

# The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

<b>Title:</b>	<b>Title III Annual Measurable Achievement Objectives for English Language Learners</b>	
<b>As Related To:</b>	<input type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input checked="" type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
<b>Relevant To Board Roles:</b>	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input checked="" type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
<b>Policy Considerations / Key Questions:</b>	1. How might the current Annual Measurable Achievement Objectives (AMAOs) be revised to promote better outcomes for English Language Learners (ELLs) in their progress towards and attainment of English language acquisition in the Transitional Bilingual Instructional Program (TBIP)? 2. In what ways might SBE advocate for more ambitious progress and language acquisition goals?	
<b>Possible Board Action:</b>	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input type="checkbox"/> Approve <input type="checkbox"/> Other	
<b>Materials Included in Packet:</b>	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input checked="" type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
<b>Synopsis:</b>	<p>In response to the Board's concerns regarding AMAO-1, making progress, and AMAO-2, attaining English language proficiency, OSPI's director of the Migrant Bilingual Program will present on steps towards AMAO revision.</p> <p>The memo provides background information on ELL assessments as well as AMAO-1 and AMAO-2.</p>	

## Title III Annual Measurable Achievement Objectives for English Language Learners

### Policy Consideration

1. How might the current Annual Measurable Achievement Objectives (AMAOs) be revised to promote better outcomes for English Language Learners (ELLs) in their progress towards and attainment of English language acquisition?
2. In what ways might SBE advocate for more ambitious progress and language acquisition goals?

### Summary

Washington's first generation of AMAOs one and two was established in its September 2003 Consolidated State Application for State Grants under Title IX, Part C, Section 9302 of the Elementary and Secondary Education Act (Public Law 107-110). These AMAOs were revised in January 2011.<sup>1</sup>

Revising the Achievement Index, legislation to reform the state funded Transitional Bilingual Instructional Program (TBIP), and advocacy for Long-term English Learners (LTELs) has raised concerns about outcomes for ELLs, as measured by AMAO-1, making progress, and AMAO-2, attainment of English language proficiency.

Currently, a school is considered to have met AMAO-1 if they meet the target percentage of students with a net increase of one adjusted scale score point in their composite WELPA score. There is concern that AMAO-1 does not support a performance outcome of "adequate" progress for ELLs.

The original proposal for AMAO-1, submitted in September 2003, was revised in January 2011. The changes are outlined in a table on the next page.

Criteria for meeting AMAO-1 (Making progress)	
September 2003	January 2011
<p><b>Reading/Writing</b></p> <ul style="list-style-type: none"> <li>• K-8: gain of 18 scale score points since the previous year's WLPT reading test; or a gain of 2 points on the WLPT writing test.</li> <li>• Grades 9-12: gain of 15 scale score points since the previous year's WLPT reading test; or a gain of 2 points on the WLPT writing test.</li> </ul> <p><b>Listening/Speaking</b></p> <ul style="list-style-type: none"> <li>• K-12: 20 percent increase in scale score points since the previous year's Oral Language Proficiency Test (OLPT).</li> </ul>	<ul style="list-style-type: none"> <li>• Students' raw scale scores are adjusted for their level of language acquisition and grade level.</li> <li>• The adjusted scale scores must reflect a net one point increase, year to year.</li> </ul>

<sup>1</sup>A revised application was submitted again in November 2012, but did not include changes to how the AMAOs are calculated.

For similar reasons, concerns have been raised regarding AMAO-2, attaining English language proficiency. Current practice, established in January 2011, is that schools and districts meet AMAO-2 if they meet the target percentage of ELLs scoring at a transitional level (level 4) on the Washington English Language Proficiency Assessment (WELPA). Emerging research on LTELs indicates that many students do not attain a transitional level of language proficiency after more than six years of qualifying for ELL support. As a result, there is concern that AMAO-2 lacks a component of transitioning within a specific amount of time.

The original proposal for AMAO-2, which was submitted in September 2003, was revised in January 2011. The changes are outlined in the table below.

