

State	Participation Rate	% Proficient	Reporting	Full Academic Year	Safe Harbor	Limited English Students	Students w/ Disabilities	Attendance Rate	Grad Rates	AYP Calculations	Averaging	Additional Information
Alabama	40	40	10	Enrolled as of 10/1 and remains enrolled at that school according to the 120-day enrollment report	% of students not scoring proficient decreases by 10% in the preceding year w/ a 95% participation rate on the statewide assessments	All students are included as such for accountability purposes	No more that 1% per grade are able to take the Alternate Assessment which is based on a student's mastery of his/her IEP goals	YES	YES	Is applied to the same subject irrespective of the sub-group	Combined scores of grades 3-8. Percent proficient or higher is averaged over three years. Average & current years are compared & the higher score is used.	Grad Exam is administered at the end of grade 11; this is used to make AYP decisions
Alaska	40	20 99% CI	20	All students in continuous enrollment from 10/1 through the 1 st day of the annual test administration	Performance Score fails to fall w/in the CI of the AMO in a particular content area, but the group did meet the improvement condition for safe harbor by improvement from the previous year (10% reduction in those not scoring proficient)	Students scoring proficient for 2 years on the ELP test are no longer considered ELP students	Alternate Assessment in Language Arts and Mathematics given in grades 3-9,11. Proficiency data is included in the grade content area as recommended by the IEPT.	YES	YES	Is based on failing to meet the (AMO) on the Performance Score in the same subject area for consecutive yrs.	Combining grades 3-10	Reading and Writing/Language scores will be combined into a single score for each student
Arizona	30	30 99% CI	10	All students enrolled w/in the first 2 weeks of school and those who are presently enrolled during the 1 st day of AIMS administration	1) % of students not proficient decreases by at least 10% from the proceeding year 2) all students make progress or meet the threshold on the additional academic indicator	Students passing the English Proficient assessment test are not longer considered ELP students	Scores for students w/ disabilities who take the regular assessment will be included w/ the results of students who take these tests w/out accommodations	YES	YES	A school district failing to meet the AMO in the same subject for 2 consecutive years		A school can appeal an AYP determination if the school fails to make AYP based on the performance of out-of-level testers
Arkansas		25	10	A student has been in continuous enrollment at a school from 10/1 through and including the initial date of testing	At least 10% of the eligible members were moved to proficient – meeting 95% participation & academic indicator requirements	Alternate assessment scores are included in the total assessment for the school & appropriate subgroup	Evaluation of performance on tasks related to the content standards but leveled w/ student's performance limitations	YES	YES		3-year model - % proficient = sum of eligible students who scored at or above proficiency / total number of enrolled students	Schools in which the % tested falls below 95% may not invoke the safe harbor provision
California		100	11	A student has been in continuous enrollment from the first Wed. in Oct. through Spring testing	% of students not scoring proficient decreases by 10% in the preceding year w/ a 95% participation rate on the statewide assessments	Students reaching basic level status on the CELDT assessment are no longer considered ELP students	Aligns the five CAPA performance levels to the California Standards Tests - # may not exceed 1% of all students in the grades assessed	NO	YES		1) pair and share outside grade levels 2) aggregate test results across years 3) apply statistical test to achieve a 95% confidence level in AYP determination	
Colorado	30	30	16	A student continuously enrolled in a school from one CSAP to the next CSAP administration	% of students not scoring proficient decreases by 10% in the preceding year; school must also meet other state criteria (Grad Rate; advanced scores on the CSAP)	Students scoring NEP on the CSAP are given a "0" score; and are exempt from accountability standards	Students take the CSAP-Alternate Assessment	NO	YES		Grades 3-5, 6-8 and 9-10 are combined	

Connecticut	40	40 99% CI	20	A student has been in continuous enrollment at a school from 10/1 through and including the initial date of CAPT administration	% of students not scoring proficient decreases by 10% in the preceding year; school must also meet other state criteria (Grad Rate; 95% participation rate, scores on the CAPT)	All LEP students will participate in the state assessments, w/ or w/out accommodations and their results will be included in accountability standards	All students participating in out-of-level tests will be deemed as below basic for accountability purposes – they will represent less than 1% of the student population per grade	NO	YES	A school will be identified as needing improvement if it does not make AYP for 2 consecutive years in the same subject		Is using the CAPT to identify the High School's AYP status
