Revised State Template for the Consolidated State Plan

The Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act

U.S. Department of Education
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Introduction

Section 8302 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA),[1] requires the Secretary to establish procedures and criteria under which, after consultation with the Governor, a State educational agency (SEA) may submit a consolidated State plan designed to simplify the application requirements and reduce burden for SEAs. ESEA section 8302 also requires the Secretary to establish the descriptions, information, assurances, and other material required to be included in a consolidated State plan. Even though an SEA submits only the required information in its consolidated State plan, an SEA must still meet all ESEA requirements for each included program. In its consolidated State plan, each SEA may, but is not required to, include supplemental information such as its overall vision for improving outcomes for all students and its efforts to consult with and engage stakeholders when developing its consolidated State plan.

Completing and Submitting a Consolidated State Plan

Each SEA must address all of the requirements identified below for the programs that it chooses to include in its consolidated State plan. An SEA must use this template or a format that includes the required elements and that the State has developed working with the Council of Chief State School Officers (CCSSO).

Each SEA must submit to the U.S. Department of Education (Department) its consolidated State plan by one of the following two deadlines of the SEA's choice:

- **April 3, 2017**; or
- **September 18, 2017**.

Any plan that is received after April 3, but on or before September 18, 2017, will be considered to be submitted on September 18, 2017. In order to ensure transparency consistent with ESEA section 1111(a)(5), the Department intends to post each State plan on the Department's website.

Alternative Template

If an SEA does not use this template, it must:

1) Include the information on the Cover Sheet;
2) Include a table of contents or guide that clearly indicates where the SEA has addressed each requirement in its consolidated State plan;
3) Indicate that the SEA worked through CCSSO in developing its own template; and
4) Include the required information regarding equitable access to, and participation in, the programs included in its consolidated State plan as required by section 427 of the General Education Provisions Act. See Appendix B.

Individual Program State Plan

An SEA may submit an individual program State plan that meets all applicable statutory and regulatory requirements for any program that it chooses not to include in a consolidated State plan. If an SEA intends to submit an individual program plan for any program, the SEA must submit the individual program plan by one of the dates above, in concert with its consolidated State plan, if applicable.

Consultation

Under ESEA section 8540, each SEA must consult in a timely and meaningful manner with the Governor, or appropriate officials from the Governor's office, including during the development and prior to

[1] Unless otherwise indicated, citations to the ESEA refer to the ESEA, as amended by the ESSA.

submission of its consolidated State plan to the Department. A Governor shall have 30 days prior to the SEA submitting the consolidated State plan to the Secretary to sign the consolidated State plan. If the Governor has not signed the plan within 30 days of delivery by the SEA, the SEA shall submit the plan to the Department without such signature.

Assurances

In order to receive fiscal year (FY) 2017 ESEA funds on July 1, 2017, for the programs that may be included in a consolidated State plan, and consistent with ESEA section 8302, each SEA must also submit a comprehensive set of assurances to the Department at a date and time established by the Secretary. In the near future, the Department will publish an information collection request that details these assurances.

For Further Information: If you have any questions, please contact your Program Officer at OSS.[State]@ed.gov (e.g., OSS.Alabama@ed.gov).

Cover Page

Contact Information and Signatures	
SEA Contact (Name and Position): Shannon Malone Director, Division of Learning and Instruction	Telephone: 605-773-4681
Mailing Address: 800 Governors Drive Pierre, SD 57501	Email Address: shannon.malone@state.sd.us
By signing this document, I assure that: To the best of my knowledge and belief, all information and data included in this plan are true and correct. The SEA will submit a comprehensive set of assurances at a date and time established by the Secretary, including the assurances in ESEA section 8304. Consistent with ESEA section 8302(b)(3), the SEA will meet the requirements of ESEA sections 1117 and 8501 regarding the participation of private school children and teachers.	
Authorized SEA Representative (Printed Name) Tiffany Sanderson Secretary of Education	Telephone: 605-773-5669
Signature of Authorized SEA Representative	Date:
Governor (Printed Name) Kristi Noem	Date SEA provided plan to the Governor under ESEA section 8540:
Signature of Governor	Date:

Programs Included in the Consolidated State Plan

Instructions: Indicate below by checking the appropriate box(es) which programs the SEA included in its consolidated State plan. If an SEA elected not to include one or more of the programs below in its consolidated State plan, but is eligible and wishes to receive funds under the program(s), it must submit individual program plans for those programs that meet all statutory and regulatory requirements with its consolidated State plan in a single submission.

☒ Check this box if the SEA has included all of the following programs in its consolidated State plan.

or

If all programs are not included, check each program listed below that the SEA includes in its consolidated State plan:

☐ Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies

☐ Title I, Part C: Education of Migratory Children

☐ Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk

☐ Title II, Part A: Supporting Effective Instruction

☐ Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement

☐ Title IV, Part A: Student Support and Academic Enrichment Grants

☐ Title IV, Part B: 21st Century Community Learning Centers

☐ Title V, Part B, Subpart 2: Rural and Low-Income School Program

☐ Title VII, Subpart B of the McKinney-Vento Homeless Assistance Act: Education for Homeless Children and Youth Program (McKinney-Vento Act)

Instructions

Each SEA must provide descriptions and other information that address each requirement listed below for the programs included in its consolidated State plan. Consistent with ESEA section 8302, the Secretary has determined that the following requirements are absolutely necessary for consideration of a consolidated State plan. An SEA may add descriptions or other information, but may not omit any of the required descriptions or information for each included program.

A. Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)

South Dakota has an aspiration that all students leave the K-12 education system college, career and life ready. Attaining this aspiration is dependent upon strong partnerships with, and alignment of goals and strategies among, the higher education system and the workforce. Both the state's university system and its Workforce Development Council have adopted a goal that 65 percent of South Dakota citizens, ages 25 to 34, will hold some type of postsecondary credential by 2025. The state's four technical colleges are instrumental in preparing a skilled and nimble workforce. And the K-12 education system's aspiration of college, career and life readiness directly impacts this goal.

To address the aspiration of college, career and life readiness for all students, the K-12 education system focuses its efforts on foundational components of the educational experience:

- providing quality standards and assessments to all students;
- supporting differentiated instruction and effective school leadership;
- fostering an environment that is conducive to learning; and
- providing 21st century opportunities for learning.

A set of milestones are used to measure progress towards meeting the aspiration of college, career and life readiness for all students. These are:

- Students enter 4th grade proficient in reading.
- Students enter 9th grade proficient in math.
- Native American students experience increased academic success, and the achievement gap for this subpopulation will be closed.
- Students graduate high school ready for postsecondary and the workforce.

Recognizing that students learn in different ways, at different paces, and with unique end goals in mind, South Dakota has begun to integrate principles of personalized learning and mastery of standards as an alternate approach to the traditional, Industrial Age model of learning that characterizes the K-12 system. Also recognizing that the job market increasingly demands some sort of postsecondary or industry-recognized credential, South Dakota is committed to providing multiple pathways for students to achieve and demonstrate readiness for life after high school.

This paradigm shift is being supported by the South Dakota Department of Education (SD DOE) and will be reflected in SD DOE's approach to accountability provisions under the Every Student Succeeds Act (ESSA). In particular, to support this shift, SD DOE will explore innovative assessment opportunities that allow schools to assess students at their level of learning, rather than the strict structure of an assigned age-based grade level. In addition, SD DOE will pursue the use of pilot schools to immerse students in engaging academic and work-based opportunities that are directly connected to a student's end goals. Participating schools will utilize a framework of career advising, early postsecondary opportunities, and work-based learning experiences that pave the way for students to make informed decisions about their postsecondary and career plans.

The state's plan under ESSA supports South Dakota's aspiration-related work by laying out an accountability system that is credible and meaningful and relies on multiple measures that contribute to a student's preparation for college, the workforce and life. Further, the state's ESSA plan outlines a system of support focused on ongoing improvement for schools and consistent access to opportunities for students no matter where they live in this sprawling state.

South Dakota's accountability model takes a thoughtful, balanced approach to incorporating the indicators of a strong education system and has been built with collaboration from key stakeholder groups. Stakeholder engagement is, and has been, a key component of South Dakota's accountability and support work for some time. South Dakota has secured and sustained stakeholder investment; its ESSA communications plan incorporated connections with teachers, administrators, institutes of higher education, school boards, parents, students, tribal representatives, and other interested partners.

<u>Listening to South Dakotans</u>

SD DOE has a long history of engagement with it stakeholders. Recently, three success stories illustrate this ability to collaborate for the good of the state's children. All of these efforts were preceded by year-long – sometimes longer – statewide conversations.

- The Blue Ribbon Task Force on Teaching and Learning addressed teacher recruitment and retention. The task force's work resulted in a half-cent sales tax increase in 2016, with the bulk of the new revenue dedicated to K-12 teacher salaries.

- The Native American Student Achievement Advisory Council studied non-traditional approaches to educating this particular student population, resulting in legislation designed to enhance learning opportunities for students.
- SD DOE and the South Dakota Education Association joined forces to overhaul certification requirements, most of which will take effect with the 2017-18 school year.

SD DOE's engagement efforts related to ESSA built on this firmly established base and targeted a broad array of stakeholders. SD DOE approached its ESSA stakeholder engagement in three phases, with an overall purpose to prompt conversation about potential opportunities under the law and to seek input to inform development of the state plan.

- Phase I of the outreach focused on sharing information about, and gaining clearer understanding of, the new law. It included the creation of four work groups – Accountability, School Improvement, English Learners, and Effective Educators – and lasted from approximately December 2015 to fall 2016.
- Using the work groups' discussions as a starting point, Phase II (fall 2016 to spring 2017) focused on sparking conversation with a much broader group of stakeholders around key decision points, and gathering ideas and input on those key points. This phase included four meetings with tribal stakeholders. There was concern on the part of some of the tribes represented that the consultation was not timely or meaningful, and in fact, the representative from the Oglala Sioux Tribe left the initial consultation meeting in protest. SD DOE has and will continue to work with tribal representatives on a path towards meaningful consultation.
- Phase III (spring 2017 to September 2017) encompasses the official public comment period and review by the governor.

The plan that follows is the result of these multiple discussions about what stakeholders want for the students of South Dakota.

In the development of the state plan, South Dakota recognized a need and opportunity to more meaningfully consult with one key group in the state that has been marginalized over time. South Dakota's Native American subgroup has historically underachieved, and in recent years with the transition to more rigorous college and career ready standards, this achievement gap has not decreased. Because of this, it was important to the state to ensure that meaningful consultation happens with tribes to ensure that we are working together to ensure all students have access to an education that will prepare them to be college, career and life ready. SD DOE will meet with the tribes again in October 2017 to establish a permanent formal consultation protocol, which will include regular meetings and opportunities for collaboration and communication.

<u>Consultation Requirement with American Indian Tribes</u>

ESSA Section 8538 adds a new requirement for certain school districts to meaningfully consult with local tribes before applying for federal funding. There are nine federally recognized tribes in South Dakota. SD DOE reached out to each of the nine tribes to seek representation from each of the tribes during the state-level consultations. The SD DOE has conducted four consultations, with several tribes represented during each of the consultations, and is working in partnership with them to craft a protocol for future state-to-tribe-level consultations to ensure that this is a truly meaningful and reciprocal process.

Some of South Dakota's districts impacted by Section 8538 do not have an official tribal consultation protocol in place and are looking to the state for guidance on how to initiate meaningful consultation. SD DOE believes it is of utmost importance to conduct training for SD DOE, districts, and tribes to ensure that this consultation can be done in an appropriate manner. We believe this training is essential to complete before districts adopt consultation protocols to ensure that consultation efforts are built on the concepts of understanding and trust, lest this process breed resentment or ill-will. This training will provide the basis for which any future consultations will be conducted and give districts a framework they can utilize. Due to the time constraints of this work, SD DOE will require that each district that meets the requirements of this section participate in the initial training and provide an assurance through its consolidated application that the district will work throughout the 2017-18 school year to develop and fulfill the requirements of consultation prior to the 2018 application deadline.

1. Challenging State Academic Standards and Assessments *(ESEA section 1111(b)(1) and (2) and 34 CFR §§ 200.1−200.8.)*[2]

South Dakota has implemented challenging academic standards as evidenced in both its peer review submission and approved flexibility waiver. Undergirding South Dakota's ESSA plan are high quality standards. The South Dakota Board of Education (SD BOE) adopted the current English language arts (ELA) and mathematics standards in March 2018 and science standards in May 2015. All three sets of standards are in line with rigorous expectations necessary to prepare students to be successful in any college or career pathway. All of the state's academic standards are regularly reviewed on a set schedule by SD BOE using a process that includes four public hearings at locations across the state.

2. Eighth Grade Math Exception (*ESEA section 1111(b)(2)(C) and 34 CFR § 200.5(b)(4)*):
   i. Does the State administer an end-of-course mathematics assessment to meet the requirements under section 1111(b)(2)(B)(v)(I)(bb) of the ESEA?
      ☐ Yes
      ☒ No

   ii. If a State responds "yes" to question 2(i), does the State wish to exempt an eighth-grade student who takes the high school mathematics course associated with the end-of-course assessment from the mathematics assessment typically administered in eighth grade under section 1111(b)(2)(B)(v)(I)(aa) of the ESEA and ensure that:
      a. The student instead takes the end-of-course mathematics assessment the State administers to high school students under section 1111(b)(2)(B)(v)(I)(bb) of the ESEA;
      b. The student's performance on the high school assessment is used in the year in which the student takes the assessment for purposes of measuring academic achievement under section 1111(c)(4)(B)(i) of the ESEA and participation in assessments under section 1111(c)(4)(E) of the ESEA;
      c. In high school:
         1. The student takes a State-administered end-of-course assessment or nationally recognized high school academic assessment as defined in 34 CFR § 200.3(d) in mathematics that is more

[2] The Secretary anticipates collecting relevant information consistent with the assessment peer review process in 34 CFR § 200.2(d). An SEA need not submit any information regarding challenging State academic standards and assessments at this time.

advanced than the assessment the State administers under section 1111(b)(2)(B)(v)(I)(bb) of the ESEA;

2. The State provides for appropriate accommodations consistent with 34 CFR § 200.6(b) and (f); and
3. The student's performance on the more advanced mathematics assessment is used for purposes of measuring academic achievement under section 1111(c)(4)(B)(i) of the ESEA and participation in assessments under section 1111(c)(4)(E) of the ESEA.

□ Yes
□ No

iii. If a State responds "yes" to question 2(ii), consistent with 34 CFR § 200.5(b)(4), describe, with regard to this exception, its strategies to provide all students in the State the opportunity to be prepared for and to take advanced mathematics coursework in middle school.

N/A

3. Native Language Assessments *(ESEA section 1111(b)(2)(F) and 34 CFR § 200.6(f)(2)(ii)) and (f)(4)*:

i. Provide its definition for "languages other than English that are present to a significant extent in the participating student population," and identify the specific languages that meet that definition.

SD DOE defines languages other than English that are present to a significant extent in the participating student population as being first and foremost, the native Lakota, Dakota, and Nakota languages spoken and embedded into the culture of the indigenous people of the region, and secondly, any language that is present in at least five percent of the tested student population.

Native American students comprise nearly 15 percent of the student population. These languages are a vital component of the cultural experience and education of students in the state.

Lakota, Dakota, and Nakota each have multiple etymologies and historically are oral, not written, languages. As such, it is not possible to develop valid and reliable assessments in these languages.

Currently, no languages meet the second part of this definition, as there are no languages present in at least five percent of the tested student population.

During the 2017-18 school year, there were 133,861 K-12 public school students in South Dakota, with an English learner population of 5,277, or 3.94 percent of the entire student population.

In 2016, SD DOE reported the numbers below to the U.S. Department of Education on the state's Consolidated State Performance Report regarding the most commonly spoken languages:

Language	Number of Students	Percent of Student Population
Spanish; Castilian	2105	1.57
German (Hutterite)	902	0.67
Karen	468	0.35
Nepali	291	0.27
Somali	151	0.11

ii. Identify any existing assessments in languages other than English, and specify for which grades and content areas those assessments are available.

Recently arrived English learner students who are Spanish speakers in grades three through eight and grade 11 can take the state's summative math assessment in Spanish.

iii. Indicate the languages identified in question 3(i) for which yearly student academic assessments are not available and are needed.

