,997	98,065	72.1%
Georgia	92,759	58,361	62.9%	93,259	54,208	58.1%	98,163	51,031	52.0%	96,054	48,279	50.3%
Hawaii	7,328	2,811	38.4%	7,637	2,803	36.7%	10,514	4,488	42.7%	10,404	4,001	38.5%
Illinois	140,279	79,004	56.3%	129,411	71,698	55.4%	148,940	80,184	53.8%	146,695	77,792	53.0%
Indiana	24,952	21,082	84.5%	25,851	22,612	87.5%	27,882	23,235	83.3%	26,271	19,221	73.2%
Iowa	28,999	15,334	52.9%	28,740	15,120	52.6%	31,852	16,701	52.4%	31,561	16,394	51.9%
Kansas	16,773	9,341	55.7%	17,233	17,233	100.0%	20,601	19,529	94.8%	18,496	9,571	51.7%
Maryland	49,405	49,362	99.9%	45,154	45,111	99.9%	46,122	46,075	99.9%	47,234	47,198	99.9%
Massachusetts	87,393	62,672	71.7%	77,980	58,433	74.9%	80,797	60,807	75.3%	81,714	61,586	75.4%
Minnesota	19,157	17,173	89.6%	19,116	17,173	89.8%	20,983	19,046	90.8%	21,732	19,647	90.4%
Missouri	22,724	5,644	24.8%	21,408	11,047	51.6%	25,030	13,830	55.3%	24,528	13,395	54.6%
Montana	8,716	2,336	26.8%	9,086	3,752	41.3%	8,906	3,231	36.3%	8,777	3,919	44.7%
Nebraska	14,932	8,649	57.9%	21,254	13,026	61.3%	22,593	14,030	62.1%	22,406	14,071	62.8%
New Hampshire	5,356	5,356	100.0%	5,586	5,586	100.0%	5,494	5,494	100.0%	7,564	7,550	99.8%
North Carolina	30,315	12,996	42.9%	33,952	14,120	41.6%	31,726	12,970	40.9%	31,239	12,550	40.2%
North Dakota	4,319	3,923	90.8%	4,026	3,875	96.2%	4,012	3,903	97.3%	3,918	3,826	97.7%
Ohio	119,237	64,392	54.0%	122,743	94,239	76.8%	126,554	99,065	78.3%	124,603	95,733	76.8%

State	2006–07			2007–08			2008–09			2009–10		
	Total N of SWDs	N of SWDs in SWD-account-able schools	% of SWDs in SWD-account-able schools	Total N of SWDs	N of SWDs in SWD-account-able schools	% of SWDs in SWD-account-able schools	Total N of SWDs	N of SWDs in SWD-account-able schools	% of SWDs in SWD-account-able schools,	Total N of SWDs	N of SWDs in SWD-account-able schools	% of SWDs in SWD-account-able schools
Pennsylvania	107,258	72,885	68.0%	119,352	91,262	76.5%	121,886	86,919	71.3%	122,337	88,561	72.4%
Utah	6,023	5,057	84.0%	6,246	4,667	74.7%	6,691	6,691	100.0%	7,025	7,025	100.0%
Vermont	1,698	778	45.8%	1,908	933	48.9%	5,193	1,258	24.2%	5,229	1,277	24.4%
Virginia	21,167	7,145	33.8%	20,376	5,899	29.0%	20,538	5,948	29.0%	20,683	5,962	28.8%
Washington	54,113	27,158	50.2%	54,433	39,058	71.8%	63,576	46,677	73.4%	71,250	55,130	77.4%
Wisconsin	49,683	17,098	34.4%	50,755	23,491	46.3%	57,779	25,755	44.6%	58,630	26,335	44.9%

SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: 1. For the purpose of examining trends over time, the analysis is restricted to the 25 states that reported relevant data for all 4 years. 2. This analysis includes only schools that reported data on both school performance on the annual measurable objectives for SWD performance and number of enrolled SWDs to ED*Facts* for all 4 years.