District of Columbia	40	25	10	Enroll for the October enrollment date to the first day of testing	1) the % of students scoring below proficiency decreased by 10% when compared to the previous year 2) the subgroup progressed toward the standard on the additional indicators 3) 95% participation	Student's who score NEP on the proficiency test will be deemed "not participating" until a alternative assessment can be completed	Student's will complete an Alternate Assessment	YES	YES	A school or LEA and each subgroup must fail to make progress in the same subject for 2 consecutive years		
Delaware	40	40	15	Student's continuously enrolled from 9/30-5/31		Students scoring proficient for 2 years on the ELP test are no longer considered ELP students	Follow the NPRM and place the appropriate cap on scores that will be used for accountability purposes; all other students will participate in the grade level assessment according to their enrolled grade	NO	YES	Reading/LA proficiency will be based on a combination of the reading (90%) and writing (10%) DSTP assessments given annually.	In calculating the % proficient, the state will average the most recent 2 years of test scores and compare the results to the current year's % proficient; the higher score is used	For accountability purposes, students are tracked back to the school that provided the instructional services on a pro-rated bases
Florida	30	30	10	Student's continuously enrolled from the 2 nd week in Oct. to the 2 nd week of Feb.	1) The % of "non proficient" students decreased by 10% 2) progress of at least 1% made towards State indicators 3) 95% participation rate (FCAT participants/# of students in membership)	The scores of LEP students participating in FCAT are included in the accountability system; LEP committee has final say	Students w/ disabilities are provided accommodations. Any scores from an Alternate Assessment is merged w/ the FCAT proficiency ratings	NO	YES	A school or LEA and each subgroup must fail to make progress in the same subject for 2 consecutive years	Scores for AY are an average of that year and the one immediately preceding it	No school rated w/ a D or F will be determined to be meeting AYP; increased growth for students in the lowest 25%
Georgia	40	40	10	Continuous enrollment in the same school from the Fall FTE count (1 st Tues. in Oct.) through Spring testing (March)	Student's not meeting proficiency standards must decrease by 10% or more from the preceding school year; must meet progress on another academic indicator	The scores of LEP students who receive monitoring and/or direct services are included in scores of the LEP subgroup	The scores of students w/ disabilities are included in that subgroup. IEPT may determine if students are unable to participate in the assessment	YES	YES	Title I schools and LEA's must meet AYP for 2 consecutive years in the same subject	The state will 1 st look at current-year assessment date and then at 3-year averaged data if necessary	
Hawaii	40	30	10	Continuous enrollment from the beginning of one state assessment to the beginning date of the next annual administration	% not proficient improves by 10% from the preceding year; will consider difference from prior year to current year	All LEP students are required to take the HCPS II State Assessment in both reading and mathematics	Students will take the Alternate Assessment; their scores are included in school summary reports and in determinations of AYP	YES Retention rates	YES	Failure of any subgroup to meet AYP for 2 consecutive years in the same content area	Pooling of the % proficient across grades w/in a school building & the LEA/SEA to determine AYP; will average the 2 most recent years of test scores to compare – the higher % proficient will be used	

Idaho	Varies	34	10	Continuous enrollment in the same school from the time of the Nov ADA (1 st Fri) through the administration of the Spring ISAT (mid-April).	1) % proficient gap decreased by 10% from the preceding school year 2) made progress on one or more of the other indicators or is at or above the target goal 3) achieved 95% participation rate	All LEP students are required to participate in the plan for accountability purposes, all LEP students are included	Students participate w/ or w/out accommodations and adaptations in the ISAT or the Idaho Alternate Assessment	NO	YES		Uniform averaging of scale scores cross grade levels w/in the school and LEA to produce a single school or LEA score	