No additional assessments are needed at this time. Please see below for a fuller explanation.

iv. Describe how it will make every effort to develop assessments, at a minimum, in languages other than English that are present to a significant extent in the participating student population including by providing

a. The State's plan and timeline for developing such assessments, including a description of how it met the requirements of 34 CFR § 200.6(f)(4);
b. A description of the process the State used to gather meaningful input on the need for assessments in languages other than English, collect and respond to public comment, and consult with educators; parents and families of English learners; students, as appropriate; and other stakeholders; and
c. As applicable, an explanation of the reasons the State has not been able to complete the development of such assessments despite making every effort.

See Appendix D for further information used to help inform this decision.

The language of instruction in South Dakota is English. Through supports available to English learner students (ELs) who received formal education in their native languages and are able to read and access materials in that language, accessibility tools are available within the state's English language arts assessment that provide greater access to assessments for ELs than would a native language approach (in a language in which the student would not receive instruction). Such supports and accommodations for ELs include text-to-speech or read aloud, translated test directions, embedded glossaries, bilingual dictionaries, and all other universal tools, designated supports, and as appropriate, accommodations available within the assessment platforms.

Because these supports and accommodations provide greater access to the assessment than would a native language translation given to a student who is not otherwise receiving instruction in a native language, and because there is no language that meets the state's five percent threshold or for which a native language assessment would be appropriate, valid, and reliable, SD DOE has no plans to develop

additional assessments in another language at the present time. SD DOE is committed to continuing to provide language supports and accommodations and to monitor this area.

In reaching this conclusion, SD DOE consulted with a variety of stakeholders. This included a work group comprised of experts in the field of English learner (EL) instruction (including higher education representatives, EL teachers, and EL consultants) and those assembled for tribal consultation meetings (see page 8). Additionally, SD DOE brought the issue before the state's Technical Advisory Committee for assessments, which provided strong guidance as to issues of validity and reliability of any potential assessments, given the disparate nature of the state's EL population and their accompanying N sizes.

4. Statewide Accountability System and School Support and Improvement Activities *(ESEA section 1111(c) and (d))*:
   i. Subgroups *(ESEA section 1111(c)(2))*:
      a. List each major racial and ethnic group the State includes as a subgroup of students, consistent with ESEA section 1111(c)(2)(B).

SD DOE will report and base accountability decisions on the following federally recognized student groups, or subgroups.

Race/Ethnicity	Program Participation
White/Caucasian	Students with Disabilities
Hispanic/Latino	English Learners
Black/African American	Economically Disadvantaged
American Indian/Alaska Native	
Hawaiian/Pacific Islander	
Asian	
Two or More Races	

SD DOE also will report, for informational purposes only, on Homeless, Migrant, Foster, and Military-Connected students, as well as gender.

b. If applicable, describe any additional subgroups of students other than the statutorily required subgroups (*i.e.*, economically disadvantaged students, students from major racial and ethnic groups, children with disabilities, and English learners) used in the Statewide accountability system.

c. Does the State intend to include in the English learner subgroup the results of students previously identified as English learners on the State assessments required under ESEA section 1111(b)(2)(B)(v)(I) for purposes of State accountability (ESEA section 1111(b)(3)(B))? Note that a student's results may be included in the English learner subgroup for not more than four years after the student ceases to be identified as an English learner.

   ☒ Yes

   ☐ No

d. If applicable, choose one of the following options for recently arrived English learners in the State:
☒ Applying the exception under ESEA section 1111(b)(3)(A)(i); or
☐ Applying the exception under ESEA section 1111(b)(3)(A)(ii); or
☐ Applying the exception under ESEA section 1111(b)(3)(A)(i) or under ESEA section 1111(b)(3)(A)(ii). If this option is selected, describe how the State will choose which exception applies to a recently arrived English learner.
Click here to enter text.

ii. Minimum N-Size *(ESEA section 1111(c)(3)(A))*:

a. Provide the minimum number of students that the State determines are necessary to be included to carry out the requirements of any provisions under Title I, Part A of the ESEA that require disaggregation of information by each subgroup of students for accountability purposes.

SD DOE has long used and will continue to use an N size of 10 for both public reporting and for accountability determinations. This N size will apply to all students and each subgroup. This approach has been accepted for years in the state, as it allows for inclusion of many small schools. Using a number larger than 10 would exclude a large number of schools from accountability and would decrease transparency in the state. For indicators that aggregate multiple years' worth of data, SD DOE will apply an N size of 10 for the current tested year prior to aggregating multiple years' of data.

Subgroup	Schools not included in reporting, n = 10		Schools not included in reporting, n = 20	
	# of all schools	% of all schools	# of all schools	% of all schools
All Students	16	2.42%	32	4.85%
White/Caucasian	34	5.26%	66	10.22%
Hispanic/Latino	252	55.51%	317	69.82%
Black/African American	243	73.86%	276	83.89%
American Indian/Alaska Native	225	49.78%	270	59.73%
Hawaiian/Pacific Islander	76	97.44%	78	100.00%
Asian	158	68.40%	190	82.25%
Two or More Races	219	55.58%	289	73.35%
Students with Disabilities	176	28.16%	284	45.44%
English Learners	222	65.29%	283	83.24%
Economically Disadvantaged	35	5.73%	110	18.00%

b. Describe how the minimum number of students is statistically sound.

The decision regarding N size was made after discussions with Accountability Work Group members, SD DOE's Technical Advisory Committee, SD DOE's Parent Advisory Council, and by utilizing the recent Institute of Education Sciences Report "Best Practices for Determining Subgroup Size in Accountability Systems While Protecting Personally Identifiable Student Information." This number strikes a balance between inclusion and indicator stability in the system, ensuring that many of the small schools in the state are still included in the state accountability system, and ensuring transparency for stakeholders and parents related to student outcomes. Schools not meeting the minimum N size of 10 at the school level undergo a Small School Audit (see page 37) that utilizes a review of threeyears of data to determine whether the school is meeting accountability criteria.

c. Describe how the minimum number of students was determined by the State, including how the State collaborated with teachers, principals, other school leaders, parents, and other stakeholders when determining such minimum number.

During the course of its consultations on this plan, SD DOE brought together an Accountability Work Group comprised of school administrators, teachers, and other stakeholders with varied backgrounds to provide recommendations to the state. This group considered the question of N size in the context of what South Dakota has utilized and how other states approach this question. The group recommended continuing to use an N size of 10. These discussions were also held in the English Learner Work Group meetings, Parent Advisory Council meetings, and have been ongoing discussions at Technical Advisory Committee meetings.

d. Describe how the State ensures that the minimum number is sufficient to not reveal any personally identifiable information.[3]

South Dakota has long used an N size of 10 in order to report and hold schools accountable. This established number has been demonstrated through research and peer review as effective in complying with the Family Educational Rights and Privacy Act to protect student information.

South Dakota uses multiple techniques to provide protection against disclosure or identification of an individual student's outcomes, including suppression of small group outcomes, suppression of complementary group outcomes, and suppression of small category outcomes.

e. If the State's minimum number of students for purposes of reporting is lower than the minimum number of students for accountability purposes, provide the State's minimum number of students for purposes of reporting.

N/A

iii. Establishment of Long-Term Goals *(ESEA section 1111(c)(4)(A))*:

a. Academic Achievement. *(ESEA section 1111(c)(4)(A)(i)(I)(aa))*

1. Describe the long-term goals for improved academic achievement, as measured by proficiency on the annual statewide reading/language arts and mathematics assessments, for all students and for each subgroup of students, including: (i) baseline data; (ii) the timeline for meeting the long-term goals, for which the term must be the same multi-year length of time for all students and for each subgroup of students in the State; and (iii) how the long-term goals are ambitious.

SD DOE is working with its Technical Advisory Committee, Regional Education Lab, and experts from the Council of Chief State School Officers (CCSSO) to re-evaluate the state's long- and short-term accountability goals to better align with the ultimate aspiration that all students leave the K-12 system college, career and life ready, and incorporating the following milestones:

- Students enter 4th grade proficient in reading.
- Students enter 9th grade proficient in math.
- Native American students experience increased academic success, and the achievement gap for this subpopulation will be closed.
- Students graduate high school ready for postsecondary and the workforce.

At the outset, SD DOE has set a trajectory for where it wants the educational system to be in 13 years, when the fall 2017 cohort of kindergarteners is ready to leave the educational system in 2030-31.

[3] Consistent with ESEA section1111(i), information collected or disseminated under ESEA section 1111 shall be collected and disseminated in a manner that protects the privacy of individuals consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the "Family Educational Rights and Privacy Act of 1974"). When selecting a minimum n-size for reporting, States should consult the Institute for Education Sciences report "Best Practices for Determining Subgroup Size in Accountability Systems While Protecting Personally Identifiable Student Information" to identify appropriate statistical disclosure limitation strategies for protecting student privacy.

These goals are aspirational in nature and are directly aligned to the state's goals (see above) such that in 2030-31 100 percent of students will be proficient in English language arts and math and:

- 100 percent of 3rd graders will demonstrate proficiency on the statewide summative English language arts assessment, regardless of subpopulation membership.
- 100 percent of 8th graders will show proficiency on the statewide summative mathematics assessment, regardless of subpopulation membership.
- There will no longer be an achievement gap as measured by graduation or proficiency rates for our Native American student population.

Inherent in the design is a system of continuous improvement for all students and all schools. Interim progress goals are set to both: ensure that all groups are expected to grow or maintain proficiency levels and set the expectation that those student groups and schools with the lowest levels of proficiency will grow more quickly as they work to close the achievement gap.

The long term goals will not be reset. However, every 13 years, the state will evaluate the goals holistically in assessing how well schools performed in meeting their trajectories.

2. Provide the measurements of interim progress toward meeting the long-term goals for academic achievement in Appendix A.

Because 4th and 9th grade, which are five and 10 years into a student's educational experience, serve as key markers in the state's goal system, interim targets are aligned to these grade expectations such that:

- In five years (2022-23), the proficiency expectation will be that all student groups, schools, and subpopulations will demonstrate both mathematics and English language arts proficiency levels equal to the all students proficiency percentage as measured at the 50th percentile of public schools on the 2018 summative assessment.

- In 10 years (2027-28), the proficiency expectation will be that all student groups, schools, and subpopulations will demonstrate both mathematics and English language arts proficiency levels equal to the all students proficiency percentage as measured at the 75th percentile of public schools on the 2018 summative assessment.

- Goals are set with the expectation that all student groups and subpopulations will perform at these levels with the intent that in 2030-31, the aspirational goal is that all students will demonstrate both English language arts and mathematics proficiency.

For schools performing above the 50th percentile and 75th percentile, respectively, interim goal targets will be set to meet the next stepping stone. A school's trajectory will be reset at the five and ten year marks to align with what yearly targets each school will need to hit to meet the next milestone.

3. Describe how the long-term goals and measurements of interim progress toward the long-term goals for academic achievement take into account the improvement necessary to make significant progress in closing statewide proficiency gaps.

Goals are set to both: ensure that all groups are expected to grow or maintain proficiency levels and set the expectation that those student groups and schools with the lowest levels of proficiency will grow

more quickly as they work to close the achievement gap. The aspirational goal is such that there will be no achievement gap, but that all groups of students will be performing at the same level.

b. Graduation Rate. *(ESEA section 1111(c)(4)(A)(i)(I)(bb))*

1. Describe the long-term goals for the four-year adjusted cohort graduation rate for all students and for each subgroup of students, including: (i) baseline data; (ii) the timeline for meeting the long-term goals, for which the term must be the same multi-year length of time for all students and for each subgroup of students in the State; and (iii) how the long-term goals are ambitious.

South Dakota's goals for the Four Year Cohort Graduation Rate follow a similar pattern to those for Student Achievement . At the outset, SD DOE set a trajectory for where it wants the educational system to be in 13 years, when the fall 2017 cohort of kindergarteners is ready to leave the educational system in 2030-31.

These goals are aspirational in nature and are directly aligned to the state's goals such that in 2030-31 100 percent of students will graduate on time.

Baseline data were set with the 2017-18 cohort graduation rates. The long term goals will not be reset. However, every 13 years, the state will evaluate the goals holistically in assessing how well schools performed in meeting their trajectories.
These goals are aspirational in nature and are directly aligned to the state's goals such that in 2030-31:

- 100 percent of students will graduate on time.
- There will no longer be an achievement gap as measured by graduation or proficiency rates for our Native American student population.

2. If applicable, describe the long-term goals for each extended-year adjusted cohort graduation rate, including (i) baseline data; (ii) the timeline for meeting the long-term goals, for which the term must be the same multi-year length of time for all students and for each subgroup of students in the State; (iii) how the long-term goals are ambitious; and (iv) how the long-term goals are more rigorous than the long-term goal set for the four-year adjusted cohort graduation rate.

   NA

3. Provide the measurements of interim progress toward the long-term goals for the four-year adjusted cohort graduation rate and any extended-year adjusted cohort graduation rate in Appendix A.

Keying from the interim goals set for Student Achievement, because 4th and 9th grade, which are five and 10 years into a student's educational experience, serve as key markers in the state's goal system, interim

targets are aligned to these expectations such that:

- In five years (2022-23), the expectation will be that all student groups, schools, and subpopulations will demonstrate graduation rates equal to the all students graduation rate as measured at the 50th percentile of public schools in 2018.

- In 10 years (2027-28), the expectation will be that all student groups, schools, and subpopulations will demonstrate graduation rates equal to the all students graduation rate as measured at the 75th percentile of public schools in 2018.

- Goals are set with the expectation that all student groups and subpopulations will perform at these levels with the intent that in 2030-31, the aspirational goal is that all students will graduate on time.

For schools performing above the 50th percentile and 75th percentile, respectively, interim goal targets will be set to meet the next stepping stone. A school's trajectory will be reset at the five and ten year marks to align with what yearly targets each school will need to hit to meet the next milestone.

4. Describe how the long-term goals and measurements of interim progress for the four-year adjusted cohort graduation rate and any extended-year adjusted cohort graduation rate take into account the improvement necessary to make significant progress in closing statewide graduation rate gaps.

Goals are set to both: ensure that all groups are expected to grow or maintain current performance and set the expectation that those student groups and schools with the lowest levels of performance will grow more quickly as they work to close the achievement gap. The aspirational goal is such that there will be no graduation gap, but that all groups of students will graduate on time.

c. English Language Proficiency. *(ESEA section 1111(c)(4)(A)(ii))*
   1. Describe the long-term goals for English learners for increases in the percentage of such students making progress in achieving English language proficiency, as measured by the statewide English language proficiency assessment including: (i) baseline data; (ii) the State-determined timeline for such students to achieve English language proficiency; and (iii) how the long-term goals are ambitious.

South Dakota has two sets of goals in this area: individual student goals, as determined by the methodology detailed below, and statewide goals for groups and subgroups which follow the same aspirational trajectories set for student achievement and graduation rates.

Student-Level Goals:

South Dakota is using a measure of expected English proficiency growth as the core measure of English language proficiency. Growth will be measured by utilizing a growth to target method, with students

starting on a growth trajectory based on their composite proficiency level (PL) on the first English language proficiency (ELP) assessment they take in South Dakota. Data trends and patterns will be used to set new goals in alignment with the state strategic plan. Because of the transition to ESSA, individual baseline data will be set from the 2016-17 school year's data. From there, goals and targets will be reset every 13 years. Once a target trajectory is set, it will not be altered until the end of the performance period unless unique circumstances intervene.

South Dakota understands that how quickly a student is able to achieve English language proficiency is in large part dependent on that student's background. SD DOE has therefore taken advantage of the opportunity ESSA affords to set unique, student-level goals for English Learners (ELs) to meet proficiency. SD DOE has partnered with CCSSO and WIDA to provide technical assistance around its EL policies and measures of proficiency under ESSA. Additionally, SD DOE worked with its English Learner Work Group to review options for measuring growth and proficiency to determine the best method for measuring this within the state accountability system.

Although SD DOE assumed, before examining the state's data, that how long students need to exit the program of English language supports is dependent both upon the grade level and the proficiency level at which the student entered the classroom, and that the age/grade level of a student was likely to have a stronger impact, the data bore out a different story. Looking at the most recent six years of data on South Dakota's EL population, a student's initial proficiency level was the strongest indicator of time to exit, and students entering the EL designation for the first time in middle or high school at a specific proficiency level progressed at rates very similar to the rates of students entering the EL designation for the first time in early elementary school.