Appendix K: Percentage of public schools accountable for SWD subgroup performance, in 30 states with relevant data, by the number of years in which they were accountable between the 2006–07 and 2009–10 school years

State	% never accountable	% accountable 1 of the 4 years	% accountable 2 of the 4 years	% accountable 3 of the 4 years	% accountable all 4 years	Total N of public schools
Total	55.7%	6.6%	7.6%	7.1%	23.1%	44,807
Alabama	68.1%	7.0%	3.3%	5.4%	16.1%	1,257
Alaska	63.9%	3.5%	3.3%	5.2%	24.1%	482
Arkansas	71.0%	8.6%	3.8%	3.4%	13.2%	976
California	84.9%	5.2%	3.2%	2.4%	4.3%	9,023
Colorado	71.4%	4.8%	4.5%	3.8%	15.5%	1,598
Georgia	56.7%	9.6%	7.3%	6.7%	19.6%	1,990
Hawaii	72.6%	6.8%	5.0%	6.0%	9.6%	281
Illinois	63.0%	7.7%	5.8%	5.2%	18.2%	3,586
Indiana	16.6%	8.4%	9.8%	19.1%	46.2%	706
Iowa	67.6%	5.3%	4.7%	4.3%	18.1%	1,337
Kansas	0.0%	4.9%	65.2%	11.3%	18.6%	759
Maine	1.0%	*	*	1.9%	95.9%	413
Maryland	0.5%	0.5%	0.5%	0.9%	97.6%	1,284
Massachusetts	41.8%	6.8%	6.3%	7.1%	38.0%	1,569
Minnesota	22.2%	4.4%	4.7%	7.4%	61.4%	666
Mississippi	0.0%	0.4%	73.6%	9.8%	16.2%	804
Missouri	60.6%	10.7%	7.8%	12.3%	8.6%	896
Montana	83.5%	6.8%	2.9%	3.3%	3.5%	794
Nebraska	65.5%	5.4%	4.2%	6.0%	18.9%	922
New Hampshire	10.2%	3.3%	3.0%	3.9%	79.5%	361
North Carolina	63.5%	11.2%	5.5%	6.0%	13.8%	921
North Dakota	11.0%	3.2%	5.7%	15.2%	64.9%	282
Ohio	39.4%	9.7%	8.7%	16.5%	25.7%	3,352
Oregon	23.1%	4.7%	6.3%	6.5%	59.4%	507
Pennsylvania	41.2%	8.9%	6.9%	9.7%	33.3%	2,876
Utah	0.0%	0.0%	7.9%	35.8%	56.3%	190
Vermont	87.9%	3.4%	1.7%	1.3%	5.7%	298
Virginia	79.1%	7.0%	3.2%	2.7%	8.1%	632
Washington	45.0%	9.0%	8.2%	15.2%	22.6%	1,999
Wisconsin	77.4%	3.9%	3.7%	4.2%	10.9%	1,970

SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTE: * Figures were suppressed due to small number of schools.

Appendix L: Percentage of public schools consistently accountable for SWD subgroup performance in all 4 years (2006–07 to 2009–10 school years), in 22 states with relevant data, by the year identified for school improvement