<b>Criteria for meeting AMAO-2 (Attainment of English language proficiency)</b>	
<b>September 2003</b>	<b>January 2011</b>
<p>WLPT reading score of 4 and writing score of 3 or better within the “specified” number of years established upon initial bilingual program enrollment in a school. “Specified” defined as follows:</p> <ul style="list-style-type: none"> <li>• The SEA will assign each newly identified ELL a “specified” number of years for the student to attain English proficiency. This target year will be determined by the level of English language proficiency of the student at the time of identification and enrollment into a school’s bilingual program via an Oral Language Proficiency Test (OLPT). The following matrix indicates the exact number of years in which the ELL is expected to have become English proficient: <ul style="list-style-type: none"> <li>○ Beginning Level of Oral language English Proficiency – 5 years</li> <li>○ Intermediate Level of Oral language English Proficiency – 3 years</li> <li>○ Advanced Level of Oral language English Proficiency – 2 years</li> </ul> </li> </ul>	<p>The percentage of students scoring at level 4 on the annual language proficiency assessment.</p>

## Background

Washington State K-12 public schools receive federal Title III funding as well as additional state funding to support English Language Learners (ELLs) in language acquisition and academic achievement. Title III funding comes with federally required performance goals, called Annual Measurable Achievement Objectives (AMAOs). The federal government requires states to set their own AMAOs for:

- Making progress towards English language proficiency (AMAO-1).
- Attaining English language proficiency (AMAO-2).

States are also required to meet AMAO-3, the number or percentage of students meeting Adequate Yearly Progress targets in the reading and math ELL cells. Unlike AMAOs one and two, AMAO-3 has been set by the federal government; however, it appears there now may be

more flexibility for states to set their own AMAO-3 since they are also setting their own Annual Measurable Objectives (AMOs).

Progress towards and attainment of English language proficiency is measured by states' English language proficiency tests. From 2005 through 2011, Washington used the Washington Language Proficiency Tests (WLPT) II to assess ELLs. Beginning with the 2011-2012 school year, we began using the Washington English Language Proficiency Assessment (WELPA). Pearson was the vendor for the WLPT II and CTB McGraw Hill is the vendor for WELPA. Both vendors offered a one-time placement test as well as an annual assessment of students' proficiency in the five language domains of reading, writing, listening, speaking, and comprehension. The speaking portion is the only portion of the assessment scored locally at the school level. The rest of the assessment is scored by the vendor.

The WELPA, and the WLPT-II before it, identifies students' English acquisition as having met one of four levels of English language proficiency:

- Beginner (level 1).
- Intermediate (level 2).
- Advanced (level 3).
- Transitional (level 4).

Students who score at level 4 are considered English language proficient, and no longer qualify for federal Title III funding or additional state support through the TBIP. Students who place into levels 1 through 3 are assessed annually to track progress and proficiency.

At Board meetings in September 2012 and January 2013, members raised concerns about Washington State's criteria for meeting AMAO-1, making progress, and AMAO-2, English language acquisition. These concerns were raised in the context of the Board's work to revise the Achievement Index and develop an aligned accountability system. The Board directed staff to ask the Office of Superintendent of Public Instruction to propose new AMAOs for strengthened accountability for ELLs.

Legislation has also been introduced during the 2013 session directing OSPI to convene a Task Force on ELL Accountability charged with designing a performance-based accountability system for the TBIP. This bill, HB 1680, is based on the recommendations of the Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC).

## **Action**

No action required.

Gil Mendoza, Assistant Superintendent  
Migrant, Bilingual and Native Education  
Office of Superintendent of Public Instruction  
March 13, 2013

## Presentation to the Washington State Board of Education

### 1. Purpose of testimony

### 2. Federal Title III Requirements

What happens when AMAO targets are not met? (Lots!)

### 3. State TBIP Requirements

What happens when TBIP targets are not met? (No state targets!)

### 4. Options for modifying AMAOs

**Title III Elementary and Secondary Education Act (ESEA) Requirements**

**Federal Register / Vol. 73, No. 202 / Friday, October 17, 2008 / Notices, p. 61829**

Under Title III, States and their subgrantees are accountable for meeting AMAOs that relate to Title III-served LEP students' development and attainment of English proficiency and academic achievement.

Each State must set AMAO targets, make determinations on whether subgrantees are meeting those targets, and report annually on subgrantees' performance in meeting those targets.

Title III accountability provisions apply to each State and its subgrantees. Title III accountability requirements do not, in general, apply to individual schools and do not apply to individual LEP students.