Given this, SD DOE worked with its EL Work Group and a team of experts to balance both how the data played out for number of years students needed to exit with the underlying ideals for what the state's expectation should be for students reaching proficiency.

Bearing in mind those criteria, the statewide parameters for exiting are as follow:

Overall 5.0 composite on the SD-ELP Assessment

OR

Overall 4.0 composite on the SD-ELP Assessment AND 3 or 4 on the SD-ELA Assessment

SD-ELP with the baseline year considered year zero, and year one growth being calculated based on the second SD-ELP assessment. In September of 2019, the SD DOE convened a stakeholder workgroup that included educators from various LEAs across the state. The goal of the meeting was to evaluate the current exit criteria to determine if it was rigorous enough. The data that the workgroup evaluated included: number of students currently exiting the SD-ELP assessment, performance on the State Content Assessments, local student test data on state and local assessments as well as knowledge about each of the students being evaluated. In Spring 2018, there were 194 EL students who scored between 4.0 and 4.9 on the SD-ELP assessment and also scored proficient on the South Dakota English Language Arts Assessment. Of these 194, 163 took the South Dakota English Langauge Arts Assessment in spring

2019 and 71.78% of them scored proficient. Of all of the students assessed, 53.36% scored proficient on the SD-ELA assessment in the spring of 2018 and 53.06% scored proficient in 2019.

The chart below indicates the English Language Proficiency Levels and the number of years English Learners have to exit the program based on their first SD-ELP assessment in SD. All English learner students will be put on the trajectory below based upon their first SD-ELP assessment score. Students may exit the program if they score a 5.0 on the SD-ELP assessment or they score a 4.0 on the SD-ELP assessment and a 3 or 4 on the SD-ELA assessment. However, EL students in their first year of enrollment in the United States may qualify for a waiver to not take the SD-ELA assessment, in which case, they must earn a 5.0 on the SD-ELP assessment in order to exit in their first year.

First SD-ELP Score	Years to Exit after First SD-ELP
1.0 to 1.9	5 years
2.0 to 2.9	5 years
3.0 to 3.9	4 years
4.0 to 4.9	3 years
4.0 to 4.9 AND 3 or 4 on SD-ELA	Exit
5.0 to 6.0	Exit

In 2016-17, the following is the distribution of EL student English proficiency scores:

Composite Score	First-Identified EL Students	Returning EL Students
Not Tested	16	73
1.0 to 1.9	212	625
2.0 to 2.9	101	822
3.0 to 3.9	49	1682
4.0 to 4.9	26	744
5.0 to 6.0	*	84

* N size fewer than 10.

SD DOE also acknowledges that English language growth is uneven – many students make great gains the first year or two, only to taper off as they approach proficiency. That trajectory will look different for every student. In order to even the playing field, SD DOE will set interim targets, based on SD-ELP composite scores, that expect equally spaced growth. A student with five years to exit will be expected to make 20 percent progress towards exiting each year. However, those interim targets are not reset every year – the trajectory is plotted out and set at the first SD-ELP assessment, allowing growth to be cumulative as long as a student continues to make progress. Therefore, if a student makes significant gains the first year but slows in year two, the model is flexible to accommodate that pattern.

Below is an example of what an individual student target trajectory would look like:

Initial SD-ELP Level	Years to Exit	Year 1 Target	Year 2 Target	Year 3 Target	Year 4 Target
3.2	4 years	3.6	4.2	4.7	5.0

As seen above, if the student scores a 3.6 in year one and a 4.2 in year two, the student is still considered “on track” to meet the state-defined exit goal despite her uneven trajectory.

The above rubric gives schools and districts the information they need to check that they are moving ELs along sufficiently fast to achieve proficiency. This goal and target rubric also form the backbone of the English Language Proficiency indicator, as detailed below.

A standard setting process for the state's ELP assessment conducted in summer 2016 has increased the rigor of the assessment. As such, South Dakota will use the 2016-17 data as the baseline.

Long-Term Goals (state, district, school-level):

South Dakota's overall goals for English language proficiency will follow a similar pattern to those for Student Achievement. Baseline data were set using the 2017-18 English language proficiency rates.

At the outset, SD DOE has set a trajectory for where it wants the educational system to be in 13 years, when the fall 2017 cohort of kindergarteners is ready to leave the educational system in 2030-31.

These goals are aspirational in nature and are directly aligned to the state's goals (see above) such that in 2030-31, 100 percent of students will be on track to exit ELP status on time.

Inherent in the design is a system of continuous improvement for all students and all schools.

Every 13 years, the state will evaluate the goals holistically in assessing how well schools performed in meeting their trajectories.

2. Provide the measurements of interim progress toward the long-term goal for increases in the percentage of English learners making progress in achieving English language proficiency in Appendix A.

Similar to Student Achievement, because 4th and 9th grade, which are five and ten years into a student's educational experience, serve as key markers in the state's goal system, interim targets will be aligned to these grade expectations such that:

- In five years (2022-23), the expectation will be that all schools will demonstrate at least 50 percent progress towards meeting ELP proficiency expectations.

- In 10 years (2027-28), the expectation will be that all schools will demonstrate at least 75 percent progress towards meeting ELP proficiency expectations.

- Goals are set with the expectation that all students will be on track to exit EL status on time by the 2030-31 school year.

For schools performing above 50 percent progress and 75 percent progress, respectively, towards meeting ELP proficiency expectations, interim goal targets will be set to meet the next stepping stone. A school's trajectory will be reset at the five and ten year marks to align with what yearly targets each school will need to hit to meet the next milestone.

iv. Indicators *(ESEA section 1111(c)(4)(B))*

a. Academic Achievement Indicator. Describe the Academic Achievement indicator, including a description of how the indicator (i) is based on the long-term goals; (ii) is measured by proficiency on the annual Statewide reading/language arts and mathematics assessments; (iii) annually measures academic achievement for all students and separately for each subgroup of students; and (iv) at the State's discretion, for each public high school in the State, includes a measure of student growth, as measured by the annual Statewide reading/language arts and mathematics assessments.

The School Performance Index

In order to differentiate among schools, South Dakota's accountability system will be built on a 100-point scale, called the School Performance Index (SPI). Each school will be awarded a number of points out of 100 based on the school's performance on each of the four indicators for which it is accountable (described below). The scores for each indicatorare summed to create a transparent method to show meaningful annual differentiation among schools.

Two scales will be used, one for elementary and middle schools and one for high schools. Districts and the state will be held to account for all indicators but will not receive SPI scores. Schools will be identified for additional supports based on their performance on the SPI. Performance on each indicator will be reflected on each school, district, and the state report card through a dashboard layout. This will allow stakeholders to quickly see information about key performance areas for schools and districts throughout the state, and allows stakeholders to focus on which indicators are most important to them.

Below is the breakdown of points each indicator will be allotted in the SPI:

High School SPI Points Distribution:

Indicator		Maximum Points Available	
Academic Indicators	**Student Achievement**	Math	20
		English Language Arts	20
		Total	**40**
	Four-Year Cohort Graduation		**12.5**
	College and Career Readiness		**25**
	English Language Proficiency		**10**
High School Completion			**12.5**
Total			**100**

Elementary and Middle School SPI Points Distribution:

Indicator		Maximum Points Possible	
Academic Indicators	**Student Achievement**	Math	20
		English Language Arts	20
		Total	**40**
	Academic Growth	English Language Arts – All Students	10
		Math – All Students	10
		English Language Arts – Lowest Quartile	10
		Math – Lowest Quartile	10
		Total	**40**
	English Language Proficiency		**10**
School Quality			**10**
Total			**100**

<u>Student Achievement</u>

Measuring Student Achievement utilizing a measure of academic proficiency remains a hallmark of South Dakota's accountability system. Academic proficiency will be worth 40 points at both the high school and elementary and middle school levels.

Because of the many small schools and districts in the state, SD DOE will look at a rolling three-year picture of data to determine a school's SPI points for this indicator – designated as "multi-year proficiency." Adding together three years' worth of data evens out the peaks and valleys some small schools may see and allows for greater confidence in the results SD DOE reports. This method also allows SD DOE to hold more schools accountable overall and hold more schools accountable for small pockets of students.

Although not factored into accountability scores for the indicator, current year test results are reported and will serve as the basis for long-term and interim goals. Participation rates on the state assessment will be calculated and reported on a current year, not multi-year, basis.

To award points for Student Achievement, SD DOE will examine the performance of the all student group. (Please note that the performance of all students and all subgroups that meet the minimum N size of 10, will continue to be reported on the Report Card).

The calculation for Student Achievement follows the process below:

<u>Phase I</u>: Note that all calculations are based on adding together the most recent consecutive three years of data, and maximum allowable index points will be divided in half to allow equal weight for ELA and math.

Student Achievement will be measured by looking at the achievement of all students, not just those scoring proficient or higher on the statewide assessment in ELA and mathematics in grades three through eight, and in grade 11 for high schools. These assessments have four performance levels: Level 1 being the lowest level, Level 3 indicating proficiency, and Level 4 indicating advanced performance.

The percentage of students scoring at each performance level is calculated and then multiplied by the point value given to that performance level (Level 1 = 0.25; Level 2 = .5; Level 3 (Proficient) = 1.0; Level 4 = 1.25). To comply with the participation requirements under ESSA, untested students above the amount allowed in the law are included in the calculation and assigned a value of zero points for every percent of tests not taken above the five percent allowed.

The below steps reflect how to calculate the percent of points earned based on the performance level of students on the assessment. Note that all calculations are based on adding together the most recent consecutive three years of data.

1.Determine the denominator for the calculation. This number reflects the larger of either those students assessed or 95 percent of eligible students, as outlined in participation below.
2. If a school met participation requirements for all students, continue to Step 4.
3. If a school did not meet participation requirements, determine the number of students required to bring the school up to the 95 percent bar. The students represented here are given a zero point value.
4. Determine the number of students scoring at Level 1 and translate into a percent of students using the denominator arrived at in Step 1. These students are given a value of .25 points.
5. Determine the number of students scoring at Level 2 and translate into a percent of students using the denominator arrived at in Step 1. These students are given a value of .50 points.
6. Determine the number of students scoring at Level 3 (proficient) and translate into a percent of students using the denominator arrived at in Step 1. These students are given a value of 1.00 point.
7. Determine the number of students scoring at Level 4 and translate into a percent of students using the denominator arrived at in Step 1. These students are given a value of 1.25 points.
8. Multiply the percent of students scoring at each level by the corresponding point value to arrive at the percent of points earned for the subgroup of students in each level.
9. Add together the percent of points earned at each level to get the total percent of points earned.

Below is a representation of Phase I for the students calculated above:

	Nonparticipants up to 95%	**Level 1**	**Level 2**	**Level 3**	**Level 4**	**Total**	**Total Points Earned (% times 20 points possible per subject)**
N-size	2	27	50	100	21	200	
Percent of total	1.00%	13.50%	25.00%	50.00%	10.50%	1	
Point value	0.00	0.25	0.50	1.00	1.25		
% of points earned	**0.00%**	**3.38%**	**12.50%**	**50.00%**	**13.13%**	**79.01**	**15.80**

<u>Phase II</u>: This phase translates the scores calculated above to the total SPI points possible.

10. Multiply the total percent of points earned in each subject by the total points possible to get the points earned for each subject.

11. Add the points earned for each subject to get the total points earned for student achievement.

	% of Points Possible Achieved	Score	Total Points for Student Achievement
Math	79.00%	15.80	33.40
ELA	88.00%	17.60	

Note: No school may earn more points than the maximum possible for the indicator.

b. Indicator for Public Elementary and Secondary Schools that are Not High Schools (Other Academic Indicator). Describe the Other Academic indicator, including how it annually measures the performance for all students and separately for each subgroup of students. If the Other Academic indicator is not a measure of student growth, the description must include a demonstration that the indicator is a valid and reliable statewide academic indicator that allows for meaningful differentiation in school performance.

Academic Growth

Academic Growth was first introduced as an indicator on South Dakota's 2015-16 Report Card. This indicator was developed in conjunction with stakeholder work groups and support from the state's Regional Education Lab and is applied to elementary and middle schools (grades four through eight). The indicator uses Student Growth Percentiles (SGPs) as a means of predicting how a student is growing on the state summative assessment from year to year compared with that student's peers. It also provides information about whether in three years, based on observed patterns, a student is likely to remain proficient or reach proficiency.

SGPs are a means of statistical modeling that group students into peer groups. Students are compared with other South Dakota students who score similarly on the summative assessment. Comparing peers with peers provides for a more accurate picture of how well a student is growing academically from year to year, based on how the student is performing relative to students performing at similar levels.

Points for Academic Growth are based on the growth of all students and the growth of the students in a school who scored in the lowest quartile on the previous year's assessment. Using a lowest quartile consideration, holds all schools accountable for closing the achievement gap for their students most at need.

The denominator for Academic Growth will consist of students in the current test administration year for which SD DOE has a score on the same assessment and the same subject area in a previous year.

Academic Growth for all students in the denominator will be calculated using SGPs. Although every student will be assigned an SGP, which will be made available to parents and teachers, the SGP score for the majority of students will not count towards the Academic Growth key indicator score. Rather, the numerator for Academic Growth consists of those students included in the growth calculation who met the state's growth expectations. Those expectations include:

- Keeping Up: Those students who score at a Level 3 or 4 and whose projected growth over a three-year time span predicts they will maintain proficiency;
- Catching Up: Those students who did not achieve a Level 3 or 4 on the current year's assessment but whose projected growth over a three-year time span predicts they will achieve proficiency within those three years;
- Very High Growth: Students who did not achieve a Level 3 or 4 on the current year's assessment, whose growth is not projected to allow them to reach proficiency over the three-year time horizon, but who achieved an SGP of 70 or higher.

Schools will earn points based on the percent of students meeting growth expectations for all students and the lowest quartile; SD DOE will report the performance separately for all students and all subgroups and at the state, district, and school levels.

To translate into the SPI, a total possible 40 points will be available, split among four "buckets:"

- 10: Percentage of all students meeting growth expectations in ELA;
- 10: Percentage of all students meeting growth expectations in math;
- 10: Percentage of lowest quartile students meeting growth expectations in ELA;
- 10: Percentage of lowest quartile students meeting growth expectations in math.

Below is an explanation of the Academic Growth calculation:

1. Determine the students who will comprise the All Students group.
2. Out of the All Students group, calculate those who achieved growth levels on the ELA portion of state summative assessment who meet the definitions of Keeping Up, Catching Up, and Very High Growth. Repeat for the math assessment.
3. Calculate the percent of the All Students group meeting growth expectations in math and ELA, respectively, by dividing the the number of students who met growth expectations by the number of all students in the current test administration year who have a prior score.
4. Determine the Lowest Quartile group (the 25 percent of students who scored the lowest on the previous year's assessment):
   Substep a: Start with the school's All Students group. Multiply the number of students in the All Students group by .25 to determine the number of students required to comprise the Lowest Quartile.
   Substep b: Calculate a z-score for every student's prior year performance. Using the z-score ensures that the lowest quartile is not overrepresented by students in the 4th and 5th grades.
   Substep c: Take the number of students required to comprise the Lowest Quartile, working from the bottom z-scores until the number of students is reached. Those students comprise the Lowest Quartile group.
5. Out of the Lowest Quartile group, calculate those who achieved growth levels on the ELA portion of state's summative assessment that meet the definitions of Keeping Up, Catching Up, and Very High Growth. Repeat for the math assessment.
6. Calculate the percent meeting growth expectations in the Lowest Quartile group in math and ELA, respectively, by dividing the number of students in the Lowest Quartile who met growth expectations by the number of students in the Lowest Quartile group.
7. Calculate the number of SPI points earned for the All Students and Lowest Quartile subgroups in ELA and math, respectively, by multiplying the percent meeting growth expectations by the number of points possible

8. Add together the SPI points for the All Students ELA and math to the Lowest Quartile ELA and math to arrive at the final Academic Growth SPI score.