Illinois		40	10	Students enrolled on or before the last school day in Sept. through the end of the approved school calendar	Decreasing by 10% the % of scores that did not meet state standards from the previous year	LEP students are included in the AUP subgroup calculations until they score at the proficient level for 3 consecutive years	Students take the appropriate assessment, ISAT or PSAE, w/ or w/out accommodation depending on their IEP. Achievement results are included in AYP	YES	YES		Data are combined across grades, and not combined across years	Bias is removed by giving schools a 3% "benefit of the doubt;" a value of (x-3)% will be used to judge AYP
Indiana	40	30	10	Oct. 1 st class enrollment and staffing report date to determine if a student has been enrolled for a full academic year	1) % proficient gap decreased by 10% from the preceding school year 2) made progress on one or more of the other indicators or is at or above the target goal 3) achieved 95% participation rate	LEP students will be included until they score at the proficient level on the test of English Proficiency for 2 consecutive years	Counts these students at not proficient	YES	YES	Failing to make AYP is based on failing to meet the measurable annual objective in the same subject for consecutive years	Based on the higher of the current performance of an average of 3 previous years performance. Based on the current performance level and a 3-year rolling average for the improvement measure	ISTEP+ test, given in the fall, determines mastery of the previous year's standards
Iowa	40	30	10	Year-round enrollment using the 1 st day of testing period for ITBS & ITED as a indicator	SEA determines requirements based on 1) reduction of the % of non-proficient students by 10% 2) have met the target for the other academic indicator 3) achieved 95% participation rate	LEP students who participate in the Alternate Assessment will be counted in the participation rate & AMO calculations; non-participants are counted as a part of the exclusion rate	Combination or proficiency levels from the Alternate Assessment for students w/ severe disabilities of up to 1% of all students in the grades assessed w/ the general education assessment proficiency levels in determining AYP	YES	YES	Classified as a school in need of improvement if they fail to meet AYP in the same content area and grade for 2 consecutive years	Use 2-year rolling averages	
Kansas	30	30 95% CI	10	Students enrolled in the district on 9/20 of the fall preceding the spring test administration	1 st calculated on the State's other indicators; if these are met, then data is reviewed to determine if there has been a 10% improvement on state assessment results	All students w/ LEP are included in the State's definition of AYP. A listening comp. assessment can be given in lieu of the Reading Assessment	Applies 1% cap to the % of students who are at proficiency based on alternate standards who are included in the AYP determinations	YES	YES	Failing to make AYP is based on failing to meet the measurable annual objective in the same subject for consecutive years	Grades K-8 and 9-12 are combined	
Kentucky		10 99% CI	10	1 st day a school begins school in the fall until the first day of the testing window as set by the Kentucky Board of Education		Include LEP students in the calculation of AYP if they have been enrolled in the district for 1 year	Data from all student assessments, including alternate portfolios, are included in school accountability calculations	NO	YES		Average across elementary, middle and high schools	A school can make AYP and fail to reduce the % of students scoring in the novice category

Louisiana	40	10 99% CI	10	Continuously enrolled in school from 10/1 to the test date	1) 10% reduction in the % of students classified as non-proficient 2) did subgroup meet, exceed, or make progress toward the criteria for the other academic indicator	Includes all LEP in the accountability system by including these students in the assessments and providing appropriate test accommodations	Participants receive a score that reflects the student's performance of skills – these are converted to achievement levels	YES	YES	Any subgroup failing to meet AYP in any subject for 2 consecutive years will result in a school having to offer choice	Date will not be aggregated across multiple years	Applies a 99% CI to the calculations for AYP determinations of % proficient, reduction of non-proficient, and graduation
Maine	41	20 99% CI	10	Continuously enrolled from 9/30 to testing dates count toward AYP status. Enrollment continuously in building = building AYP; district = district AYP; state = state AYP	If any small subgroup or school decreases the % not proficient by 10%; provided the group or school has met applicable attendance & graduation rate requirements.	All LEP students participate in the assessment; accommodations are provided if necessary	An Alternate Assessment is given w/ performance standards linked to the MEA	YES	YES		2 years of data will be combined and the % of students meeting or exceeding the standards computed	Students are allowed 5 years to complete diploma requirements w/ no retribution.
