



## PUBLIC SCHOOL ACCOUNTABILITY AND SB25

The South Dakota Department of Education has introduced Senate Bill 25 during the 2012 Legislative Session. The proposal is a complete overhaul of the state's public school accountability laws. The legislation changes the way the state will measure school and student performance and will dramatically influence the future of public education in South Dakota.

This issue brief provides an overview of the issue of public school accountability, summarizes SB 25 and provides insights into possible implications for local school boards.

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### PUBLIC SCHOOL ACCOUNTABILITY: A BRIEF OVERVIEW

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South Dakota's current public school accountability laws were enacted during the 2003 Legislative Session, two years after Congress reauthorized the Elementary and Secondary Education Act. The federal law, also known as the No Child Left Behind Act (NCLB), requires states to regularly measure student learning and enforce an expectation that schools work to continually improve student achievement. Schools that fail to meet state-established goals face varying levels of state and federal intervention, including financial sanction.

No Child Left Behind is now universally recognized as flawed and outdated. Efforts are underway at both the state and federal levels to overhaul public school accountability policy. More specifically, the South Dakota Department of Education is leading the development of a new system to replace the federally mandated model.

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### PUBLIC SCHOOL ACCOUNTABILITY: POSITION AND PRINCIPLES

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In recognition of the far-reaching implications of public school accountability laws, South Dakota school board members adopted the following position statement:

#### **PUBLIC SCHOOL ACCOUNTABILITY**

ASBSD supports public school accountability that accurately measures school district performance and provides school boards both the flexibility and resources to support a culture of continuous improvement.

The design, implementation and oversight of public school accountability laws shape how public education is delivered. Local school board members recognize the importance of public school accountability policy that:

1. **PUTS STUDENTS FIRST:** Establish high standards for achievement, but recognize that schools need the flexibility to meet the diverse learning needs of all children.
2. **SETS CLEAR EXPECTATIONS:** Accountability begins with clear expectations and an understanding that progress must be fairly and accurately measured.
3. **MATCHES RESOURCES TO EXPECTATIONS:** Establishing expectations without providing the financial resources necessary to continually improve will hinder success.
4. **ENCOURAGES INNOVATION:** Excessive or rigid state regulation limits the responsiveness of local school districts and stifles the judgment of professional educators.

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## SENATE BILL 25

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Senate Bill 25 establishes a broad legal framework for public school accountability and, in many cases, grants the South Dakota Board of Education sweeping regulatory authority to define, implement and enforce policy. Considering the significant amount of policy decisions that are being delegated to the executive branch, the evaluation of SB 25 is only useful in combination with an examination of the proposed rules being considered by the South Dakota Department of Education.

To assist in the development of the accountability system, the education department the Next-Generation Accountability Taskforce to begin work on proposed administrative regulations. The group of stakeholders, which had its first meeting in September of 2011, released the most current outline of the accountability model on Jan. 16, 2012.

SENATE BILL 25 SECTION-BY-SECTION ANALYSIS	
SECTION	DESCRIPTION
Section 1	Modifies existing accountability laws to base the accountability system on school-level results only, removing the requirement for district-level results. Also eliminates the term “adequate yearly progress” (AYP) from law, replacing it with yearly progress.
Section 2	Grants the South Dakota Board of Education and executive branch sweeping powers to develop and adopt the indicators that will be used to determine a school’s annual progress.
Section 3	Eliminates the timeline established by No Child Left Behind that all students must be proficient in reading and math by the 2013-14 school year, replacing it with the requirement that schools must show improvement each year. Also establishes that achievement will be measured by multiple indicators, rather than a single assessment.
Section 4	Establishes that schools will still be held accountable for progress for all students and sub-groups of students, but adds new language to allow progress to be determined by multiple indicators, not just scores on reading and math assessments.
Section 5	Provides that the accountability system will include “interventions” in the form of sanctions, rewards and recognition. The language does not describe or define interventions, or what may trigger a state intervention.
Section 6	Grants the South Dakota Board of Education and executive branch broad authority to develop and define nearly every element of the proposed accountability system. Through administrative powers, the South Dakota Board of Education will: <ol style="list-style-type: none"><li>1. Define academic progress;</li><li>2. Determine the calculation for yearly progress, including a way to incorporate a measure for academic growth;</li><li>3. Define four levels of student achievement, including a definition of proficiency;</li><li>4. Determine “cut scores” in math in reading that translate into academic proficiency in a subject;</li><li>5. Establish annual progress goals for each school;</li><li>6. Establish the mechanism for the state to intervene in school operations;</li><li>7. Establish a teacher and principal evaluation system;</li><li>8. Establish criteria to determine when students are college and career ready;</li><li>9. Determine a methodology to calculate school attendance rates; and</li><li>10. Establish an appeals process for public schools to challenge accountability determinations.</li></ol>
<p>This analysis is based on the version of SB 25 as of the date of publication.</p> <p>To read the bill and its contents, <a href="#">click here</a>.</p> <p>For more detail about the proposed system, <a href="#">click here to access the 12-page Department of Education explanation</a>.</p> <p>For a summary of the current accountability system, <a href="#">refer to the outline provided by the South Dakota Department of Education</a>.</p>	

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## SCHOOL PERFORMANCE INDEX AND PERFORMANCE INDICATORS

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According to the proposed accountability model, school performance will be based on five indicators: Student achievement, academic growth, college and career readiness (high schools) or attendance (elementary and middle school), effective teachers and principals and school climate.

Each indicator is weighted and totaled to produce a score on a new 100-point scale, called a “School Performance Index.” Not all indicators are fully developed, which is why the accountability system will not be fully operational until the 2014-15 school year. According to the workgroup’s most current outline, some components of the new accountability system will be implemented immediately, while others may not be developed at all. It will be several years before schools are provided with clear, measurable performance expectations.