Sample Distribution Chart:

	Math		ELA		Total
	% Meeting Growth Expectations	Points	% Meeting Growth Expectations	Points	Points
All Students	78.00	7.80	73.09	7.31	15.11
Lowest Quartile based on Achievement	61.30	6.13	59.03	5.90	12.03
Total					**27.15**

c. Graduation Rate. Describe the Graduation Rate indicator, including a description of (i) how the indicator is based on the long-term goals; (ii) how the indicator annually measures graduation rate for all students and separately for each subgroup of students; (iii) how the indicator is based on the four-year adjusted cohort graduation rate; (iv) if the State, at its discretion, also includes one or more extended-year adjusted cohort graduation rates, how the four-year adjusted cohort graduation rate is combined with that rate or rates within the indicator; and (v) if applicable, how the State includes in its four-year adjusted cohort graduation rate and any extended-year adjusted cohort graduation rates students with the most significant cognitive disabilities assessed using an alternate assessment aligned to alternate academic achievement standards under ESEA section 1111(b)(2)(D) and awarded a State-defined alternate diploma under ESEA section 8101(23) and (25).

Graduation Rate

The Four-Year Cohort Graduation Rate (Graduation Rate) indicator is incorporated as laid out in ESSA. SD DOE will measure the number of students who graduate in four years with a regular high school diploma divided by the number of students who form the adjusted cohort for that graduating class.

At this time, South Dakota does not have alternate academic achievement standards and does not award a state-defined alternate diploma.

Schools will earn points based on the All Students subgroup; SD DOE will report the performance separately for all students and; all subgroups at the state, district, and school levels.

Below is the Graduation Rate Calculation for 2017-18:

Numerator = Number of cohort members who graduate in four years with a regular high school diploma

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Denominator = Number of first-time 9th graders in fall 2014 (starting cohort year), plus students who transfer into,

minus students who are removed from the cohort during the school years 2014-15, 2015-16, 2016-17 and 2017-18

Below is an example of the calculation for the Graduation Rate indicator:

1. Calculate the percent of students meeting the Four-Year Cohort Graduation definition.
2. Calculate the score by multiplying the rate by the points available.
3. The result is the points for the Graduation Rate indicator.

Sample Distribution Chart:

Step:	1	2	3
	Rate as %	Points Available	Total points for Indicator
Four-year Cohort Graduation Rate	92.75%	12.5	
Total			**11.59**

d. Progress in Achieving English Language Proficiency (ELP) Indicator. Describe the Progress in Achieving ELP indicator, including the State's definition of ELP, as measured by the State ELP assessment.

South Dakota's unique challenges in ensuring English learners (ELs) are proficient are reflected in the considered design of the English Language Proficiency (ELP) indicator. South Dakota's ELs are diverse. They come from refugee camps with no formal schooling, as children of migrant workers with interrupted education, and as immigrants from a variety of backgrounds. ELs in South Dakota also have lived here for generations – as members of a Hutterite colony whose first language is Hutterite (a form of German) and American Indian students whose primary language at home is English, but with a strong native language influence. Adding to the complexity of the picture is that most districts have no ELs. Only a few districts have consistent and significant populations of ELs.

SD DOE designed its ELP indicator based on the state's student-level ELP goals and exit criteria and designed the indicator to focus on the growth students are making towards ELP. The point structure for the ELP indicator is similar to that of Student Achievement, in that schools earn a percentage of points based on how their ELs are performing towards the state's goals for reaching for language proficiency – defined as a composite score of 5.0 on the SD-ELP assessment or a composite score of 4.0 on the SD-ELP assessment and a score of 3 or 4 on the SD-ELA assessment.

The point of entry to the indicator is a student's first SD-ELP assessment. The indicator is structured to consider separately students taking the SD-ELP for the first time and students' growth on the SD-ELP. Expectations for growth trajectories are detailed on pages 18-19.

The cumulative percentage of: first-identified and returning EL students falling into each category is calculated and then multiplied by the point value given to that category (not tested = 0 points; returning students tested but not growing = 0.25; returning students showing some growth but not meeting trajectories or returning students exiting late = 0.5; first-identified students exiting or returning students on track to exit on time = 1.0; returning students exiting early = 1.25). This is better explained by looking at first-identified and returning students separately.

First-identified students (students without a previous SD-ELP test score):

- Students who were required to take the SD-ELP assessment but did not are assigned to the category worth zero points.
- Students who both took the SD-ELP assessment for the first time, and who met the exit criteria within their first year of receiving services are assigned to the category earning one point.
- Other students who took the SD-ELP for the first time and did not exit within their first year of services are given a growth trajectory, but are not included in this indicator until the second year of identification when progress towards growth can be calculated.

For students with at least one previous SD-ELP score:

- Students who were required to take SD-ELP but did not will be assigned to the category worth zero points.
- Students who took SD-ELP as required but a) lost proficiency, b) failed to make progress, or c) did not take the SD-ELP assessment when first identified but then took the assessment for the first time this year will be assigned to the category worth 0.25 points.
- Students who are not on track to exit within the prescribed time frame but who have nevertheless progressed in proficiency are assigned to the category worth 0.50 points.
- Students who are either on track to exit within the prescribed time frame or who exited on time are assigned to the category worth 1.0 point.
- Students who exit ahead of the prescribed timeframe are assigned to the category worth 1.25 points.

Once all EL students have been assigned to the appropriate category as denoted above, the cumulative percentages of students in each point category are multiplied by the point level, and by the points available for the indicator to create a calculated EL indicator score.

	Newly-identified EL, not tested	Returning EL, not tested	Returning EL, tested, no growth	Returning EL, growing but not meeting goals	Newly-identified EL exiting	Returning EL, tested, meeting growth goals	Returning EL, tested, early exit	Totals	Total Points Earned (lesser of 10.0 or sum of all points)
N-size	10	10	20	20	10	20	10	100	
Percent of total EL	10.00%	10.00%	20.00%	20.00%	10.00%	20.00%	10.00%	1	
Point value	0		0.25	0.5	1.00		1.25		
Points earned	**0**		**0.50**	**1.00**	**3.00**		**0.13**	**4.63**	**4.63**

Note: No school may earn more than 10 points for the indicator.

Establishing a continuum of points, including bonus points for early exiters, will recognize schools for continuing to work with ELs to ensure they reach the needed language proficiency to participate fully in the classroom with their peers as quickly as possible.

As noted above, South Dakota's districts vary widely in the number of ELs they serve. Any school meeting an N size of 10 in the current year will be held accountable and receive points based on the

performance of its students for the ELP indicator. If a school in a district does not meet the EL N size of 10 in the current year, but the district as a whole served 10 or more ELs in the current year, that school will receive a percentage of points based on all EL students in the district. If a district did not meet the N size of 10 in the current year, the points for the ELP indicator will be evenly redistributed to the academic indicators. At the elementary and middle school levels, these academic indicators are student performance and student progress. At the high school level, the points are redistributed to the student performance, college and career readiness, and on-time graduation indicators. In this way, SD DOE will be able to hold the maximum number of schools accountable for the growth of their EL students.

School District Schools	Number of ELs in current year
Elementary A	0 ELs
Elementary B	7 ELs
Elementary C	5 ELs
Middle School D	3 ELs
High School E	16 ELs

*How a school will earn points for the English Language Proficiency Indicator
**See Appendix F

- **Elementary A** has 0 ELs in current year, therefore, the 10 ELP SPI points are redistributed to the other academic indicators.
- **High School E** has more than 10 EL students in current year, therefore, they are responsible for the 10 ELP SPI points. They receive their own ELP SPI points.
- **Elementary B**, **Elementary C**, and **Middle School D** all have less than 10 ELs in the current year. These schools will receiveELP SPI points based on all EL students in the district. The number of EL students at **Elementary B, Elementary C, Middle School D, and High School E** are all added for a total of 31 EL students in current year. **Elementary B, Elementary C**, and **Middle School D** will all receive the same number of ELP SPI points based on the 31 EL students.

Schools will earn points based on the All Students group; SD DOE will report the performance separately for all students and all subgroups at the state, district, and school levels, only publicly providing information for those groups meeting the appropriate N size.

South Dakota's growth goals combined with its ELP indicator set out an aggressive standard that also acknowledges ELs enter the classroom from different social and academic backgrounds. Allowing schools extra time to work with those in most need, while still incentivizing a quick timeframe for achieving proficiency, will cater to the needs of EL students to successfully complete their academic programs.

e. School Quality or Student Success Indicator(s). Describe each School Quality or Student Success Indicator, including, for each such indicator: (i) how it allows for meaningful differentiation in school performance; (ii) that it is valid, reliable, comparable, and statewide (for the grade span(s) to which it applies); and (iii) of how each such indicator annually measures performance for all students and separately for each subgroup of students. For any School Quality or Student Success indicator that does not apply to all grade spans, the description must include the grade spans to which it does apply.

Elementary and Middle Schools: School Quality = Attendance

Beginning with the 2014-15 school year, SD DOE began examining individual student attendance patterns as a means of capturing attendance for its accountability system. This was a departure from its previous attendance collection measure of Average Daily Attendance. With this change, South Dakota saw a dramatic shift in what the indicator now revealed about attendance patterns in the state. By reporting out the percent of students who met the state definition of chronically absent students, the system no longer allowed pockets of chronically absent students to be masked by the data of those students with near perfect attendance. This switch provided greater differentiation. Out of the 2015-16 school year, school-level rates of students meeting attendance benchmarks ranged from 100 percent down to 25 percent of students meeting the benchmark, with a median of 85 percent.

Following this shift to a measure of attendance patterns, rather than average attendance, SD DOE began providing additional resources, such as family engagement strategies and a media campaign, aimed at increasing attendance as a means to support districts in addressing chronic absenteeism.

Initially, SD DOE will continue to use attendance as its indicator of School Quality under ESSA. However, SD DOE will change its definition of chronic absenteeism to a student who misses more than 10 percent of his enrolled days, versus the 94 percent SD DOE applied under the ESEA Flexibility Waiver. This allows for more consistency in public reporting.

Schools will receive SPI points for accountability based on the percent of students who attended 90 percent or more of their enrolled days, exclusive of exempt absences. The indicator is worth 10 points; a hypothetical school with 79.54 percent of students attending 90 percent of their enrolled days would receive 7.95 points out of a possible 10.

This indicator has been and will continue to be calculated for all elementary and middle schools (grades K-8). Schools will earn points based on the All Students group; SD DOE will report the performance separately for all students, all subgroups, the Gap and Nongap super subgroups, and at the state, district, and school levels.

In the long term, SD DOE does not expect attendance to be the sole School Quality indicator at the elementary and middle school levels, and will continue to seek innovation in designing a School Quality indicator as requested by stakeholder groups during the development of the state plan. During the initial phase of ESSA implementation, SD DOE will work to develop and pilot additional indicators of

School Quality in response to significant public desire to incorporate an indicator other than strictly attendance. Public stakeholder input has centered on the concept of safe and healthy schools as well as access to a well-rounded education. Safe and Healthy Schools could encapsulate a number of factors, including access to school counselors and psychologists, discipline rates, and other data. SD DOE will work closely with stakeholders to further refine this concept. Access to a well-rounded education could include access to cultural competency – including discussions of cultural heritage and incorporation of the Oceti Sakowin Essential Understandings (see: http://indianeducation.sd.gov/documents/OcetiSakowinEUS.pdf); as well as STEM (Science, Technology, Engineering, and Mathematics) content and opportunities. Further, integrating fine arts opportunities including, but not limited to, visual arts, music, and theater could also be a component of a well-rounded education. Through the South Dakota Virtual School (https://sdvs.k12.sd.us/), school districts can offer coursework online which they otherwise would not have the student enrollment numbers or certified staff to be able to offer. After piloting and consulting stakeholders, SD DOE will consider amending its ESSA plan to reflect any new indicators that pilots and feedback suggest provide meaningful, valid, and reliable information about school or student success.

Piloting these concepts will allow SD DOE to ensure that any indicator chosen to enhance or replace attendance is valid and reliable across South Dakota's diverse school systems.

High Schools: School Quality = High School Completion

High School Completion Rate is the percent of students in the most recently completed school year who have attained a diploma or a high school equivalency. Students included for this purpose are those who have attained a diploma or high school equivalency in the most recently completed school year divided by the sum of the number of students who attained or potentially could have attained a diploma or high school equivalency in the most recently completed school year. This would include students who graduated outside of the traditional four-year timeframe (both early and late graduates). This rate will be calculated for every school, district, and the state, and for every subgroup at each level.

Utilizing both the Four-Year Cohort and High School Completion rates in the state's overall accountability system fulfills federal accountability provisions, while also recognizing the work many high schools are accomplishing throughout the state. All would acknowledge that the goal is to see every student graduate within four years. However, the reality is that is not always possible. By incorporating a High School Completion rate, schools will be rewarded for getting students across the finish line, however that may happen.

Below is the High School Completion Rate calculation for 2017-18:

Numerator = Number of students who obtained a high school diploma or high school equivalency in the current school year

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Denominator = Dropouts (Grade 9 dropouts in 2014-15 + Grade 10 dropouts in 2015-16 + Grade 11 dropouts in 2016-17 + Grade 12 dropouts in 2017-18) + the number of students who obtained a high school diploma or high school equivalency in the current school year

f. Other Academic Indicator – High School Level.

College and Career Readiness (CCR)

South Dakota has chosen to incorporate an additional academic indicator at the high school level – college and career readiness. How students are prepared for life outside the doors of K-12 education is tied to workforce needs and the standards for readiness to take credit-bearing postsecondary coursework at the state's universities and technical colleges. As noted previously, South Dakota has an aspiration that all students leave the K-12 education system college, career, and life ready. To that end, SD DOE has designed a robust indicator to provide relevant information to communities about how well schools are preparing graduates for that next step.

South Dakota has measured CCR as part of its SPI since the 2012-13 school year. However, the tools for measurement in years past were limited and only provided a narrow glimpse into whether students were ready for college. SD DOE worked with an array of stakeholders to design an indicator based on multiple ways – including both assessments and coursework – for a student to show readiness.

Overall Framework: To ensure that all students are included once in their high school career, the completer cohort will be used to make this calculation. Schools will earn full credit for each student included in the completer cohort who meets the requirements as detailed below. Schools will earn half credit for any student who meets *either* the assessment or coursework option.

Clarifying Points:

- The option to demonstrate college and career readiness is available to all students and is based on the previous year's completer rate cohort. This allows for coursework and exams taken anytime during students' high school career to be counted, and ensures all students are counted one time during their high school career.
- The benchmarks can be achieved at any point during a student's high school career. If an assessment or course is taken multiple times, only the best mark will be considered.
- Additional options may be phased in as SD DOE builds the data collection processes to capture accurately student experiences.

Assessment Readiness	Coursework Readiness
Student must meet 1 assessment readiness indicator	
• **English and Math Readiness** ü **<u>English Readiness</u>** <u>(meet 1 of 3 options)</u>: 1. SD-ELA (Level 3 or 4) 2. ACT English (sub-score 18) 3. Accuplacer- NextGen Writing (score 263+) ü **<u>Math Readiness</u>** <u>(</u>meet 1 of 3 options)**:** 1. SD-Math (Level 3 or 4) 2. ACT Math (sub-score 20) 3. Accuplacer- NextGen-Quantitative Reasoning, Algebra & Statistics (score 255-300)	• **High School Graduation Advanced Endorsement** ✓ Earn 1 or more endorsements
• **<u>National Career Readiness Certificate</u>** ✓ Silver certification or higher	

** denotes those pieces that may be phased in over time as data systems are developed*

<u>Valid, Reliable, and Statewide</u>:
As SD DOE has built the College and Career Readiness indicator fora number of years, it can say with certainty that any high school with at least one student has access and therefore the opportunity to earn all or a portion of the 25 points available for this indicator. The statewide summative assessments are given to all 11th graders. To meet graduation requirements, all students have the opportunity to earn one or more advanced endorsement at no cost to them, providing equitable access to meet the CCR indicator. Every district in the state has multiple options through this indicator to demonstrate they are preparing their students for what comes next.

SD DOE was also precise in choosing the options for this indicator. Starting with the desire to move beyond South Dakota's assessment-only CCR indicator under its NCLB waiver system, stakeholders looked at what ways a student could prove readiness for life after high school. Understanding that an accountability system cannot capture every pathway, the work group looked to proven measures throughout the country, as well as well-established and common pathways within the state.
To award points for this indicator, the prior year's completer class data will be examined and students will be classified into one of three categories:

- No indicators met
- Either Assessment Readiness OR Coursework Readiness met
- Both indicators met

The relative percent of students in each category will be multiplied by the points possible as follows:

- No indicators met = 0 points
- Either Assessment Readiness or Coursework Readinessmet = 0.5 points
- Both indicators met = 1.0 point

These points will be summed and will represent the percentage of points earned for this indicator. This percentage will be multiplied by the total points possible for the indicator to arrive at the school's earned points.