Maryland	30	5	5	Continuously enrolled from 9/30 to testing dates count toward AYP status. Enrollment continuously in building = building AYP; district = district AYP; state = state AYP	If any subgroup decreases those achieving below the proficient level by 10%; provided the group or school has met applicable attendance & graduation rate requirements.	All LEP students enrolled by 9/30 participate in the assessment; accommodations are provided if necessary	All students w/ disabilities are tested (either regular or alternate testing depending on the IEP); all scores are included in AYP	YES	YES			
Massachusetts		20	10	Enrolled as of 10/1 of any school year and remains enrolled in that school up to and including the dates of the MCAS test administration in the spring of that year	MA will determine the adequacy of the rate of becoming proficient or advanced by 2014; will determine if safe harbor provisions have been met. Schools are expected to show improvement by at least 2/3 of their target cycle	LEP students will take an Alternate Assessment. Their results are included in school and district accountability using an index to measure attainment	Results of an Alternate Assessment are included in the accountability system as rated through the index of alternate assessment attainment	YES	YES	Performance is assessed using a proficiency index that measures the extent to which students have achieved or are progressing toward proficiency in ELA/reading & math	Uses 2 years of data to increase reliability. Use of proficiency index in cycle II increased reliability of decisions as they are more stable than findings based on percent proficient and advanced	
Michigan	30	30	10	Enrolled in the school or school district for the two most recent semi-annual official count days	The % not proficient for that year decreased by 10% from the preceding year; that group made progress on the state's other academic indicator; that group had 95% participation rate on the state assessment	An Alternate Assessment was developed to meet the annual testing requirements of grades 3-8 that accommodates LEP students as well as native English speakers	An Alternate Assessment – MI-Access – for CI students. Performance categories have been approved by the MDE.	YES	YES	Any school that fails to meet AYP for 2 consecutive years on the same measure (English, Arts, Math, or additional indicator) for the same content area at the same grade range	Consider whether the state target is met under the following conditions: 1) for the most recent test 2) same for 2-year average 3) same for 3-year average	Uses an 11 th grade Assessment to determine proficiency unless previously deemed proficient through the same Assessment (most likely in grade 10)

Minnesota	40	20	9	Enrolled as of 10/1 of the current year and also enrolled at the time of spring testing (March-April)	The % not proficient for that year decreased by 10% from the preceding year; must also achieve AYP in attendance and/or graduation (disaggregated for this purpose)	All LEP students are included in the accountability system; translations and/or other language accommodations may be provided	Scores of an Alternate Assessment are included in accountability – up to 1% of test-taking population may be excluded from the accountability system depending on their scores	YES	YES	Title I schools that fail to meet AYP w/in any cell in the academic category for 2 consecutive years or fail to meet attendance or grad. rate standards	Uniform Averaging Procedure: annual measurable objectives (through assessments) are based on the total # of students in each grade for each school and district	
Mississippi	40	40	10	???	1) The % not proficient for that year decreased by 10% from the preceding year 2) that group made progress on the state's other academic indicator 3) that group had 95% participation rate on the state assessment	No LEP students are exempt from the assessment or accountability systems; may receive testing accommodations	Use Alternate Assessment as recommended by the IEPT; the scores are considered "not proficient" for the purposes of determining AYP	NO	YES	Failure of any subgroup or the student aggregate failing to make AYP in the same content area (reading-language, or math)	Subgroup performance is compared to the annual measurable objective and differences are weighted and summed to yield an index of proficiency in reading-language & math	
Missouri	30	30	30	Enrolled as of initial enrollment count (Sept) until the MAP is administered	1) reduction of the % of non-proficient students by 10% 2) have met the target for the other academic indicator 3) achieved 95% assessment participation	LEP students will take an Alternate Assessment designed to measure language and content acquisition; scores are included in determining AYP	Results of MAP-Alternate are reported in corresponding levels to the MAP; are then integrated in AYP determinations	YES	YES	Based on building or district not making AYP for 2 consecutive years in the same content area	Aggregate data (for the most recent 3 years) across grades in a building to determine % proficient and above. Calculation is done separately for communication & math	
