

# Participation and Accountability FAQs

For District and School Staff

## What are the state and federal requirements for participation in state assessments?

### Federal Participation Requirements

Federal law, the Every Students Succeeds Act (ESSA), like No Child Left Behind before it, requires a 95 percent participation rate. From SEC 1005 (c)(4)(E)(i,iii), States must:

- Annually measure the achievement of not less than 95 percent of all students, and 95 percent of all students in each subgroup of students, who are enrolled in public schools on the assessment, and
- Provide a clear and understandable explanation of how the State will factor “the 95 percent participation requirement” into the statewide accountability system.

### Colorado Assessments & Participation Requirements

#### Colorado Annual Assessment Requirements

- State law requires assessments for evaluating students’ mastery of and growth in the Colorado Academic Standards and evaluating the performance of districts and schools. State law requires annual state assessments for third- through ninth- grade students in English language arts and math, as well as science and social studies assessments once in elementary, once in middle school, and once in high school. The social studies assessment may include a sampling method of every school at least once every three years (C.R.S. 22-7-1006.3(1)(a)).
- State law also requires assessments for evaluating students’ mastery of the Colorado Academic Standards and post- secondary readiness with a 10<sup>th</sup>-grade assessment (C.R.S. 22-7-1006.3(2)(a)) and an 11th-grade assessment (22-7-1006.3(2)(b)).
- A helpful guide to all of the federal and state assessment requirements can be found at: [www.cde.state.co.us/communications/stateandfederalassessmentrequirements](http://www.cde.state.co.us/communications/stateandfederalassessmentrequirements).

#### State Law Regarding Parent Excusals from State Assessments

House Bill 15-1323 requires school districts to adopt a policy on how parents can excuse their students from a state assessment. Colorado Revised Statutes, 22-7-1013(8)(A-C) establishes how districts and schools shall implement this policy, summarized below:

- a) Districts and schools shall adopt and implement a written policy and procedure by which a student's parent may excuse the student from participating in one or more of the state assessments.
- b) If a parent excuses his or her student from participating in a state assessment, a district or school shall not impose negative consequences, including prohibiting school attendance, imposing an unexcused absence, or prohibiting participation in extracurricular activities, on the student or on the parent.
- c) A district or school shall not impose an unreasonable burden or requirement on a student that would discourage the student from taking a state assessment or encourage the student's parent to excuse the student from taking the state assessment.



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## What happens if my school or district does not meet the 95 percent participation rate requirement?

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### State Policy Regarding Participation Requirements:

#### SPF/DPF Policy Regarding Low Participation

Districts and schools are accountable for meeting minimum participation rates in the state assessments. If a school or district falls below 95 percent for **reasons other than parent excuses**, in two or more content areas, (English language arts, math, science, ACT and PSAT/SAT after 2016), then the district's accreditation rating or school's plan type will be lowered by one level.

Schools and districts with low participation rates **for any reason** will be noted in the school/district's rating in order to provide transparent information that the results do not reflect full student representation. For example, a school that earns a Performance Plan, but has a participation rate of 52 percent will be labeled as "Performance Plan- Low Participation." For this identification, which does not impact the rating level, parent excuses are included.

CDE's policy for the impact of low participation is based on State Board of Education Rule and the February 2015 State Board of Education motion.

The [State Board of Education rules](#) (1 CCR 301-1 5.02) state: "Information concerning the percentage of students enrolled in the District's or Institute's Public Schools who are not tested on the Statewide Assessments will not be factored into the analysis of the District's or Institute's attainment on the Performance Indicators, but will be factored into the Accreditation category assignment."

In February 2015, the **Colorado State Board of Education adopted a motion** to "not hold districts liable for the decisions of parents when these parents decide not to allow their children to take PARCC." The effect of this motion is that districts will not be penalized by a lowering of their accreditation rating should their student participation rates fall below 95 percent on the state assessments due to parental excuses. Districts still must engage in good faith efforts to test all students in accordance with state and federal law and maintain documentation of parent excuses.

### Federal Policy Regarding Participation Requirements:

In the Every Student Succeeds Act (ESSA), states are responsible for deciding how the federal 95 percent participation rate is factored into accountability. Below is Colorado's plan, as described in the ESEA Waiver <http://www.cde.state.co.us/fedprograms/2015flexibilitywaiverrenewal> and a January 4<sup>th</sup> letter to the U.S. Department of Education: <http://www.cde.state.co.us/fedprograms/usdeassessmentparticipationletter01052016>.