Schools will earn points based on the All Students group; SD DOE will report the performance separately for all students, all subgroups, and at the state, district, and school levels.

v. Annual Meaningful Differentiation *(ESEA section 1111(c)(4)(C))*

a. Describe the State's system of annual meaningful differentiation of all public schools in the State, consistent with the requirements of section 1111(c)(4)(C) of the ESEA, including a description of (i) how the system is based on all indicators in the State's accountability system, (ii) for all students and for each subgroup of students. Note that each state must comply with the requirements in 1111(c)(5) of the ESEA with respect to accountability for charter schools.

Performance on each indicator will be reflected on each school's, district's, and the state report card through a dashboard layout. This will allow stakeholders to make their own judgments on the performance of schools and districts throughout the state, as well as determine what of the indicators are most important to them.

In order to differentiate schools, SD DOE will run an accountability system built on a 100-point scale, the School Performance Index (SPI). Each school will be awarded a percentage of points out of 100 based on the school's performance on each SPI indicator. Two scales will be used, one for elementary and middle schools and one for high schools. Districts and the state will be held to account for all indicators but will not receive SPI points. The weights in the SPI are designed to follow federal guidelines and to mirror South Dakota's aspiration that all students graduate college, career and life ready.

Schools will be differentiated based on their performance on the SPI. For example, schools will be designated for Comprehensive Support based on the lowest five percent of SPI scores for Title I schools.

Points will be earned based on all students within an indicator and at times, different weights will be ascribed based on subgroup performance. For a more detailed description of how weights will be derived for each indicator, please see the description of indicators above.

Additional information that provides meaningful context will be presented on each school's Report Card in accordance with the provisions of the law and at the recommendation of key stakeholder groups such as SD DDOE's Parent Advisory Council.

Reporting of School-level Financial Information

ESSA Section 1111(h)(1)(x) requires that the state and districts report per-pupil expenditures of federal, state, and local funds, at the school level. This requires reporting of information at a level and detail that was not previously gathered in South Dakota.

The state organization of school business officials has selected several school business officials to work with SD DOE to review current financial reporting and begin to work towards the goal of meeting the

new reporting requirements. Throughout the 2017-18 school year, with the help of this work group, SD DOE will survey districts and analyze how and what changes must be implemented to report expenditure data at the school level and by funding source. Once the changes are determined, an important next step will be to provide training opportunities for all school business officials to learn, to understand, and to utilize the new financial coding.

Any financial reporting change cannot be implemented quickly and must be planned well in advance to allow time for districts to prepare budgets implementing the changes, utilize the coding changes for a full fiscal year, and then collect and report the financial data at the end of the fiscal year. Therefore, it is SD DOE's intention to continue to work with the work group to provide new expenditure coding and to implement and test those changes on a pilot basis in the 2018-19 school year. Public reporting of the per-pupil expenditure data would be rolled out by December 2020, based on the 2019-20 school year.

b. Describe the weighting of each indicator in the State's system of annual meaningful differentiation, including how the Academic Achievement, Other Academic, Graduation Rate, and Progress in ELP indicators each receive substantial weight individually and, in the aggregate, much greater weight than the School Quality or Student Success indicator(s), in the aggregate.

South Dakota's system of indicators flows from the aspiration that all students graduate college, career and life ready. The model rewards growth, while also acknowledging certain benchmarks, such as proficiency and graduation, remain important to a student's success. To get there, the system provides schools with unique student achievement targets that encourage continuous and ongoing improvement. Rather than focusing almost exclusively on student proficiency on a single assessment, it encompasses multiple indicators that are critical pieces in preparing students for the rigors of the 21st century world.

Below is the breakdown of points each indicator will be allotted in the SPI:

High School SPI Points Distribution:

Indicator		Maximum Points Available	
Academic Indicators	**Student Achievement**	Math	20
		English Language Arts	20
		Total	**40**
	Four-Year Cohort Graduation		**12.5**
	College and Career Readiness		**25**
	English Language Proficiency		**10**
High School Completion			**12.5**
Total			**100**

Elementary and Middle School SPI Points Distribution:

Indicator		Maximum Points Available	
Academic Indicators	**Student Achievement**	Math	20
		English Language Arts	20
		Total	**40**
	Academic Growth	English Language Arts – All Students	10
		Math – All Students	10
		English Language Arts – Lowest Quartile	10
		Math – Lowest Quartile	10
		Total	**40**
	English Language Proficiency		**10**
School Quality*			**10**
Total			**100**

** As noted above, this will be measured through Attendance for the 2017-18 and 2018-19 school years, at which point South Dakota will transition indicators.*

Substantial weight in the aggregate will be given to the academic indicators at each level, as noted above, while still representing the values and the realities of the South Dakota accountability system.

In the event that a school cannot meet the minimum N size of 10 for accountability in a given indicator, even when aggregating data, points will be redistributed to the other indicators as follows:

- EL indicator N-size insufficient when aggregated at school, district levels: 10 points reallocated evenly across other academic indicators (elementary and middle school: Achievement and Growth; high school: Achievement and High School Completion).
- All other indicators with insufficient N: Points distributed across all indicators for which a school is accountable.

c. If the States uses a different methodology or methodologies for annual meaningful differentiation than the one described in 4.v.a. above for schools for which an accountability determination cannot be made (*e.g.*, P-2 schools), describe the different methodology or methodologies, indicating the type(s) of schools to which it applies.

<u>Schools with no tested grades</u>: A significant portion of points at the elementary and middle school levels will be derived from performance on the state summative assessments. If a school has no tested grades, it will be designated as a "Feeder School." Feeder Schools will then be paired with a school that has tested grades and into which the majority of the Feeder School's students enroll. The paired school will be designated as a "Receiver School." Feeder Schools will receive the SPI points of their Receiver Schools for Student Achievement and Academic Growth. Each school will maintain its own distinct performance and SPI points for the School Quality indicator and for the English Language Proficiency indicator. Feeder schools also receive the same designation as their Receiver schools. A feeder school may apply for a waiver to not receive the designation of Targeted Support and Improvement from the SD DOE School Improvement Office if they have completed a needs analysis and have evidence to show that the feeder school does not have systemic issues that require attention

Small School Audit: Due to South Dakota's unique geography and composition of its population, some schools do not meet the state's N size of 10 for public reporting at a school level; one district does not even meet the N size. It is inappropriate or even impossible to apply the rules of the SPI process as laid out above to these schools. Yet SD DOE continues to ensure that these schools are not forgotten in overall accountability through the Small School Audit process, a process run annually.

Any school with a tested population of fewer than 10 students in the current yearwould automatically qualify for the Small School Audit.

Schools designated as small will be evaluated by a team with representatives from across SD DOE. The teams will evaluate the school's performance over the past three years to identify trends. For the accountability indicators that can be examined, such as attendance, standardized data will be examined. Should promising or concerning trends become evident through this individualized examination, small schools will be eligible for designation. A school that cannot show student growth/achievement using the locally identified measures identified in the application process above the rate of the highest performing comprehensive support school, or who shows gaps for one or more subgroups as detailed in the targeted support designation process will be found not to be meeting the educational needs of their students can be identified for comprehensive or targeted support. Should SD DOE determine a designation is warranted, the same process would follow as for other identified schools. Whether exit criteria would be met will again be evaluated through the Small School Audit.

In this manner, SD DOE will hold every school across the state, regardless of size, to the same rigorous standards in meeting the needs of 21st century learning.

vi. Identification of Schools *(ESEA section 1111(c)(4)(D))*

a. Comprehensive Support and Improvement Schools. Describe the State's methodology for identifying not less than the lowest-performing five percent of all schools receiving Title I, Part A funds in the State for comprehensive support and improvement, including the year in which the State will first identify such schools.

In accordance with ESSA, SD DOE will designate the lowest-performing five percent of Title I schools for Comprehensive Support using the results of the SPI. The SPI returns a summative points rating for each school based on the point structures, as detailed above. SD DOE will rank separately Title I elementary and middle schools, and high schools, according to their overall SPI score; those five percent of Title I elementary and middle, and high schools, receiving the lowest overall SPI scores will be designated for Comprehensive Support under this category.

Designations will first be made with the Report Card based on 2017-18 data, for designation for the 2018-19 school year.

b. Comprehensive Support and Improvement Schools. Describe the State's methodology for identifying all public high schools in the State failing to graduate one third or more of their students for comprehensive support and improvement, including the year in which the State will first identify such schools.

SD DOE will examine the Four-Year Cohort graduation rates of all public high schools in the state beginning with the data from the 2017-18 school year. Those public high schools that fail to graduate at least one-third of their students will be designated for Comprehensive Support for the 2018-19 school year.

c. Comprehensive Support and Improvement Schools. Describe the methodology by which the State identifies public schools in the State receiving Title I, Part A funds that have received additional targeted support under ESEA section 1111(d)(2)(C) (based on identification as a school in which any subgroup of students, on its own, would lead to identification under ESEA section 1111(c)(4)(D)(i)(I) using the State's methodology under ESEA section 1111(c)(4)(D)) and that have not satisfied the statewide exit criteria for such schools within a State-determined number of years, including the year in which the State will first identify such schools.

SD DOE will identify for Comprehensive Support any Title I school designated under section f. below (a school with a subgroup that would on its own qualify for designation as Comprehensive Support) if that school has not met exit criteria spelled out below after four years of designation for Additional Targeted Support. This identification will first be made (if necessary) for the 2023-24 school year.

d. Frequency of Identification. Provide, for each type of school identified for comprehensive support and improvement, the frequency with which the State will, thereafter, identify such schools. Note that these schools must be identified at least once every three years.

Schools will be identified for Comprehensive Support based on the criteria above on an annual basis.

e. Targeted Support and Improvement. Describe the State's methodology for annually identifying any school with one or more "consistently underperforming" subgroups of students, based on all indicators in the statewide system of annual meaningful differentiation, including the definition used by the State to determine consistent underperformance. *(ESEA section 1111(c)(4)(C)(iii))*

South Dakota defines consistently underperformance as any subgroup that is performing in the bottom of each statewide subgroup performance for all eligible SPI indicators over a period of three years. Comparing like subgroups will ensure the lowest performing subgroups throughout the state are being identified for support. Schools that are identified as Comprehensive Support and Improvement will not be identified for Targeted Support and Improvement. Subgroups for schools identified as Comprehensive Support and Improvement will be removed prior to ranking the performance of each subgroup.

The department will start by looking at Full Academic Year (FAY) subgroup N size of the current tested year to determine if the subgroup meets the N size of 10 per SPI indicator. Then, SD DOE will look at subgroup performance in all eligible indicators over the most recent three years for all subgroups in all schools in the state, ranking the performance for each subgroup. Schools with one or more subgroups in the bottom will be designated a Targeted Support and Improvement School. Only subgroups performing below the state's average for each indicator will be identified for Targeted Support and Improvement.

f. Additional Targeted Support. Describe the State's methodology, for identifying schools in which any subgroup of students, on its own, would lead to identification under ESEA section 1111(c)(4)(D)(i)(I) using the State's methodology under ESEA section 1111(c)(4)(D), including the year in which the State will first identify such schools and the frequency with which the State will, thereafter, identify such schools. *(ESEA section 1111(d)(2)(C)-(D))*

SD DOE will identify from the list of schools with consistently underperforming subgroups, any public school with a federally defined subgroup performing no better than the designated Comprehensive Support schools using the results of the SPI. SD DOE will rank elementary and middle schools, and high school separately due to the different SPI indicators. Designation will first take place using the results of the 2017-18 data, for the 2018-19 school year, and annually thereafter.

g. Additional Statewide Categories of Schools. If the State chooses, at its discretion, to include additional statewide categories of schools, describe those categories.

N/A

h. Annual Measurement of Achievement *(ESEA section 1111(c)(4)(E)(iii))*: Describe how the State factors the requirement for 95 percent student participation in statewide mathematics and reading/language arts assessments into the statewide accountability system.

In order to appropriately measure the progress of all students and all schools in serving those students, ESSA lays out that all students must participate in the statewide assessment. South Dakota takes this responsibility seriously and overall has achieved statewide participation rates of more than 99 percent.

Yet not all schools and districts have consistently met this bar since Smarter Balanced testing began in 2014-15. Being a small state with small districts and a small number of districts, SD DOE closely tracks participation and provides the appropriate supports and outreach to districts that fail to meet the bar either at the school or district level as a whole, or for a particular subgroup of students. Virtually every

district falling below the 95 percent requirement has not met the bar for unique reasons, and SD DOE believes those situations should be addressed on an individual basis. Schools not meeting participation requirements for their All Students group or for specific subgroups are selected for additional targeted assistance and monitoring by South Dakota's assessment team during state testing, as detailed in the state's peer review submission.

Following the prescription in ESSA, SD DOE will calculate student achievement rates out of 95 percent of accountable students eligible to test annually, or those who participated, whichever is higher. SD DOE will also notify each district individually and work with the district to craft an improvement plan designed to address the reasons for which the district failed to test the required number of students.

As an additional measure within the accountability system, SD DOE will award zero points for the students who did not participate, up to the 95 percent rate, as appropriate. See the Student Achievement section for a fuller illustration of this concept.

vii. Continued Support for School and LEA Improvement *(ESEA section 1111(d)(3)(A))*

a. Exit Criteria for Comprehensive Support and Improvement Schools. Describe the statewide exit criteria, established by the State, for schools identified for comprehensive support and improvement, including the number of years (not to exceed four) over which schools are expected to meet such criteria.

Schools identified for Comprehensive Support will be designated for a period of four years to use interventions and strategies to improve the overall performance of their students. In determining a school's eligibility to exit, the following criteria will be evaluated:

1. The school no longer meets the definition of Comprehensive Support (i.e., no longer in the bottom five percent of SPI, graduation rate above 67 percent, or improved subgroup performance).
2. The school's performance on accountability indicators over the period of designation demonstrates a positive overall trajectory.
3. The school has demonstrated improvement on the identified prioritized need(s), as agreed between the School Success Facilitator and the school based upon the results of the comprehensive needs assessment conducted in the first year of designation.

b. Exit Criteria for Schools Receiving Additional Targeted Support. Describe the statewide exit criteria, established by the State, for schools receiving additional targeted support under ESEA section 1111(d)(2)(C), including the number of years over which schools are expected to meet such criteria.

Schools identified for Additional Targeted Support are designated for a period of two years to improve the performance of particular pockets of students within their overall student body. In determining a school's eligibility to exit, the following criteria will be evaluated:

1. The school no longer meets the definition under which it was designated for Additional Targeted Support.

2. The performance of each subgroup triggering the designation on initial eligible accountability indicators over the period of designation demonstrates a positive overall trajectory.

c. More Rigorous Interventions. Describe the more rigorous interventions required for schools identified for comprehensive support and improvement that fail to meet the State's exit criteria within a State-determined number of years consistent with section 1111(d)(3)(A)(i)(I) of the ESEA.

Comprehensive Support schools failing to meet the exit criteria within four years will be required to re-evaluate and revise their school improvement plans by working with their School Success Facilitator to conduct another comprehensive needs assessment during the fifth year of designation.

During the 2017-18 school year, SD DOE will continue to work with its technical experts through American Institutes for Research, through its comprehensive center, and with schools familiar with the improvement process to clarify the necessary components and needs analysis provisions for use beginning with schools identified for improvement based on 2017-18 data. Results of the analysis must be shared with school board, stakeholders, and SD DOE and will become a vital component of the school's improvement plan moving forward.

Taking this approach will allow for a more individualized look at the school improvement process and provide a fresh take on the type and rigor of supports needed. Following this expert review, the facilitator, the school, and SD DOE will agree on the supports and interventions the school will undertake in order to reach a level whereby the school is able to exit the Comprehensive Support process.

Comprehensive Support schools will be paired with a state-assigned School Success Factilitator that will help conduct the needs assessment as well as help design and implement a school improvement action plan. School improvement plans will include the use of evidence-based interventions.

d. Resource Allocation Review. Describe how the State will periodically review resource allocation to support school improvement in each LEA in the State serving a significant number or percentage of schools identified for comprehensive or targeted support and improvement.

Districts with a significant number of Comprehensive and/or Targeted schools will be assigned a Technical Advisor. Districts will work with their assigned Technical Advisor to identify any resource inequities and address in the school level action plan.