Montana	40	No min. sub-group size 95% CI	10	Continuous enrollment from Oct. reporting date through the March test administration	1) reduction of the % of non-proficient students by 10% 2) have met the target or made progress for the other academic indicator 3) achieved 95% participation rate	All of the required subgroups who are enrolled in a school for a full academic year will be included in the performance measures that determine AYP	Achievement standards for the Alternate Assessment are the same achievement standards applied to all students	YES	YES	Based on building or district not making AYP for 2 consecutive years in the same subject area	Uniform averaging; multiple year averages using no more than 3 years of data to determine reading and math proficient levels of performance	
Nebraska		30	10	Enrolled from the last Friday in Sept. the end of the assessments or the end of the school year (not occurring prior to Feb.)	1) reduction of the % of non-proficient students by 10% 2) have met the target or made progress for the other academic indicator 3) achieved 95% assessment participation	LEP students included in AYP are those who meet the definition of LEP as defined by each district's policies and procedures	Students with Alternate Assessments will be counted as performing at the level of performance they demonstrate on the Assessments; minimum # of 45 Alternate participants; should not exceed 1% of population of any school	NO	YES	Any "not met" in the same subject and same grade span as the previous year and the school or district is identified as needing improvement		Districts are to report the # of students who were enrolled a full year and participated in at least 75% of the assessments or assessed on 75% of standards
Nevada	20	25 95% CI	10	Students continuously enrolled in a school on the state's official count day (10/1) through the spring test window	Comparison of % proficient over recent & preceding year – 10% reduction of the % of non-proficient students is required to make AYP	Schools may choose to use modified content area assessments for LEP students who have been in the US for <3 years – may be extended up to 2 years on a case by case basis	The SCAAN assessment is linked to the state's content standards (also includes functional standards); those not eligible for SCAAN will be provided accommodations	YES	YES	To be designated as needing improvement a school must fail in English or Math for 2 consecutive years or relative to the other indicator for 2 consecutive years	When multiple tests w/in a single domain were administered in the same grade, info was combined across tests to set the state baseline.	"Exit" exams are used to fulfill the accountability requirements at the HS-level. Uses cumulative pass rates up to & including grade 11

New Hampshire	40	11 95% CI	11	Students continuously enrolled in the school/district since the first business day in Oct	1) reduction of the % of non-proficient students by 10% 2) have met the target or made progress for the other academic indicator 3) achieved 95% assessment participation. A cell size of 11 is used for the safe harbor criteria	No student will be exempt from the statewide assessment – those unable to participate will be counted as not participating	Alternate Achievement standards are assessed through an alternate portfolio system that emphasizes program and growth w/in standards. Scores are reported both separately & combined when reporting assessment results	NO	YES	Will be designated as needing improvement if they fail to make AYP for 2 consecutive years in the same subject, participation rate, or indicator		
New Jersey		20	11	Must be enrolled when the academic year begins on July 1 – any student enrolled for the 1 st time after this date will have not been enrolled for a full academic year	1) reduction of the % of non-proficient students by 10% 2) have met the threshold or made progress on one or more of the other academic indicators	All LEP students and those w/ disabilities who are clustered for educational services will be counted back in their home school	Results of the Alternate Assessment are included in the school, district, and State accountability systems	YES	YES			State benchmarks for standards will be raised every 3 years until 100% proficiency is met for all subject areas and at all levels
New Mexico	25	25	10/25	Students tested and enrolled on the 40 th day are considered enrolled for a full academic year	No safe harbor policy	Only an Alternate Spanish test is provided – all others may have accommodations provided. Are eligible for up to 2 years.	An Alternative Assessment is provided. Should the % of participant students <1% of the total student population, the excess % will be held to the general achievement standards.	YES	YES	Will be designated as needing improvement if they fail to make AYP for 2 consecutive years in the same subjects	Following the combination of data, schools are rated on performance by the subject level using the status & growth model – data is disaggregated	School ratings and subsequent intervention by the SDE, is based on AYP.
