

## INFORMATION MEMORANDUM

**DATE:** January 29, 2004

**TO:** MEMBERS, STATE BOARD OF EDUCATION

**FROM:** Sue Stickel, Deputy Superintendent  
Curriculum and Instruction Branch

**SUBJECT:** Immediate Intervention/Underperforming Schools Program (II/USP):  
Waiver Policy for higher-performing II/USP schools that do not make  
“significant growth” and are subject to state sanction

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION:

At the January 2004 State Board meeting, two II/USP state-monitored schools (Hester Elementary and Providencia Elementary) requested that the Board approve their waiver requests to be taken out of the sanctions/intervention process and to be placed “on watch” for another year. The waivers were based on the premise that the schools were higher-performing and therefore should not be subject to state sanctions. The Board deferred the waiver requests until March and requested that California Department of Education (CDE) staff develop a waiver policy for higher-performing II/USP schools that are subject to state sanctions.

### BACKGROUND:

In 1999, the State Legislature enacted II/USP, which provides schools in decile ranks 1-5 an opportunity to apply for funding to improve student achievement in exchange for greater accountability. Schools participating in the program received \$50,000 in the first year to develop an improvement plan and \$200 per student annually to implement the plan for two to three years. In return for the funding, schools agreed to be held accountable for steadily increasing student achievement. According to the law, schools that do not demonstrate “significant growth” as defined by the State Board of Education become subject to state sanctions/intervention at the end of the two or three year period. Based on the recommendation of the Public Schools Accountability Act (PSAA) Advisory Committee, the State Board has defined significant growth as making at least one point of growth on the schoolwide API.

Three cohorts of approximately 430 schools each have participated or are still participating in II/USP. To date, 24 II/USP Cohort I schools were identified as state-monitored in 2002-03 and therefore became subject to state interventions (please note: one school has since closed). Currently, for the 2003-04 school year, 33 schools (27 in Cohort I and 6 in Cohort II) have been identified as state-monitored. Additional schools

not meeting significant growth will be brought before the Board in March after the API data revisions have been completed.

All schools currently identified as state-monitored have been assigned a School Assistance and Intervention Team (SAIT). Currently, SAIT teams verify the results of an Academic Program Survey (APS), which focuses on the essential components for instructional success. Based on the results, the SAIT recommends corrective actions to improve student achievement and provides the schools with the necessary support to implement the corrective actions.

Unfortunately, there have been a few occasions where higher-performing schools have become subject to state sanctions. For instance, a school may have made tremendous growth in its first and second year of participating in the II/USP and then dropped down a few points on its API in its third year of participation. Even though the school has an API decile ranking of 6 or higher, the school is subject to state sanctions because it did not meet the significant growth criterion.

**WAIVER GUIDELINE OPTIONS:**

Based upon the request of the State Board members in January, CDE staff have developed two options for a waiver policy that could be applied to schools that are subject to state sanctions but are considered higher-performing schools. Both options would allow the school to waive out of the sanction process and be placed “on watch.”

Both options are also based on the requirement that the school have a decile rank of 6 or higher. Schools that have negative growth on their current year schoolwide API must be able to demonstrate that the school is actually a higher-performing school, which means they must be in decile rank 6 or higher according to law. The options differ in terms of congruence with federal law.

**Option 1**

API Decile Rank <sup>1</sup>	Decile rank of 6 or higher
Multi-year growth <sup>2</sup>	The school exceeded its growth target in the previous year to the extent that the growth covered the total growth expectation for both years. (For example, the growth target was 6 points the current year and 5 points the previous year. Therefore, in the previous year the school must have grown at least 11 points accounting for the current year’s schoolwide API point deficit on its schoolwide API to cover the growth expectation for the current year.)
API for student groups	A majority of the numerically significant student groups showed positive growth on the API each of the previous two years.

<sup>1</sup> Underperforming schools are defined by law (E.C. §52053) as those schools in decile ranks 1 through 5.  
<sup>2</sup> Will ensure that the pattern for growth is not consistently declining.

## Option 2

API Decile Rank	Decile rank of 6 or higher
Multi-year growth	The school exceeded its growth target in the previous year to the extent that the growth covered the total growth expectation for both years.
AYP	The school met NCLB Adequate Yearly Progress (AYP). (Meeting AYP means meeting annual measurable objectives (AMOs) in language arts and mathematics schoolwide and for all student groups, meeting participation rate requirements, API requirements, and for high schools meeting graduation rate requirements.)

The criteria in both options ensures that schools with steadily declining API scores will not be waived out of the sanctions process because only the previous year's API scores may be used. However, Option 2 also takes NCLB requirements into consideration—which is important since a majority of II/USP schools are also Title I. Staff believe that schools that do not meet the criteria in Option 2 would benefit from the SAIT process.

In analyzing the status of the waiver requests from Hester Elementary and Providencia Elementary, Hester Elementary fails to meet the criteria in either option because it is in decile rank 5. Providencia would meet the criteria under either option and be placed on “watch” status.

### **FISCAL ANALYSIS:**

Schools that receive a waiver to be taken out of the state sanctions/intervention process and placed “on watch” will not receive the funding allocated for state-monitored schools (\$75,000 for elementary and middle schools and \$100,000 for high schools to conduct the SAIT process and \$150 per student annually for the implementation of the correction actions for two to three years), therefore reducing the costs of state sanctions/interventions process.