SD DOE will host meetings to work with identified districts and their schools to determine options for utilizing school improvement funds. This will include looking at what schools are already doing, what the needs are, and what support is currently available throughout SD DOE.

SD DOE will use 1003 funds to provide facilitators to Comprehensive Support schools. Funds will be used to support schools implementing improvement plans and provide interventions to the Comprehensive and Targeted Support schools. The interventions will directly support the reason for designation as well

as the areas of improvement identified during the needs assessment. Interventions will be determined based on the results of their needs assessment and identification of prioritized needs. Priority for funds will be given to Comprehensive Support Schools.

e. Technical Assistance. Describe the technical assistance the State will provide to each LEA in the State serving a significant number or percentage of schools identified for comprehensive or targeted support and improvement.

SD DOE strives to meet the unique and diverse needs of all districts in South Dakota. SD DOE has and will continue to provide on-going conferences, technical assistance, and structured professional development to meet the needs of districts, utilizing state and federal resources (Title I, II, III, IV) as allowable and within the provisions of applicable state and federal laws.

In addition, the state may target high quality career and technical education (CTE) programs for schools with a low graduation rate that fail to improve. SD DOE has seen great success in graduation rates in districts that implement modern, high quality CTE programs. During the 2015-16 school year, students who participated in these programs, taking two or more CTE classes during their high school career, graduated at a rate of 97 percent, compared with the statewide average of 84 percent. This same trend of success has been demonstrated within the American Indian subgroup. During the 2015-16 school year, American Indian students who took two or more CTE courses during their high school career graduated at a rate of 86 percent compared with the statewide average for this group of 50 percent.

As such, SD DOE may provide direct technical assistance to high schools that have not sufficiently improved graduation rates to assist them in implementing modern, high quality CTE programs. SD DOE employs regional career development specialists who are located in various geographic locations across the state, and these individuals will provide in-person and online technical assistance to schools in implementing systemic career development programs based on student interest and labor market demands. This technical assistance may include revamping existing CTE programs or adding new CTE programs.

Additionally, an effective school library program has a certified teacher/librarian. A 21st century school library not only provides access to quality resources but provides personalized learning environments and equitable access to all resources to ensure a well-rounded education and opportunities for every student.

In addition to the above technical assistance and based on SD DOE analysis of district data, districts that have two or more schools identified as Targeted and/or Comprehensive Support may be assigned a Technical Advisor to guide the district improvement process in supporting schools within the district. Technical Advisor requirements will be at the discretion of SD DOE.

Technical Advisors work with the administration on all district-level decisions being made regarding curriculum, staff assignments, budgetary requests, professional development, and other interventions. Technical Advisors are also responsible for regularly communicating with SD DOE, School Success Facilitators assigned to schools in the district, and with district governance, which may include school boards. Through regular reporting, SD DOE will work with Technical Advisors to identify additional support districts may need.

SD DOE will annually determine the necessity of the Technical Advisor support through an examination of data and reports provided throughout the year by the Technical Advisor.

f. Additional Optional Action. If applicable, describe the action the State will take to initiate additional improvement in any LEA with a significant number or percentage of schools that are consistently identified by the State for comprehensive support and improvement and are not meeting exit criteria established by the State or in any LEA with a significant number or percentage of schools implementing targeted support and improvement plans.

N/A

5. Disproportionate Rates of Access to Educators (*ESEA section 1111(g)(1)(B)):* Describe how low-income and minority children enrolled in schools assisted under Title I, Part A are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, and the measures the SEA will use to evaluate and publicly report the progress of the SEA with respect to such description.[4]

In 2012, SD DOE developed the South Dakota Student Teacher Accountability Reporting System (SD-STARS) as the state's longitudinal data system. The goal is for SD-STARS to securely consolidate and link all educational data that currently resides within the SD DOE. This increases data availability for reporting and analysis used by districts and SD DOE. SD DOE plans to develop specific reports to analyze equity issues to ensure low-income and minority students enrolled in schools assisted under Title I, Part A are not served at disproportionate rates by out-of-field or inexperienced teachers.

Using twoyears' worth of data, SD DOE will look at the teacher characteristics for the state and for Title I schools. First, SD DOE will look at student enrollment over those two years to determine which schools are in the lowest and highest quartile for percentage of minority students and percentage of students in poverty. Then, SD DOE will determine how many teachers from each school fall into each of the following three categories: inexperienced, out-of-field, and ineffective. Next, SD DOE identifies Title I schools with disproportional access to quality teachers. Disproportional access is when a school's rate for any of the three teacher categories is higher than the target value for that category based on all schools in the state. The target value for any given category is equal to the average percentage of teachers in the category plus the standard deviation.

The 2016-2017 data indicates there is currently less than 4% difference in the number of inexperienced teachers in the highest poverty Title I schools compared to the lowest poverty non-Title I schools and less than 2% in highest minority Title I schools compared to Non-Title I schools. Because Title I schools must ensure teachers meet state qualifications the same percentage of out-of-field teachers are serving students at the highest quartile poverty and minority Title I schools compared to the lowest quartile non-Title I schools. In core content courses, there are no differences between groups as seen in the most recently approved state equity plan. Additionally, pursuant to the definition of ineffective teachers as detailed below, Title I schools have lower rates of ineffective teachers than do Non-Title I schools in the state, indicating that Title I schools are less likely to be requesting that new to the field

[4] Consistent with ESEA section 1111(g)(1)(B), this description should not be construed as requiring a State to develop or implement a teacher, principal or other school leader evaluation system.

teachers be responsible for content for which they have yet to demonstrate mastery of via state certification requirements.

	Teacher Count	In-experienced Count	In-experienced %	Out-of-Field Count	Out-of-Field Percent	In-effective Count	In-effective Percent
Statewide	11892	2085	18%	600	5%	297	2%
Statewide Non-Title I	6337	1086	17%	373	6%	233	4%
Statewide Title I	5555	999	18%	227	4%	64	1%
Highest Quartile Poverty: Title I	1897	424	22%	112	6%	28	1%
Lowest Quartile Poverty: Non-Title I Schools	2625	458	17%	146	6%	97	4%
Highest Quartile Minority: Title I	2399	475	20%	133	6%	37	2%
Lowest Quartile Minority: Non-Title I Schools	913	165	18%	59	6%	42	5%

SD DOE defined the following key teacher equity terms and calculated equity data for Title I schools with high poverty and high minority students:

- **Inexperienced teacher** is a teacher who is in the first three years of practice.
- **Out-of-field teacher** is a teacher who is not properly certified to teach the subject to which he is assigned and who is placed on a Plan of Intent pursuant to state administrative rules. The Plan of Intent outlines the steps the teacher will take to become properly certified for a particular subject.
- **Low-income student** is a student who qualifies as “economically disadvantaged” in the state accountability system, typically a student who qualifies for free or reduced price lunches.
- **Highest poverty schools** are those in the highest quartile in the state.
- **Minority student** is a student who is American Indian/Alaska Native, Black, Native Hawaiian/Pacific Islander, Hispanic, or Two or More Races.
- **Highest minority schools** are those in the highest quartile in the state.
- **Ineffective teacher** is defined for the purposes of meeting this section of the law as a teacher in the first three years of practice AND who is teaching out-of-field. South Dakota

recognizes that while quality post-secondary educational programs prepare our teachers to be student ready the day they enter the classroom, there is still much learning and professional development that occurs as teachers settle into their careers and learn how to balance many of the tasks of teaching in the real-world such as planning, differentiation, classroom management, and parent communication. Teachers who are being asked to teach outside of their area of preparation during the initial years must learn how to best do this and must also spend time and energy learning the content for which they are responsible. Balancing the learning in both areas puts a strain on an educator that may take energy away from students, and has the potential for decreasing effectiveness. Therefore, for the purposes of meeting this section of the law, South Dakota is defining ineffective teacher as a teacher who is both new to the field and who is teaching outside his or her content area.

Teacher Effectiveness Context in South Dakota

While the SEA has defined, and will report on, ineffective teachers as detailed above to meet the letter of the law, it must be noted that the state continues to recognize that true effectiveness is best measured at the local level, in the local context, and supports schools and LEAs in implementing a rigorous evaluation process as detailed below; however, the state does not, and pursuant to state law, will not, collect the results of teacher evaluations. The SEA has processes in place to ensure that LEAS follow the state model and provides additional data points to the public concerning equitable access to quality educators.

SD DOE has implemented a teacher effectiveness system in which teachers are evaluated based on the South Dakota Teacher Standards (Danielson Framework) and student growth. Teacher evaluations serve as a basis to increase professional growth and development of certified teachers. South Dakota provides training and technical assistance to schools as they work to implement these systems, and to ensure districts are meeting South Dakota administrative rule 24:57 (see Appendix E), SD DOE checks for evidence of implementation as part of the school accreditation review process. One hallmark of the system is that it trusts and relies on the professional judgment of teachers and administrators at the local level to understand what effectiveness means in the context of their school.

The process is designed to foster meaningful conversations and professional growth, with the understanding that any profession embeds within it a continuum of growth. The model places the authority to determine appropriate growth plans at the local level. School districts determine which teachers are put on a plan of assistance. SD DOE does not collect this data and trusts the integrity of district leaders to define what an ineffective teacher is in their local context. As such, SD DOE has not created a statewide definition for ineffective teacher nor does it collect teacher effectiveness or plan of assistance data. South Dakota will instead rely on its districts to provide assurances as part of the consolidated application process that they are attending to the needs of students and are ensuring that subpopulations of students within the district are not being taught at disproportionate rates by ineffective teachers. Furthermore, through regular accreditation audits, SD DOE conducts in depth reviews by requiring districts to provide a written narrative and evidence that supports implementation of teacher evaluations aligned to SD laws and statutes.

The SEA does not collect individual teacher effectiveness ratings, pursuant to state law, but does conduct a comprehensive review of implementation of the evaluation system during the regular accreditation review cycle.

As part of this regular accreditation review, accreditation staff check for implementation of teacher and principal evaluation systems in a process that mirrors the compliance check for curriculum and lesson alignment to state standards. Districts provide evidence and narratives to show that the evaluation cycle at all schools meets the minimum requirements set forth in state statute and rule, provide evidence of training in the system, and provide evidence that both professional practice and growth ratings are conducted in a manner that addresses rigorous expectations and requires evidence in the required domains of professional practice, that growth goals are rigorous and appropriate, and shows how the results of these evaluations are used to inform personnel decisions including teacher growth or improvement plans. This allows for local context to be considered in determinining whether or not a teacher is effective within the context of that LEA's specific needs. Yet, the model ensures that evaluations are rigorous, and provides a common standard by defining essential domains for evaluating the professional practice of all educators. To date, all reviewed Title I schools have been found to be in compliance with the evaluation process.

Additionally, the SEA provides information on the LEA and school report cards that give the public information about the quality of teachers. The report cards help paint a picture of teacher effectiveness including: number of teachers, the average years of experience, and the highest degrees attained by educators. The new report cards will be expanded to include information about the total number of teachers teaching outside their area of certification, the number of teachers teaching on special permits, and the number of teachers within their first three years in the classroom. The rates of teachers in each of these categories will be examined by the SEA to ensure that Title I schools do not have disproportionate rates. The state also provides a publicly-searchable database called Teacher-411 that allows parents or other member of the public to look up a specific teacher and see the teacher's preparation and qualifications, the areas the teacher is certified to teach, and the assignments that the teacher was given in the current academic year. This combination of public reporting mechanisms allows the public to see additional information about the quality of educators, and provides information about the proportion of teachers who have taken that next step to advance their professional career.

6. School Conditions (*ESEA section 1111(g)(1)(C)):* Describe how the SEA agency will support LEAs receiving assistance under Title I, Part A to improve school conditions for student learning, including through reducing: (i) incidences of bullying and harassment; (ii) the overuse of discipline practices that remove students from the classroom; and (iii) the use of aversive behavioral interventions that compromise student health and safety.

SD DOE provides technical assistance, structured professional development and multiple programs that address specific needs of schools, teachers, and students in order to improve conditions for student learning. SD DOE supports districts in providing students with an effective learning climate with programs such as Multi-Tiered System of Support (MTSS) (including Response to Intervention and Positive Behavioral Intervention and Supports), school counselor support, child nutrition programs, early warning reports provided on the state's longitudinal data system, and onsite coaching and mentoring of teachers. These programs help to reduce the incidences of bullying and harassment, the overuse of discipline practices that remove students from the classroom, and the use of aversive behavior interventions that compromise student health and safety.

7. School Transitions *(ESEA section 1111(g)(1)(D))*: Describe how the State will support LEAs receiving assistance under Title I, Part A in meeting the needs of students at all levels of schooling (particularly students in the middle grades and high school), including how the State will work with such LEAs to provide effective transitions of students to middle grades and high school to decrease the risk of students dropping out.

SD DOE recognizes that parental, family and community engagement in educational transitions is critical to all students' development and academic success. Strategies for effective transitions for students' movement from preschool years to kindergarten, to elementary school, to middle school, to high school, and on to postsecondary include a variety of supports.

This engagement is especially important for students served by ESEA Title programs. Title I districts develop transition agreements as well as parent and family engagement policies to support students and families through the transition process. The South Dakota Parent and Family Engagement toolkit includes tools designed to assist schools in helping students and families to navigate critical transitions. Districts and schools may select evidence-based strategies that directly align to their needs and local context.

SD DOE's Grants Management System (GMS) includes an assurance that districts support, coordinate, and integrate services with early childhood programs. In the GMS, each district assures that it will implement all strategies and provisions according to ESSA section 1112(b). Districts upload their district plans for SD DOE to review and monitor.

District plans include a description of strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs. They also include best practices for each district's transition support team to include parents, students, teachers, administrators, early childhood educators, and community members.

SD DOE offers supports to districts in planning for transitions, including enhancing the school's ability to address a variety of transition concerns that confront children, youth, and their families. It encourages and supports districts and schools to look at data to determine gaps in the educational program in order to move forward in an intentional way.

SD DOE differentiates by providing multiple programs that address specific needs of schools, teachers, and students in order to support a smooth transition between educational levels as well as dropout prevention. Programs currently include transitional support such as Birth to Three, Career and Technical Education support, and Library Services support.

SD DOE supports dropout prevention and an effective learning climate with programs such as Multi-Tiered System of Supports, school counselor support, child nutrition programs, early warning reports provided on the state's longitudinal data system, and on-site coaching and mentoring.

Timelines and program effectiveness are monitored internally on an ongoing basis through regularly scheduled interdivision, collaborative meetings.

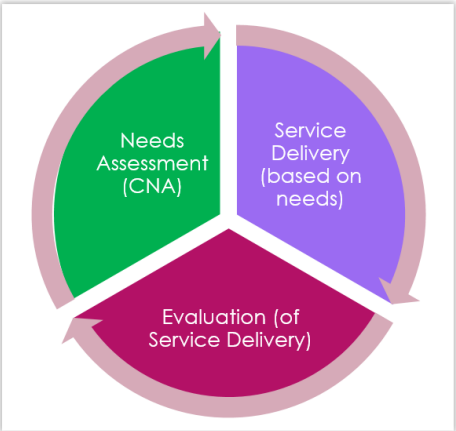
B. Title I, Part C: Education of Migratory Children

1. Supporting Needs of Migratory Children *(ESEA section 1304(b)(1))*: Describe how, in planning, implementing, and evaluating programs and projects assisted under Title I, Part C, the State and its local operating agencies will ensure that the unique educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of school, are identified and addressed through:
    - i. The full range of services that are available for migratory children from appropriate local, State, and Federal educational programs;
    - ii. Joint planning among local, State, and Federal educational programs serving migratory children, including language instruction educational programs under Title III, Part A;
    - iii. The integration of services available under Title I, Part C with services provided by those other programs; and
    - iv. Measurable program objectives and outcomes.

The South Dakota Department of Education (SD DOE) Migrant Education Program (MEP) ensures that migrant funds are supplementary and are not supplanting. SD DOE's priority is to ensure migrant students receive access to all the state and federal funds they are entitled to before providing MEP funds. SD DOE provides training to educate staff and encourages collaboration to make sure that everyone understands the requirements and services each provides. SD DOE meets two times per year with district MEP staff to train and share best practices.

SD DOE monitors district MEPs every two years, including interviews with the principal and students. Districts are required to gather evidence that MEP students are receiving all the district, state, and federal services available to the district. Further meetings with district personnel, students, parents, and teachers during the monitoring visit are conducted to ensure that MEP children are receiving services. SD DOE also conducts two summer school programs.