New York	40	40	5	Students who are continuously enrolled from 1 st Wed in Oct to spring testing. HS cohort = 9 th grade continuously enrolled for 4 years	The state determines whether the group (of sufficient size) has achieved the annual measurable objective or met the “safe harbor” provision of NCLB as well as the 95% participation rate criteria	NYESELAT is being scaled in common w/ the ELA examinations to permit academic progress in the English language to be measured annually for LEP students	Holds students participating in the Alternative Assessment to the same grade level academic & achievement standards	YES	YES		Combination of results across grades and use of a single School Accountability Performance Index for grades 3-8	Annual measurable objectives at the secondary level are based on performance of the HS cohort in English & Math
North Carolina	40	40	5	140 days in membership as of the 1 st day of EOG testing – occurring in the final 3 weeks of school	1) reduction of the % of non-proficient students by 10% 2) have met the target or made progress for the other academic indicator 3) achieved 95% assessment participation	The state calculates these numbers and will only include the scores of students currently classified as LEP in the tested grades	An Alternate Assessment is administered as long as the population doesn't exceed 1% of all students in the grades assessed. Results are used to determine AYP	YES	YES		Grades 3-8 are combined. Starting points are based on 3-year average	
North Dakota		No mim sub-group size	10	A student has been enrolled at a school or w/in an LEA since the 1 st day of the current school year until administration of the state assessment	ND is conducting a study of binomial distribution for determining safe harbor w/in AYP. Until the results are known, ND will use that established in ESEA section 1111	All LEP students will be included in the State's definition of AYP	Uses alternate achievement standards to calculate AYP for schools & districts for students w/ the most significant cognitive disabilities. % may not exceed 1% - is monitored by the state	YES	YES			

Ohio	40	30	10	Continuous enrollment from the Oct accounting period through the March test administration	1) reduction of the % of non-proficient students by 10% - averaged over 3 years + current 2) have met the threshold or made progress towards one of the other academic indicators	The only LEP students exempt from being included in the calculation of student achievement & AYP are those who have been enrolled in the district for > 1 year	All scores on the Alternate Assessment are included in the accountability system w/in the parameters defined by federal statute and regulations	YES	YES	Consecutive years of failing AYP requirements will be predicated on failing the same subject (reading & math) for multiple years	The most recent 3 years of test scores are averaged & compared to the current; the better of the two is used to determine AYP status.	
Oklahoma	40	30 99% CI	5	Continuous enrollment for 2 full units of instruction not to exceed a calendar year	% of students not scoring proficient decreases by 10% & if the students meet or exceed the state standard or make progress on one or more of the academic indicators	All LEP students participate in statewide assessments.	OK opts to include the results for the Alternate Assessment for students w/ the most significant cognitive disabilities in the results for AYP	NO	YES	2 consecutive years of failing AYP requirements will be predicated on failing the same subject (reading & math) for multiple years	Data will be aggregated across years as necessary to reach a minimum of 30 students	The AMO is based in the state's API that looks at the % of students at each of the 4 performance levels
Oregon		42 99% CI	6	More than half the # of instructional days in the school's calendar in terms of hours per grade	w/in the 99% CI of the target or the % not meeting was reduced by 10% from the previous year. Must meet graduation & attendance rates; 95% tested	All LEP students must be assessed; accommodations are provided	All students will be assessed to the same standards & will be included in AYP calculation. 1% cap on Alternate Assessment	YES	YES		2 tests are used to assess each content area; scores are added. Scores from 2 years are combined to determine AYP	Official testing for AYP occurs in the spring – electronic tests are available prior to this
Pennsylvania		40	10	Enrolled from 10/1 to the close of the testing period	Uses a performance index for accountability as well as a 10% reduction of non-proficient students	All LEP students are included in the overall accountability system w/ or w/out accommodations	An Alternate Assessment is used; 1/2% of students participating will be included in the accountability system	YES	YES	Will fail to meet AYP criteria for 2 or more consecutive years in a given subject	Combine data across grades/schools/subgroup & subject. Compare target w/ higher of most current vs. 2 year average of that year w/ previous year	