- Calculate disaggregated state assessment participation rates for all schools and districts and disaggregated groups.
- Report state-administered assessment participation rates and assessment results for all schools and districts and disaggregated groups.
- Require schools and districts that fall below 95 percent participation in one or more of the state administered English language arts or math assessments to address their low participation rates as part of their Unified Improvement Plan, including actions that schools and districts will take in response to their low participation rates.
- Include low participation rates as an indicator in ESEA Program Effectiveness Reviews conducted with Priority Improvement and Turnaround districts and priority, focus, and other Title I schools with participation rates below 95 percent.



- Provide information to schools and districts with low assessment participation rates to share with their communities regarding the state assessments, including reasons for administering the assessments and how the results are used.

With the development of the Every Student Succeeds Act (ESSA) state plan, additional stakeholder input will be gathered on this policy.

## How do testing codes impact participation calculations for the state performance frameworks?

The inclusion/exclusion of a student score in participation calculations is dependent on the testing code submitted by the district. The table below shows all possible testing codes and how the student would be included in participation calculations for state accountability. Please note that records coded as “parent excuse” are included in the regular participation rates as non-participants, but are not included when determining whether or not a rating will be lowered.

Testing Code (Did Not Test or Void Test Score Code)	Impact on Participation Calculations	Included among total records for state accountability participation calculations (denominator)?	Included as a Participant (numerator)?
<b>No Code: Student Received Valid Test Score and are included in School and District Aggregations</b>	Counts as participant	Yes	Yes
<b>First Year in US English Learner* without a valid score on CMAS English language arts assessment</b>	Counts as participant for English language arts if valid score available on state English language proficiency assessment.	Yes	Yes
<b>Took Other Assessment or Duplicate Registration/Attempt</b>	Excluded from participation calculations	No	NA
<b>Withdrew from District During Assessment Window</b>	Excluded from participation calculations	No	NA
<b>Medical Exemption</b>	Excluded from participation calculations	No	NA
<b>Part Time Public and Part Time Home School Student</b>	Excluded from participation calculations	No	NA
<b>Parent Excuse</b>	Excluded from state accountability participation calculations	No**	NA**
<b>Absent</b>	Counts as non-participant	Yes	No
<b>Test Interrupted and Not Completed</b>	Counts as non-participant	Yes	No
<b>Student Test Refusal</b>	Counts as non-participant	Yes	No
<b>Non-approved Accommodation</b>	Counts as non-participant	Yes	No



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**\* First Year in US English Learner**

For spring 2016 Colorado Measures of Academic Success (CMAS) testing, districts will determine whether to administer the CMAS: PARCC English language arts (ELA) assessment to their English learners who are first year in the United States. Third- and fourth-grade English learners who are first year in the U.S. but who have a home language of Spanish and received instruction in Spanish within the past two years, should take the Colorado Spanish Language Arts assessment in place of the CMAS: PARCC ELA assessment.

Districts that have decided not to test their first year in U.S. English learners should code English language arts records for these students with Not Tested Reason = 02. Districts should also complete State Use Field 1 (Date most recently enrolled in U.S. coming from a non-U.S. school/country). Records coded in this way for eligible students will count as a participant for English language arts if they have a valid WIDA ACCESS score.

\*\* In the regular participation rate calculations, records coded as “parent excuse” will be included in the base count and count as non-participants, but are not included when determine if a school’s or district’s rating would be lowered.

**How will non-participants impact achievement and growth calculations on the state performance frameworks?**

SEC 1005 (c)(4)(E)(ii) of the Every Student Succeeds Act (ESSA) requires that if more than 5 percent of students do not participate in the state assessment, they are counted in the achievement calculations as non-proficient results. ESSA accountability is not required until the 2017-18 school year results (2018 accountability ratings), so CDE will wait to implement this until there is further direction from and negotiation with the U.S. Department of Education, as this policy is in conflict with the State Board of Education’s February 2015 motion.

Per current state policy, when calculating achievement, students who did not test (for any reason, including parent excuses) will not be included in the denominator of the achievement calculation (i.e. the student will not count as a “0”). Only students with two consecutive years of assessment scores can be included for student growth calculations, and non-participants are not factored in. CDE plans to use these calculations for the fall 2016 school and district performance frameworks.

**Where can I learn more?**

- To view more information on the School and District Performance Frameworks, visit: <http://www.cde.state.co.us/accountability/performanceframeworks>
- To view more information on State Accountability, visit: <http://www.cde.state.co.us/accountability/stateaccountability>
- To view more information on State Assessments, visit: <http://www.cde.state.co.us/assessment>
- To view all CDE fact sheets, visit: [www.cde.state.co.us/Communications/factsheetsandfaqs](http://www.cde.state.co.us/Communications/factsheetsandfaqs)