State	% never identified for improvement	% first identified in 2007–08	% first identified in 2008–09	% first identified in 2009–10	% first identified in 2010–11	Total N of public schools
Total	55.9%	24.2%	6.7%	8.2%	5.1%	8,204
Arkansas	17.8%	43.4%	22.5%	11.6%	4.7%	129
Colorado	87.9%	10.5%	0.0%	*	*	248
Florida	43.7%	47.4%	4.3%	*	*	854
Georgia	77.2%	18.4%	0.0%	2.3%	2.0%	391
Hawaii	*	96.3%	*	0.0%	0.0%	27
Illinois	68.6%	21.2%	4.0%	3.6%	2.6%	646
Iowa	36.4%	2.5%	24.8%	12.4%	24.0%	242
Maryland	78.8%	15.3%	2.6%	2.5%	0.9%	1,253
Massachusetts	12.6%	55.9%	5.2%	14.6%	11.7%	596
Minnesota	51.3%	14.9%	0.0%	16.1%	17.6%	409
Missouri	26.0%	13.0%	28.6%	23.4%	9.1%	77
Montana	32.1%	10.7%	21.4%	14.3%	21.4%	28
Nebraska	90.2%	*	6.9%	2.3%	*	174
North Carolina	0.0%	75.5%	0.0%	24.5%	0.0%	98
North Dakota	89.1%	4.9%	*	4.9%	*	183
Ohio	43.8%	25.1%	21.0%	6.4%	3.6%	860
Oregon	80.7%	6.3%	1.3%	11.6%	0.0%	301
Pennsylvania	63.9%	23.5%	8.4%	4.2%	0.0%	954
Vermont	0.0%	100.0%	0.0%	0.0%	0.0%	17
Virginia	68.6%	17.6%	0.0%	7.8%	5.9%	51
Washington	14.6%	17.7%	3.8%	46.9%	17.0%	452
Wisconsin	85.5%	3.7%	3.7%	2.8%	4.2%	214

SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: 1. Analyses were based on 22 states for which there was information for all 4 years. 2. The identification of schools for improvement in a given year is based on the prior year's AYP performance. Whether a school made AYP or not in the 2006–07 school year, for example, would affect its school improvement status in 2007–08.
* Figures were suppressed due to small number of SWD-accountable schools.

Appendix M: Percentage of public schools consistently not accountable for SWD subgroup performance in all 4 years (2006–07 to 2009–10 school years), in 22 states with relevant data, by the year identified for school improvement

State	% never identified for improvement	% first identified in 2007–08	% first identified in 2008–09	% first identified in 2009–10	% first identified in 2010–11	Total N of public schools
Total	79.7%	11.0%	1.6%	3.0%	4.7%	15,493
Arkansas	64.3%	24.2%	2.9%	3.8%	4.8%	687
Colorado	87.8%	5.3%	1.4%	1.3%	4.2%	1,140
Florida	51.4%	38.7%	*	*	5.7%	599
Georgia	83.7%	12.7%	0.0%	1.5%	2.1%	1,085
Hawaii	41.2%	51.0%	*	*	6.4%	204
Illinois	83.2%	11.6%	0.5%	1.2%	3.6%	2,225
Iowa	91.0%	0.3%	0.7%	0.9%	7.1%	904
Maryland	100.0%†	0.0%†	0.0%†	0.0%†	0.0%†	6†
Massachusetts	56.9%	19.4%	2.0%	9.5%	12.2%	655
Minnesota	73.6%	12.2%	0.0%	6.8%	7.4%	148
Missouri	68.0%	6.4%	8.3%	7.7%	9.6%	543
Montana	86.3%	6.5%	0.6%	0.8%	5.9%	663
Nebraska	97.5%	0.0%	1.2%	0.7%	0.7%	604
North Carolina	0.0%	58.2%	0.0%	41.8%	0.0%	208
North Dakota	93.5%	*	0.0%	*	0.0%	31
Ohio	76.4%	11.8%	5.2%	3.5%	3.1%	1,321
Oregon	92.3%	6.8%	0.0%	*	*	117
Pennsylvania	90.8%	6.4%	1.4%	1.4%	0.0%	1,176
Vermont	79.8%	6.9%	0.0%	1.5%	11.8%	262
Virginia	84.2%	8.6%	0.0%	3.8%	3.4%	500
Washington	64.6%	9.8%	1.6%	7.6%	16.4%	891
Wisconsin	98.0%	0.7%	0.3%	0.3%	0.8%	1,524

SOURCE: ED*Facts* data, 2006–07 to 2009–10.
NOTES: 1. Analyses were based on 22 states for which there was information for all 4 years. 2. The identification of schools for improvement in a given year is based on the prior year's AYP performance. Whether a school made AYP or not in the 2006–07 school year, for example, would affect its school improvement status in 2007–08.
* Figures were suppressed due to small number of schools.
† Results should be interpreted with caution due to small number (N < 10) of schools in the eligible school population with data.