Rhode Island		45 95% CI	10	10/1 enrollment count date, prior to the administration of the Spring Assessments of the same school year & w/ the conclusion of the 180 th day of instruction	1) grad or attendance rate at or above the AMO or improving greatly 2) assessment participation of 95% 3) decrease the % of student not proficient by 10% - 3 years of aggregate data is used	LEP students are assessed at all grade levels w/ accommodations as needed	All are tested w/ or w/out accommodations. >1% are eligible for Alternate Assessment – all are included in the state accountability system	YES	YES		Assess in a 3-year averaging system. If 1 year data is higher, that may replace the 3-year average in a low performing school	Index Proficiency: Standard = 75 Below S = 50 Little Evidence=25 No Score = 0
South Carolina	40	40	10	In membership in a school at the time of the 45-day enrollment count or enrolled at the time of testing	1) reduction of the % of non-proficient students by 10% 2) have met the target or made progress for the other academic indicators 3) achieved 95% assessment participation	Classifies LEP students as no longer meeting definition, no longer receiving services, have tested proficient 1 - 3 times	Students taking off-grade level assessment as a specified modification determined by the IEP team will have their performance counted as below proficient for AYP calculations	YES	YES	Consecutive years of failing AYP requirements are predicated on failing the same subject (English, Math) for multiple years	Results of small groups are rolled up to the school district of State level for reporting and accountability purposes if the numbers are deemed statistically reliable	
South Dakota	40	10 99% CI	10	Continuously enrolled from 10/1 to the last day of the testing window	1) reduction of the % of non-proficient students by 10% 2) have met the target or made progress for the other academic indicators 3) achieved 95% assessment participation	All LEP students participate in assessments w/ or w/out accommodations; students must be enrolled for <1 year to have their scores count toward AYP	Students w/ the most severe CI are held to grade level standards for purposes of calculating AYP; are ranked as "below proficient." An Alternate Assessment is available	YES	YES	2 + years of failing AYP in the same content area and the participation rate for that content area is the basis for identifying schools as "needing improvement"	The higher of the following is used for AYP determination: 1) data from the current school 2) average data from the 2 most recent years	AYP starting points will be determined by the State using 2 different methods; the higher will be used

Tennessee	45	45	10	Continuous enrollment in a school, district, or the state from at least one day of the 1 st reporting period (10/31) until test administration	1) reduction of the % of non-proficient students by 10% 2) have met the target or made progress for the other academic indicators a) attendance rate b) graduation rate	LEP students will only be counted toward accountability purposes if they have scored proficient in English for 2 consecutive years	Scores on the Alternate Assessment are included in the assessment data in the accountability system; 1% flexibility provision is applied	YES	YES	Improvement status is reached when 2 consecutive years of failing AYP in the same content area and or the additional academic indicator	May make AYP by: 1) using their 3-year rolling averages 2) using their most current 2-year averages 3) using their most current year data	Starting points were determined in 2002-2003
Texas	40	30	5	Enrolled during the fall count date; the last Friday in Oct	1) reduction of the % of non-proficient students by 10% 2) improvement on the other performance measure (TAKS & TAAS assessments)	In 2003 LEP students were not included in AYP calculations. Assessments were being developed for 2004	In 2003 were counted as non-participants. A proposal was being developed for 2004	YES	YES	2 consecutive years of failing AYP (95% participation, performance targets) in the same content area and or the additional academic indicator	Data is aggregated as many years as necessary to reach a minimum of 30 total students	
Utah	40	10	10	Continuously enrolled in the same school from the 26 th day of school or 10/1 (whichever comes 1 st) through the end of the spring testing window	1) reduction of the % of non-proficient students by 10%	LEP students are included in testing and reporting; no less than 95% of LEP students participate in testing	In determining AYP, out-of-level tests will be counted as "not proficient"	YES	YES	2 consecutive years of failing AYP requirements will be predicated on failing the same subject (reading & math) for multiple years	The AMO will be an aggregate of the % of proficient students at all grade levels in the schools (a weighted average)	