### STUDENT ACHIEVEMENT INDICATOR

For high schools, the student achievement score is based on how 11th graders perform on a state-wide standardized test. At the elementary and middle school levels, students are tested every year in grades 3-8. In both cases, the achievement indicator is based on the number of students that score at least proficient on English-language arts and math assessments.

A district’s score on this indicator is the result of a seven-step calculation, which takes into account scores from students who belong to both a “Gap Group” and “Non-Gap Group”. A “Gap Group” score is a calculation that measures the aggregate performance of students that have historically not performed well on state tests, including students with special needs, limited English proficiency, migrant students, economically disadvantaged students, and students that belong to various racial or ethnic subgroups.

Schools will be held accountable for student achievement beginning in the 2012-13 school year.

#### IMPLICATIONS FOR SCHOOL BOARDS

- The implementation of “Gap Group” and “Non-Gap Group” represents a fair way to measure district efforts to help struggling students reach proficiency in core subjects.
- Student standardized tests will be based on new Common Core academic standards, which have not yet been implemented statewide. Since standards dictate what students learn and at what grade level the standard must be mastered, district staff will need time to adjust. Gov. Daugaard has proposed some funds to help with the initial training and implementation, but local districts will need to provide support systems so teachers can revamp lesson plans and incorporate new teaching resources.
- In 2014, schools will implement a computer-based state-mandated assessment. School districts will have to ensure all teachers are trained to use the computer-based assessment and schools will need to provide adequate technology infrastructure – computers, network equipment, bandwidth, and support staff – to implement the new test. Currently, there is no proposal to fund infrastructure needs.

### ACADEMIC GROWTH

Schools will be credited for the academic progress a student makes in a given year. The method for determining academic growth is not yet established, and the plan is unclear as to whether schools will ever be credited for the academic growth of high school students. A measure of academic growth for elementary and middle school students will be implemented for the 2012-13 school year. In the event that the education department can determine how to measure academic growth at the high school level, the state will consider including that system effective for the 2014-15 school year.

#### IMPLICATIONS FOR SCHOOL BOARDS

- Crediting schools for academic growth is a fair way to assess performance and recognize efforts to close achievement gaps.
- The establishment of a growth model requires students to be tested multiple times each year. Additional testing will require additional resources, particularly when the state mandates that all standardized tests be conducted on computers. Currently, there is no proposal to provide school districts with additional resources to accommodate expanded testing.
- New data systems will give local education leaders the tools to assess and improve student achievement. Taking advantage of the data will require additional staff planning time, which means school districts will incur additional costs.

- The recent elimination of regional Education Service Agencies means school districts will have to absorb the costs of additional data analysis and school improvement planning. Currently, there is no proposal to provide districts with additional resources to accommodate implementation.
- Significant work remains before academic growth is fully defined and implemented, which creates an uncertain regulatory environment.

## ATTENDANCE OR COLLEGE AND CAREER-READINESS

Elementary and middle schools will be held accountable for student attendance rates. At the high school level, performance will be measured using three different statistics: a “completer rate”, the percentage of students pursuing postsecondary education 16 months after high school graduation, and the student’s ACT scores on the math and English sub-sections. For accountability purposes, the completer rate is the percent of students who earned a diploma, GED, fulfilled the requirements of an Individual Education Plan or fulfilled the requirements of a Language Acquisition Plan. Schools will be held accountable for performance on this indicator beginning in the 2012-13 school year.

### IMPLICATIONS FOR SCHOOL BOARDS

- Use of the completer rate more fairly measures a school’s efforts to meet the unique needs of individual high school students.
- The method for determining college and career-readiness ensures that schools will need to monitor three additional statistical categories and make annual adjustments to improve on the indicators. Currently, there is no proposal to provide districts with additional resources to accommodate additional analysis and planning.

## EFFECTIVE TEACHERS AND PRINCIPALS

The score for this indicator will be based on the percentage of teachers who perform at the proficient or distinguished levels on a state-mandated teacher evaluation. Fifty percent of a teacher’s performance rating will be based on student test scores, and 50 percent of the school will be based on other, measurable and evidence-based indicators. Schools will be held accountable for this measure in the 2014-15 school year.

### IMPLICATIONS FOR SCHOOL BOARDS

- A clearly defined method of linking student performance to teacher effectiveness does not currently exist. The absence of any detail in this area contributes to the uncertain regulatory environment.
- At this time, the Department of Education does not know whether the new state standardized test will provide data useful to the new evaluation system. Districts will be need to develop assessments that will link student performance to teacher effectiveness. At this time, there is no proposal to fund the additional assessments necessary to implement this indicator.
- A new mandated teacher evaluation may require schools to hire additional staff to implement the more rigorous and more frequent evaluations.
- When the state proposed the development of new teaching standards, state officials assured school boards that neither the evaluation instrument nor the frequency of evaluations would be mandated. The state’s reversal on this position contributes to the uncertainty surrounding state-established regulation.

## SCHOOL CLIMATE

The score for this indicator will measure the health of the school environment, including a comprehensive assessment of school safety, relationships, teaching and learning, and healthy environments. Currently, the state’s plan does not describe the mechanism to assess school climate, but the plan does say a work group will develop the plan by the 2014-15 school year.

### IMPLICATIONS FOR SCHOOL BOARDS

- The plan provides little detail about the design of a school climate assessment or how it would be administered and implemented, creating enormous uncertainty.
- The implementation of this indicator gives the executive branch sweeping authority to mandate changes to school culture – something that is best left to local communities.
- While school climate is an important contributor to student learning, efforts to improve certain aspects of school climate can be difficult and costly. At this point, there is no plan to provide financial resources that may be necessary to improve school climate.