Every three years, SD DOE contracts with an outside entity to conduct a Comprehensive Needs Assessment (CNA), a Service Delivery Plan (SDP), and an evaluation of the Migrant Education Program in the state that will assist in determining the unique needs of migratory children including preschool and dropouts. The consultant collaborates with SD DOE and districts to find the greatest needs of the MEPs in South Dakota. The consultant's report is distributed to SD DOE and local MEPs.



The purpose of the CNA is to identify the unique educational needs of the state's migrant children and to assist in finding the appropriate services that will help migrant children, including preschoolers and students that have dropped out achieve SD DOE's measurable outcomes and performance targets. Districts conduct individual needs assessments to determine the needs of migrant students and assess how those needs relate to the priorities established by SD DOE. This enables the district to identify such critical elements as the specific needs of children by grade levels, academic areas in which the project should focus, instructional settings, instructional materials, and staffing.

An SDP describes the services that will be provided on a statewide basis to address the special educational needs of migrant students. SD DOE develops a statewide SDP after viewing the results of the CNA.

The concern statements identified by the CNA committee are as follows:

Concern Statement 1: We are concerned that there is a low graduation rate and retention rate for migrant students in South Dakota and there is a need to identify barriers to success to increase graduation rates for migrant students particularly for those that are priority for service students.

Concern Statement 2: We are concerned that South Dakota migrant students are not beginning school with basic readiness skills for reading, writing, and mathematics.

Concern Statement 3: We are concerned that instruction for South Dakota migrant students in language arts and mathematics may not be effectively targeting the foundational skills necessary to facilitate success at the appropriate grade levels to ensure that students are acquiring the basic building blocks necessary to master these skills and to ultimately graduate from high school.

Concern Statement 4: We are concerned that South Dakota migrant students that are English Language Learners may need additional help and instructional assistance in order to become proficient in English and proficient in critical content areas to increase the numbers of students who successfully graduate from high school.

The U.S. Department of Education requires an evaluation to determine the effectiveness of the MEP.

The purpose of the evaluation is to:

1. Determine whether the program is effective and document its impact on migrant children;
2. Improve program planning by comparing the effectiveness of different types of interventions;
3. Determine the degree to which projects are implemented as planned and identify problems that are encountered in program implementation; and
4. Identify areas in which children may need different MEP services. A proper evaluation can provide powerful information regarding how best to use MEP funds to achieve the desired result.

SD DOE has four MEP goals:

1. Identify and eliminate barriers to increase graduation rates among migrant students;
2. Kindergarten readiness;
3. Ensure that basic building blocks in language and math are effectively targeting the foundational skills necessary to facilitate success;

4. Ensure that English learners are getting the additional assistance needed in order to become proficient in English and other critical content areas.

The Office of Migrant Education requires that the service delivery plan "must describe the SEA strategies for achieving the performance targets and measurable outcomes." The guidance also indicates that the state's service delivery strategy must address the unique needs of migrant students as part of the service delivery strategy.

South Dakota State Migrant Education Performance Targets

The South Dakota performance targets are based on the state performance indicators for all students as well as the current results from the comprehensive needs assessment of migrant students.

Performance Target #1 Increase Graduation Rates: By the 2023-2024 academic year, 92 percent of all 12th grade migrant students will receive a high school diploma or equivalent.

Performance Target #2 Readiness for School: By the 2023-2024 academic years, 60 percent of all incoming migrant kindergarten students will be assessed to have attained basic readiness skills in reading and math.

Performance Target #3 Language arts and mathematics proficiency: By the 2023-2024 academic year, 54 percent of migrant students will score at a proficient level (3.0) or higher in language arts and 45% of all migrant students in mathematics on the state assessment or as rated by teachers.

Performance Target #4 English language proficiency: By the 2023-2024 academic year fifty percent of all returning eligible migrant students who were limited English proficient in the 2019-2020 school year will score as proficient in English on the SD-ELP assessment.

Goals are different between subgroups that are part of the state's 'Gap and Non-Gap groups. A Gap group is defined as the aggregate count of students in subgroups that have experienced significant achievement gaps. Specific underperforming subgroups (e.g. English language learners) have significantly larger gaps than other subgroups (e.g. economically disadvantaged, etc.). The closest subgroup to migrant students measured are English language learners (lack of English language proficiency is the highest need for South Dakota migrant students). The statewide goals and gap group proficiencies were used to develop realistic performance targets for migrant students in the service delivery plan.

Measurable Program Outcomes

The Office of Migrant Education requires: "The plan must include the measurable outcomes that the MEP will produce statewide through specific educational or educationally-related services. (See section 1306(a)(1)(D) of the statute.) Measurable outcomes allow the MEP to determine whether and to what degree the program has met the special educational needs of migrant children that were identified through the comprehensive needs assessment. The measurable outcomes should also help achieve the State's performance targets." The following measurable program outcomes were developed based on the results and analysis of the comprehensive needs assessment.

Measurable Outcome #1 Reading and Math Proficiency to Facilitate High School Graduation: Secondary migrant students will increase proficiency by a minimum of 7% per year in reading skills and 3% per year in math skills based on state assessment scores and/or teacher ratings of student performance in relation to state content standards.

Measurable Outcome #2 Readiness in Reading: Sixty percent of incoming migrant kindergarten students will demonstrate proficient readiness skills in phonemic awareness and basic rhyming and oral language development.

Measurable Outcome #3 Readiness in Math: Sixty percent of incoming migrant kindergarten students will demonstrate proficient readiness skills in number recognition (1-20) and more than/less than concepts.

Measurable Outcome #4 Reading Comprehension: Priority For Service (PFS) migrant students who are less than proficient will increase proficiency by a minimum of 7% per year in reading comprehension skills based on teacher ratings of student performance in relation to state content standards.

Measurable Outcome #5 Reading Vocabulary: Priority For Service (PFS) migrant students who are less than proficient will increase proficiency by a minimum of 7% per year in reading vocabulary skills based on teacher ratings of student performance in relation to state content standards.

Measurable Outcome #6 Phonemic Awareness: Priority For Service (PFS) migrant students who are less than proficient will increase proficiency by a minimum of 7% per year in phonemic awareness skills based on teacher ratings of student performance in relation to state content standards.

Measurable Outcome #7 Problem Solving in Math: Priority For Service (PFS) migrant students who are less than proficient will increase proficiency by a minimum of 3% per year in problem solving skills based on teacher ratings of student performance in relation to state content standards.

Measurable Outcome #8 Critiquing Reasoning of Others in Math: Priority For Service (PFS) migrant students who are less than proficient will increase proficiency by a minimum of 3% per year in critiquing reasoning of others in math based on teacher ratings of student performance in relation to state content standards.

Measurable Outcome #9 Algebra, functions and patterns: Priority For Service (PFS) migrant students who are less than proficient will increase proficiency by a minimum of 3% per year in math skills related to algebra, functions and patterns based on teacher ratings of student performance in relation to state content standards.

Measurable Outcome #10 English Language Proficiency: Fifty percent of all migrant students will increase at least a .5 fluency level each year from their initial baseline on the WIDA.

Measurable Outcome #11 Language Acquisition Plans (LAP) for EL Students: Ninety-five percent of all migrant students identified as English Language learners (EL) will have a Language Acquisition Plan (LAP) which includes research-based ESL strategies to facilitate reading and math achievement and progress toward high school graduation.

Measurable Outcome #12 Dropout Rate: Increase the number of Out of School Youth (OSY) who receive services through the MEP by five percent each year in areas such as English language learning, basic computer skills, community or educational advocacy, and health services.

The current MEP Service Delivery Plan will be updated to include a measurable outcome for dropout rate.

Recommended Service Delivery Strategies

The CNA/Service Delivery committee reviewed the data analysis and results for the needs assessment process and provides the following recommendations to local program for service delivery.

Recommendation 1: Target reading comprehension for migrant students using small group instruction, tutoring or online reading tutorials (e.g. the Migrant Literacy NET).

Recommendation 2: Target reading vocabulary for migrant students using small group instruction, tutoring or online reading tutorials (e.g. the Migrant Literacy NET).

Recommendation 3: Target phonemic awareness for migrant students using small group instruction, tutoring or online reading tutorials (e.g. the Migrant Literacy NET).

Recommendation 4: Implement tutoring and small group reading for secondary migrant students in summer programs as well as in before and after school programs.

Recommendation 5: Develop professional development opportunities for teachers of migrant students to include research based strategies (e.g. SIOP).

Recommendation 6: Provide pre-school instructional activities for migrant students and parents targeting reading readiness and math readiness.

Recommendation 7: Create parent education and involvement opportunities (e.g. family literacy program).

Recommendation 8: Utilize community resources and collaboration to enhance services.

Recommendation 9: Develop individual learning plans for all priority for service migrant students (e.g. the electronic Success Plans on the Migrant Literacy NET).

Recommendation 10: Develop Language Acquisition Plans (LAP) for EL migrant students.

Recommendation 11: Utilize the Migrant Literacy Net to facilitate reading and math proficiency.

Recommendation 12: Provide ESL staff development training for teachers of migrant students.

Recommendation 13: Provide after school (and or before school) tutoring for migrant students.

Recommendation 14: Provide family involvement activities at the secondary level to facilitate the development of positive staff relationships with parents and students.

Recommendation 15: Provide services to work on credits to allow students to attain their high school diploma or GED.

Title I, Part A programs will be offered to all students first, according to each student's individual needs. As the MEP is a supplemental program, programs may only use Title I, Part C funding if the eligible migrant student's needs are greater than those provided by other Title programs, including Title III. SD DOE's MEP works closely with Title III to ensure districts provide language services. Additionally, SD DOE sponsors ongoing professional development through Title I, Part C and Title III funds.

South Dakota has a statewide migrant consortium as well as a statewide Title III consortium that work to help schools and districts, especially those with low incidence migrant and EL populations ensure that teachers have needed training and support to enable them to meet the unique learning needs of these student populations. These consortia work together to address the individual needs of migrant students, including preschool students and students that have dropped out of school.

The Statewide Migrant Consortium provides the recruiters and trainers for the districts. All preschool migrant children are recruited and documented on the certificate of eligibility and entered into our migrant database (MIS2000) which uploads into the national migrant student information database (MSIX). The Head Start migrant students are served by their local Head Start centers. Preschool is provided for migratory students in districts where it is available to assist in school readiness. If the recruiters come across migrant students that have dropped out of school they are instructed to identify those students and provide them the services that our program provides. The principals and counselors are informed of students who have dropped out of school.

Districts have hired liaisons that will identify through recruiting, students that have dropped out of school. They will search for community partners and literacy advocates to provide English as a Second Language (ESL) classes in which OSY may participate in addition to classes offered by the MEP. They will work to develop incentives for OSY to attend ESL classes. Districts will offer via MEP, classes combined with cultural ESL and cultural competency training so OSY have confidence to seek out or take advantage of community services. Districts have academies to better assist students that need the extra

help in attaining their high school diploma or high school equivalency. OSY students are also supported through several local dairies. These dairies have set up classrooms and privately fund English language and other instruction for students aged 18 to 22. The dairy owners communicate with the district liaisons to better provide the services needed for these youth.

Districts receive a preschool allocation to provide direct preschool services during the school year. Local MEPs work with their local Headstart to ensure placement of eligible migrant students within their district.

Districts provide families with curriculum for the home and have home visits to help guide them. They also have parent meetings and do activities they can do at home. All families have access to the Migrant Literacy Net website (https://www.migrantreadingnet.com/). The districts have parent academies that families can attend together in the evenings to receive services the families need. Computers are there for academics and language skills for all to learn on. A teacher is at the academy to assist in the lessons. These academies benefit all ages from preschool to OSY.

2. Promote Coordination of Services (*ESEA section 1304(b)(3))*: Describe how the State will use Title I, Part C funds received under this part to promote interstate and intrastate coordination of services for migratory children, including how the State will provide for educational continuity through the timely transfer of pertinent school records, including information on health, when children move from one school to another, whether or not such move occurs during the regular school year.

SD DOE uses funds to promote interstate coordination. South Dakota is a participant of the MiraCORE consortium, which allows for meetings, trainings, and collaboration with other states serving migrant students. The MiraCORE consortium is part of the Consortium Incentive Grant that allows states to provide best practices to improve literacy services to migrant families. This 13-state coalition will work together to create a literacy website for classroom and families to use. South Dakota has benefitted greatly from its participation with MiraCORE.

South Dakota recently collaborated with Montana and North Dakota to apply for a College Assistance Migrant Program (CAMP) at Montana State University for the states' regional migrant students interested in attending college.

SD DOE is also a member of the National Association of State Directors of Migrant Education (NASDME). This association provides the largest platform at their national conference for the migrant program. State directors meet to discuss issues affecting migrant students and families. More than 170 migrant sessions are held to highlight best practices in migrant programs.

SD DOE also maintains robust coordination within the state. Weekly phone and email contact with recruiters, liaisons, and program directors allows for ongoing open communication. SD DOE provides a statewide yearly training and refresher training to all migrant recruiters. All migrant directors, migrant staff, and migrant parents are invited to participate in the CNA, the SDP, and evaluation during the years when they are held (see above).

South Dakota also uses the Migrant Student Records Exchange Initiative (MSIX). SD DOE uses MSIX and MIS2000 to identify and assist MEP families as they move from one location to another. Communication with other states' MEPs is essential to help MEP families during transition.

3. Use of Funds *(ESEA section 1304(b)(4))*: Describe the State's priorities for the use of Title I, Part C funds, and how such priorities relate to the State's assessment of needs for services in the State.

Federal Funding

SD DOE's use of funds is related to the priorities generated by the state's assessment of needs for services in the state. Districts can apply for funding if they have 10 migrant students on any given day during the previous year. SD DOE gives priority to MEPs in districts with the greatest needs of the statewide MEP goals.

SD DOE uses the formula below to determine need:

- Count of eligible migrant students. This is generated from the state migrant tracking system for the period July 1 to June 30 of the previous school year. This count is given a weighted factor of 1.
- Priority 1 - Count of eligible migrant students - This count is given a weighted factor of 1.
- Priority 2 - Count of migrant students that enrolled during the regular school year and who are at risk of failing. This count is given a weighted factor of 3.
- Priority 3 - Count of migrant students below proficiency in either reading or math and receive supplemental MEP services. This count is given a weighted factor of 3.
- Priority 4 - Count of eligible migrant students that did not have access to a Title I, Part A program. This count is given a weighted factor of 1.

SD DOE then sums the weighted total per school district and allocates Migrant funds on a per weighted count total.

SD DOE then sets a minimum school district grant amount at $10,000—the amount deemed sufficient to operate a meaningful program.

SD DOE adjusts and redistributes funds to districts above the minimum after reserving the minimum grant amounts to districts.

C. Title I, Part D: Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk

1. Transitions Between Correctional Facilities and Local Programs *(ESEA section 1414(a)(1)(B))*: Provide a plan for assisting in the transition of children and youth between correctional facilities and locally operated programs.

Currently, South Dakota is not operating any Subpart 1 programs, though the South Dakota Department of Education (SD DOE) is prepared to serve agencies that may operate a program in the future. Consequently, SD DOE only funds districts with Subpart 2 programs in their districts. Under state statute, districts are required to provide for the education for all students within their borders, including those who are in residential and day programs for the neglected and delinquent. Often districts operate the programs and transition students from the district school in the facility to the district school outside of the facility.

SD DOE assists the transitioning of children and youth in the following ways:

- Funding programs for youth moving from facility to facility or from a facility to a public school with emphasis on programs for youth at-risk of further involvement in the justice system. As youth enter and exit the facilities quickly, with little time for Part D educational programming, SD DOE and districts emphasize transition services and successful re-entry of youth.
- Funding district programs that emphasize immediate return to the regular or alternative classroom.
- Funding district programs that support the work of transition coordinators, success coordinators, follow-along coordinators who assist the students and the schools in assuring the students are in the appropriate classes, attending classes, receiving credit for work completed, exploring career options, and setting and achieving progress towards diplomas or high school equivalency and moving toward postsecondary job training, college or work.
- Encouraging family, if appropriate, and community involvement in restoring youth to the status as a productive community member.

2. Program Objectives and Outcomes *(ESEA section 1414(a)(2)(A))*: Describe the program objectives and outcomes established by the State that will be used to assess the effectiveness of the Title I, Part D program in improving the academic, career, and technical skills of children in the program.