Vermont		40 99% CI	10	Enrolled as of 10/1; this is when the assessments are administered as well as the official count day	Current year academic index is used to determine performance index. Safe Harbor = to their performance index in the previous year x by 0.10. Looks for a 10% change in the index w/out use of the CI	By 06/07, there will be a LEP assessment system in place for Math and English. By 07/08 one will also exist for Science.	Modified assessments are based on a portfolio. Results are treated as comparable to results from standard or accommodated administrations of the regular state assessment	NO	YES	A school needs 2 consecutive years of not making AYP in the same content area for any AYP group to be identified for school improvement	Indexes will aggregate 2 years of student results in each annual decision (rolling average) until 05/06 when additional assessments will provide more data	Content-specific indexes will maintain equal weighting of basic & analytic reporting areas
Virginia	50	50	10	Student is continuously in membership in the school, LEA, or State by 9/30, through test administration	1) the % not proficient for that year decreased by 10% from the preceding year 2) must make progress on attendance and/or graduation rates 3) achieved 95% assessment participation	All LEP students participate in assessment w/ or w/out accommodations. Cannot take alternate assessments linked to Standard of Learning for more than 3 consecutive years	Assesses student w/ the most severe CI w/ Alternate Assessments that are measured against Alternate Achievement standards	YES	YES	A school needs 2 + consecutive years of not making AYP in the same content area for any AYP group to be identified for school improvement	Assessment data for a content area will be combined across all tested grade levels or courses in a school or LEA; the state will calculate participation rate and minimum population for AYP purposes	
Washington	30	30	10	Continuous enrollment from 10/1 through the testing administration period	1) reduction of the % of non-proficient students by 10% 2) have met the target or made progress for the other academic indicators 3) achieved 95% assessment participation	All LEP students (enrolled for 1 year) are required to participate in the state assessment program and are included in state accountability	Results are categorized into 4 levels of performance; results are included in the states accountability system	YES	YES	2 consecutive years of failing AYP requirements will be predicated on failing the same subject (reading & math) for multiple years	95% CI is used when making decisions about reliability; averages from multiple years are not used when comparing assessment results to state targets	

West Virginia	50	50	10	Continuously enrolled from the end of the second school month through the May testing administration	1) reduction of the % of non-proficient students by 10% 2) have made progress on one or more of the other academic indicators; or is at/above the target goal for that indicator	All LEP students who have been enrolled for 1 year are included in the performance measures that determine AYP	Results from the Alternate Assessment are aligned w/ scores from the regular assessment (WESTEST)	YES	YES	Any subgroup not initially meeting AYP will meet AYP if they meet the requirements on the same academic indicator the next year	Uniform averaging of scale scores across grade levels to produce a single school or LEA score; multiple years (2) averages to determine the baseline scores	05/06 is the year of the first increase. A minimum subgroup of 50 is used for accountability
Wisconsin		40	5	Continuous enrollment from the 3 rd Friday in Sept. until the Spring testing period	1) reduction of the % of non-proficient students by 10% 2) have met the target or made progress toward the other academic indicators 3) achieved 95% assessment participation	All LEP students take an Alternate Assessment. Results are reported in the state accountability system and included in AYP calculations	Only the most severe CI students participate in the Alternate Assessment; their results are reported in the state accountability system and included in AYP	YES	YES	Improvement status will be predicated upon failing to make AYP requirements in the same content area for at least 2 consecutive years	Compare the 2-year average w/ the current year's proficiency rate; the higher of the 2 is used for AYP – only for those schools whose cell size is 40 or greater	
Wyoming	40	30	6	Enrolled in the same school or LEA on 10/1 and during the testing window during the last 2 weeks in March	Reduction in the % of students scoring Novice in reading. WY A school cannot make safe harbor if it has a statistically significant increase in the % of students scoring in the lowest performance category	All LEP students are included in WY's accountability system for calculating AYP	Alternative achievement standards in language arts & mathematics are used to calculate AYP; only the most severe CI students will take the Alternative Assessment	NO	YES	Must meet 3 goals in order to meet AYP 1) proficiency in language arts & math 2) participation rate 3) other academic indicator. 2 years of failing one of these results in a school being placed in the improvement cycle	Combine 2 years of data. The baseline is based on the average % proficient and advanced.	CI are computed for comparisons of each subgroup to the performance target, required for each of the 2 content areas