The first required AMAO (AMAO 1) focuses on the extent to which Title III served LEP students in a State and its subgrantee jurisdictions are making progress in learning English.

The second AMAO (AMAO 2) focuses on the extent to which Title III-served LEP students in a State and its subgrantee jurisdictions are attaining proficiency in English.

The third AMAO (AMAO 3) is based on whether the State and its subgrantees meet the State's adequate yearly progress (AYP) targets for the LEP subgroup in reading/language arts and mathematics, as defined by the State under section 1111(b)(2)(B) in Title I of the ESEA.

Under Title III, States and their subgrantees are accountable for meeting AMAOs that relate to Title III-served LEP students' development and attainment of English proficiency and academic achievement.

Each State must set AMAO targets, make determinations on whether subgrantees are meeting those targets, and report annually on subgrantees' performance in meeting those targets.

- AMAO-1 Percentage of LEP students in Grades 1-12 who show progress in learning English.
- AMAO-2 Percentage of LEP students in Grades K-12 becoming proficient in English.
- AMAO-3 AMO for LEP students in Reading and Math (under ESEA Waiver)

The AMAOs must include at a minimum, annual increases in the number or percentage of Title III-served LEP children making progress in learning English (AMAO 1); at a minimum, annual increases in the number or percentage of Title III served LEP children attaining English proficiency by the end of each school year, as determined through a valid and reliable assessment of English proficiency, consistent with section 1111(b)(7) of Title I of the ESEA (AMAO 2); and making AYP for the LEP subgroup, as described in section 1111(b)(2)(B) of Title I of the ESEA (AMAO 3).

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## AMAO-1 – Student growth in acquiring English

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OSPI determines what constitutes making progress for AMAO-1 and establishes the targets for the state and district, subject to the Office of English Language Acquisition (OELA) approval. This year that AMAO-1 target is 67.5% of students making progress.

Since SY 2006-2007, between 67% and 78% of LEP students made progress in English acquisition, with 74% showing growth in English proficiency on the spring 2012 WELPA.

For the same period, between 63% and 96% of districts met the AMAO-1 targets set by OSPI, with 85% of districts meeting the AMAO-1 target on the spring 2012 WELPA.

In response to the Notice of Final Interpretations (NOFI) of 2008, OSPI amended Washington State's Consolidated State Application Plan to comply with that final interpretation and established the present method of setting AMAO-1 targets.

As approved by the OELA, progress is defined as a student receiving a higher *relative* score this year than the previous year. Relative progress is the net of the WELPA Overall Scale points different between two years, minus the cut score step between English proficiency level and grade change of those years. AMAO-1 does not establish an expectation for individual student progress, so the percentage of students making any *relative progress* is a simple aggregate measure of district-level performance for LEP students.

### **Consequences for not meeting AMAOs for districts receiving Title III funds**

**Parent notification:** Upon notification of their failure to meet any of the AMAOs, district have 30 days to notify parents of LEP students participating in language instruction educational programs funded under Title III.

**Improvement Plan (2 years):** If a district does not meet all three AMAO targets for two consecutive years, the district must develop and submit an improvement plan to OSPI within 30 days of notification. Under Title III —

- OSPI *shall* require the district to develop and submit an improvement plan that will ensure the district meets the AMAOs.
- The improvement plan *shall* outline actions to address the specific factors that prevented the district from achieving the AMAO(s).
- The district must consult with parents, school staff, and other stakeholders in developing the plan.

**Corrective Action Plan (4 years):** If a district does not meet all three AMAO targets for four consecutive years, the district must submit a plan to undertake corrective actions within 30 days of notification. Under Title III, OSPI *shall* —

- Require the district to modify the curriculum, program, and method of instruction; **OR**
- Determine whether the district shall continue to receive funds *and* require the district to replace educational personnel relevant to the failure to meet such objectives.

OSPI is required to provide technical assistance to the districts in developing their plans.

**Results in 2012:** In 2012, 42 of 157 (27%) of the districts receiving Title III funds *failed* to meet one or more of the AMAOs, 18 districts (11%) were required to submit 2 year improvement plans, and 20 districts (13%) to submit 4 year corrective action plans, so nearly a quarter (38) of districts were in improvement status.

**Results since 2006:** Since 2006, five school districts have *never* met all three AMAOs, and Washington State has never met all three AMAO targets solely because of AMAO3.

### State Transitional Bilingual Instructional Program (TBIP) Requirements

#### **RCW 28A.180.090 Evaluation system — Report to the legislature**

The superintendent of public instruction shall develop an evaluation system designed to measure increases in the English and academic proficiency of eligible pupils. When developing the system, the superintendent shall:

- (1) Require school districts to assess potentially eligible pupils within ten days of registration using an English proficiency assessment or assessments as specified by the superintendent of public instruction. Results of these assessments shall be made available to both the superintendent of public instruction and the school district;
- (2) Require school districts to annually assess all eligible pupils at the end of the school year using an English proficiency assessment or assessments as specified by the superintendent of public instruction. Results of these assessments shall be made available to both the superintendent of public instruction and the school district;
- (3) Develop a system to evaluate increases in the English and academic proficiency of students who are, or were, eligible pupils. This evaluation shall include students when they are in the program and after they exit the program until they finish their K-12 career or transfer from the school district. **The purpose of the evaluation system** is to inform schools, school districts, parents, and the state of the effectiveness of the transitional bilingual programs in school and school districts in teaching these students English and other content areas, such as mathematics and writing.

#### **HB 1560 Implementing selected recommendations from the 2011 and 2013 reports of the quality education council.**

Adds the following language to (2) above:

*Aggregated results must be posted on the web site of the office of the superintendent of public instruction for each school and school district, using the Washington state report card. The report card must include the average length of time students in each school and district are enrolled in the transitional bilingual instructional program, annual change in the number and percentage of students making progress in learning English, annual change in the number and percentage of students attaining English proficiency, and the number and percentage of students meeting annual targets in reading and mathematics for state and federal accountability;*

#### **RCW 28A.657 Accountability System**

- ✓ The legislature finds that it is the state's responsibility to create a coherent and effective accountability framework for the continuous improvement for all schools and districts. This system must provide an excellent and equitable education for all students; an aligned federal/state accountability system; and the tools necessary for schools and districts to be accountable.

These tools include the necessary accounting and data reporting systems, assessment systems to monitor student achievement, and a system of general support, targeted assistance, and if necessary, intervention.

The office of the superintendent of public instruction is responsible for developing and implementing the accountability tools to build district capacity and working within federal and state guidelines.

The legislature assigned the state board of education responsibility and oversight for creating an accountability framework.

#### **RCW 28A.657.110 Accountability framework for system of support for challenged schools**

(2) The state board of education shall develop an accountability index to identify schools and districts for recognition, for continuous improvement, and for additional state support. The index shall be based on criteria that are fair, consistent, and transparent. Performance shall be measured using multiple outcomes and indicators including, but not limited to, graduation rates and results from statewide assessments.

The index shall be developed in such a way as to be easily understood by both employees within the schools and districts, as well as parents and community members. It is the legislature's intent that the index provide feedback to schools and districts to self-assess their progress, and enable the identification of schools with exemplary student performance and those that need assistance to overcome challenges in order to achieve exemplary student performance.

(3) The state board of education, in cooperation with the office of the superintendent of public instruction, shall annually recognize schools for exemplary performance as measured on the state board of education accountability index. The state board of education shall have ongoing collaboration with the achievement gap oversight and accountability committee regarding the measures used to **measure the closing of the achievement gaps** and the recognition provided to the school districts for closing the achievement gaps.

- ✓ (4) In coordination with the superintendent of public instruction, the state board of education shall seek approval from the United States department of education for use of the accountability index and the state system of support, assistance, and intervention, to replace the federal accountability system under P.L. 107-110, the no child left behind act of 2001.



### Modifying AMAO-1 for inclusion in SBE's Achievement Index

Establishing student-level expectations for growth (adequate yearly progress) in English acquisition requires setting some number of relative point value gain from year to year that is above zero, like 8 points gain or 16 points gain. Prior to SY 2009-2010, that is how OSPI set the AMAO-1 targets. The problem is that those values were arbitrarily set for each grade span of students, a scheme rejected by OELA.

In fact, the only non-arbitrary point on the distribution of change scores is ZERO, seen in Figure 1. The further above zero the adequate progress target is set, the fewer the number of districts (and schools) that could meet the higher target.

**Frequency Distribution of WELPA-scaled Net Gain Scores 2011 to 2012**