The charts below outline the program goals, objectives, and outcomes:

Goals, Objectives, Outcomes for both Subpart 1 and Subpart 2 Programs

Goal #1: Improve education services for children and youth in local, tribal, and state institutions for neglected or delinquent children and youth so that such children and youth have the opportunity to meet the same challenging state academic standards that all children in the state are expected to meet.	
Objective 1 – Programs demonstrate that students are improving academic or vocational skills and educational attainment.	
Performance Measures	
Indicator A	100% of funded programs will implement curriculum that aligns with the state content standards and assessments and is comparable to the curriculum used in local school districts.

Indicator B	100% of funded programs maintain a qualified staff identified in the SD DOE Teacher 411.
Indicator C	100% of funded programs will conduct pre-testing (90% plus students) and post-testing (80% plus students) with students provided academic services.
Indicator D	100% of funded programs will increase the number/percentage of students achieving the following. ▪ Obtaining a diploma or diploma equivalent (i.e., GED). ▪ Earning high school course credits. ▪ Improving on mathematics assessments (75% of students will show improvement). ▪ Improving on reading/language arts assessments (75% of students will show improvement).
Indicator E	Each program will assess 100% of students within the applicable grades using the required state assessments including Smarter Balanced, science, and the National Assessment of Educational Progress and all other applicable assessments.
Objective 2 – Programs demonstrate improvement in program goals and effectiveness.	
Performance Measures	
Indicator A	100% of all funded program will conduct an annual needs assessment and program evaluation to determine effectiveness and adjust their programs accordingly.
Indicator B	100% of all programs will chart their achievement data (US ED required data) over time to be used in the program evaluation.
Indicator C	100% of all programs will clearly describe the needs assessment process in their application for funds and demonstrate a need for the funds as allowed within federal law, regulation, and guidance.

Goal #2: Provide such children and youth with the services needed to make a successful transition from institutionalization to further schooling or employment.	
Objective 1 – Programs will ensure that students transition to a regular or alternative education program upon release.	
Performance Indicators	
Indicator A	Each program will demonstrate that each student (90% of students) has a transition plan which includes planning for transition into the program and transition out of the program.
Indicator B	Each program will demonstrate that staff (100% of staff) working with students on transition goals has direct knowledge of the education and life skills goals of the individual students in the program.
Indicator B	Each program each year will demonstrate 2% to 3% increase in the number/percentage of student outcomes while in the program and within 90 days after release in the following applicable areas: ▪ Enrolled in their local district school ▪ Earned a GED ▪ Obtained high school diploma ▪ Were accepted into post-secondary education ▪ Enrolled in post-secondary education ▪ Enrolled in elective job training courses/programs ▪ Enrolled in external job training education

	▪ Obtained employment
Indicator C	Each program will implement an adequate tracking system following the progress of each student pertaining to academic, vocational, and transition. (Data is collected and maintained on at least 50% of students).
Objective 2 – Programs will implement effective transition activities.	
Performance Measures	
Indicator A	Each program must demonstrate that effective transition activities are implemented for at least 50% of students.
Indicator B	Each Subpart 2 program whose primary purpose is transition will demonstrate that students (80% of students) successfully transitioned to the regular classroom or alternative program.
Indicator C	Each Subpart 1 program will reserve not less than 15% and not more than 30% of the amount the agency receives as funding to implement strategies found in Section 1418.

Goal #3: Prevent at-risk youth from dropping out of school and to provide dropouts, and children and youth returning from correctional facilities or institutions for neglected or delinquent children and youth, with a support system to ensure their continued education and the involvement of their families and communities.	
Objective 1 – Programs will demonstrate support for students at-risk of leaving school and for students who have had contact with the justice system.	
Performance Measures	
Indicator A	• 100% of Subpart 1 state agencies will collect data on the number of students exiting qualifying programs to determine the percentage of student who enrolling in a district program. • 100% of Subpart 2 districts will collect data on the number of students exiting qualifying programs to determine the percentage of students who are exiting the district upon release.
Indicator B	100% of Subpart 1 state agencies will implement transition activities as found in Section 1418 or under transition activities as outlined in the Juvenile Justice and Delinquency Prevention Act.
Indicator C	100% of all Subpart 2 programs whose primary purpose is transition will demonstrate that students (80% of students) successfully transitioned to the regular classroom or alternative program.
Objective 2 – Programs will demonstrate support for the parents/families of at risk students and students who have had contact with the justice system. Activities may include the following: • Encourage Communication (where appropriate). • Involve the family in making recommendations for their child's educational services. • Request the family's help in obtaining educational records. • Provide the family with a detailed orientation to the educational program. • Provide the family with frequent updates on their child's educational activities and progress.	

• Offer the family a system for regular (weekly or monthly) communication (e.g., phone call, personal visit, or e-mail) with their child's teacher(s). • Provide assistance with transportation, especially when children are placed in facilities that are not reachable by public transportation or are very far from home. • Hire family liaisons or contract with a family organization for this service to establish a solid link between the family and the child; make a concerted effort to involve the family in all aspects of the child's education and transition, and continue working with the family once their child returns to the community.	
Performance Measures	
Indicator A	100% of all programs must implement one or more activities listed in the areas immediately above and/or other such activities.
Indicator B	100% of all programs will provide parents/guardians/care givers with reports on state educational assessments and student progress (100% of parents/guardians/care givers will receive reports).

D. Title II, Part A: Supporting Effective Instruction

1. Use of Funds *(ESEA section 2101(d)(2)(A) and (D))*: Describe how the State educational agency will use Title II, Part A funds received under Title II, Part A for State-level activities described in section 2101(c), including how the activities are expected to improve student achievement.

The South Dakota Department of Education (SD DOE) is committed to offering supports for educators and administrators to further develop their knowledge and skills and improve achievement for all students. As described previously, SD DOE has established goals surrounding the aspiration that all students leave the K-12 system college, career and life ready. These goals identify specific strategies and supports offered to schools, educators, and administrators. SD DOE convened cross-divisional aspirational teams to allow SD DOE to identify key strategies using multiple lenses from across the department and combine efforts to develop stronger supports. Title II, Part A funds will be used to support SD DOE's aspirations and goals (see page six).

More specifically, Title II, Part A funds will be used to provide high quality supports and professional development designed to assist principals to be effective. SD DOE will rely on the positive working relationship with both the South Dakota Association of Secondary School Principals and the South Dakota Association of Elementary School Principals, as well as national resources such as *Great Principals at Scale*, to create a comprehensive, long-term professional development support system including an appropriate delivery model. Research has pointed out the importance of principals in student learning; therefore, focusing on best practices for principals will in turn support effective teachers and student achievement. Additionally, SD DOE has partnered with several South Dakota Board of Regents (SD BOR) universities to design a cohort-based model for principal preparation that attends more specifically to the issues and multiple hats that principals must wear in rural communities where they may be the only administrator for all levels of schools, may have to teach a course, and may serve other functions in the school such as curriculum director, special education director, or athletic coach in addition to their administrative duties. South Dakota State University is piloting this new model, and the state plans to leverage some of its Title II resources to help scale up this innovative model if and when the system is ready to expand.

State-level Title II, Part A funds will also be used to provide technical assistance and build capacity of local school districts to implement state-adopted content standards through competency-based education. SD DOE will partner with education stakeholders including institutions of higher education (IHEs), educational cooperatives, and national stakeholders to support schools in implementation of evidence-based practices to improve student achievement. SD DOE will target supports to districts that demonstrate a need and provide evidence of commitment and capacity to implement the practices. This may include training for both teachers and administrators and supports to help with activities such as curriculum mapping and gap analysis for schools that need assistance.

SD DOE also will expand analysis and access to data on inequities. In 2012, SD DOE developed the Student Teacher Accountability Reporting System (SD-STARS) as the state's longitudinal data system. The goal is for SD-STARS to securely consolidate and link all educational data housed by SD DOE. This increases data availability for reporting and analysis used by districts and SD DOE. SD DOE will utilize data to develop specific reports to analyze equity issues, including retention of teachers and is currently working on a suite of early warning reports that districts can use to help identify the areas of greatest need for student supports. SD DOE is also considering other equity data points such as the proportion of teachers coming through alternative certification programs, the proportion of highly qualified paraprofessionals, and the proportion of minority and American Indian teachers as potential needs in creating reports.

2. Use of Funds to Improve Equitable Access to Teachers in Title I, Part A Schools *(ESEA section 2101(d)(2)(E))*: If an SEA plans to use Title II, Part A funds to improve equitable access to effective teachers, consistent with ESEA section 1111(g)(1)(B), describe how such funds will be used for this purpose.

The majority of schools identified in both the high poverty and high minority quartiles are schools that are either on one of South Dakota's American Indian reservations or serve a large percentage of American Indian students. The current data indicates Title I schools with high poverty and a high percentage of minority students employ 5.95 percent more inexperienced teachers than Non-Title I schools. Teachers and administrators in schools with the highest poverty and highest percentage of minority students are faced with challenges, including transiency of the student population and a cultural climate that differs significantly from what most South Dakota teachers experience as they attend schooling to prepare them for teaching.

As a means of helping tackle these challenges, SD DOE will use Title II, Part A funds to provide supports addressing the cultural needs of students serviced in the schools. SD DOE will continue to bring teachers and American Indian elders together to integrate South Dakota's Oceti Sakowin Essential Understandings and Standards (OSEUS) into state content standards and create exemplar lessons (see: http://www.wolakotaproject.org/lessons-sd-social-studies-standards/) that combine OSEUS and content specific standards. For more information on this project, please see: http://www.wolakotaproject.org. SD DOE combines this work with WoLakota mentoring, a state-funded program for mentoring inexperienced teachers in schools with high American Indian populations, targeted to areas with both the highest turnover rates and lowest performance. These areas have the highest percentage of American Indian students but lack in a significant percentage of teachers to match the demographics. The work focuses on providing mentorship to teachers new to the profession to help them better understand the culture of American Indian students. This is supported by the multiple resources the WoLakota website provides. The program embeds Courage to Teach involvement, elder videos and

stories with related lesson plans, and face-to-face and virtual mentoring with some of the best teachers statewide. WoLakota has been a key part of the state's cultural work for some time, and teachers participating in the program have all been retained in the high needs areas they are supporting; they are now able to serve as mentors to teachers in their communities.

SD DOE also requires individuals to complete three credits of South Dakota Indian Studies to be certified to teach in South Dakota. The number of courses offered in Indian Studies is limited, and access to this course sometimes serves as a barrier to teachers coming into the state or entering through alternate pathways who would like to serve students in high needs areas. To ensure access to the coursework, SD DOE will utilize Title II, Part A funds to partner with a SD BOR university to offer online coursework. These supports will assist teachers in embedding culturally sensitive instruction into the classroom.

3. System of Certification and Licensing *(ESEA section 2101(d)(2)(B))*: Describe the State's system of certification and licensing of teachers, principals, or other school leaders.

Please see Appendix C for an explanation of South Dakota's certification system as adopted at the March 2017 South Dakota Board of Education meeting.

4. Improving Skills of Educators *(ESEA section 2101(d)(2)(J))*: Describe how the SEA will improve the skills of teachers, principals, or other school leaders in order to enable them to identify students with specific learning needs, particularly children with disabilities, English learners, students who are gifted and talented, and students with low literacy levels, and provide instruction based on the needs of such students.

SD DOE provides districts multiple supports to create a culture of using data to assist districts in identifying students and inform instruction and decision making.

Students with Low Literacy Skills:

SD DOE adopted the Multi-tiered System of Supports (MTSS) framework to assist schools to implement data-based problem solving and decision making. The MTSS initiative provides districts with the training, tools, and support to implement a multi-tiered approach for meeting students' needs in a proactive and positive way. As a result of the MTSS initiative, a *Data Workbook for Reading* was developed to assist school districts in creating the practices necessary to collect and analyze building-, school-, and grade-level data, as well as individual student data, in order to make necessary and appropriate instructional changes to meet the needs of all students including students who have low literacy skills but may not be identified as a special education student.

As part of the initiative to create a culture of using data, SD DOE created the Student Teacher Accountability Reporting System (SD-STARS), a longitudinal database, to assist educators in examining data. The goal is for SD-STARS to securely consolidate and link all educational data that currently resides within SD DOE. In other words, it pulls data that is already available from different sources, such as the Student Information Management System, assessment files, etc., deposits data into a centralized system, and links that data together. Local benchmark assessment reports were created to allow districts to assist in the process of identifying students with low literacy skills. SD DOE will continue to use this system to expand the data sources that are available to assist schools in analyzing data as the initial first step to identify students needs.

SD DOE also partners with IHEs to offer graduate-level coursework designed to increase educators' data use skills. The coursework provides educators with the skills to analyze and use data that leads to answering important questions to drive positive change in their district, school or classroom.

In addition to the partnership with IHEs, SD DOE partners with Education Cooperatives to provide support to school districts. Staff at the Education Cooperatives have individuals trained to deliver professional development focused on the foundational reading skills (phonemic awareness, decoding and word recognition, fluency, vocabulary, comprehension).

SD DOE has also developed a five year plan to help schools better support students with dyslexia. The plan includes providing resources to schools, partnerships with SD Association of School Psychologists, SD Parent Connections, and IHE's, and includes outreach at training events across the state.SD DOE has an internal leadership team that meets monthly to continue to refine the plan and conduct outreach to the field.

As part of SD DOE's aspiration of all students entering fourth grade proficient in reading, SD DOE continues to analyze data and identify supports to assist districts in identifying students with low literacy skills. The SD DOE Reading specialist also provides information and resources to districts and schools through the state curriculum directors webinars, presentations at state conferences, and individual technical assistance.

Students with Disabilities:

SD DOE currently allows for the use of the discrepancy model for eligibility determination to identify students with learning disabilities. According to South Dakota administrative rule 24:05:25:12, if, using the discrepancy model, the eligibility and IEP team find that the child has a severe discrepancy of 1.5 standard deviations between achievement and intellectual ability in one or more of the eligibility areas, the team shall consider regression to the mean in determining the discrepancy.

SD DOE allows districts to use the Response to Intervention (RTI) model for eligibility determination by submitting a formal proposal of how they will use the process to address the eligibility determination requirements. If using the RTI model for eligibility determination, the team shall demonstrate that the child's performance is below the mean relative to age or state-approved grade-level standards. At this time, no districts have submitted a proposal to use RTI for eligibility determination. Therefore, SD DOE plans to work with national experts to develop a process for using RTI for eligibility determination after which districts could model their proposals. This would not be a state-required process, but would eliminate any barriers that districts may have had in submitting a proposal.

To support students with disabilities, SD DOE engaged a wide range of stakeholders to identify as the central focus for the State Systemic Improvement Plan (SSIP) the reading proficiency among students with learning disabilities entering fourth grade. This goal ties into SD DOE's aspiration of college and career readiness for all students. SD DOE's SSIP includes four theory of action statements:

1. If general and special education teachers understand and apply evaluation data knowledge for instructional design making, then instructional practices will improve.

2. If the state supports local education agencies in the implementation of evidence based foundation reading instruction, then teachers will implement effective reading instructions for all students.
3. If schools share and explain information on a child's progress related to foundational reading and discuss how family can be involved in development of those skills, then families will be engaged with school and be able to assist their child with learning disabilities.
4. If strong general education and special education collaboration exists, then students with learning disabilities will receive consistent support, accommodations and learning across settings. The identified theory of actions will result in students with learning disabilities receiving evidence based foundational instruction, and families will become stronger participants in IEP process and support learning at home.

SD DOE conducts an annual Special Education conference for all teachers in the state, as well as an annual MTSS/PBIS conference to support schools utilizing these programs. SD DOE conducts monthly Special Education director calls where information and training is provided to special education directors across the state. SD DOE also conducts multiple specific topic trainings for special education educators and school administrators related to topics identified as high need for the field, based off of the results of district needs assessments and offers a special series of webinars for new Special Education Directors. SD DOE has also partnered with IHEs across the state to better embed into the curriculum for general education teachers, training that enables them to meet the needs of all students, including students with disabilities via a CEEDAR grant. SD DOE's Office of Special Education has also created a Community of Practice to bring together teachers of students with severe disabilities in the area of augmentative and alternative communication.

English Learners:

SD DOE is part of the WIDA (World-Class Instructional Design and Assessment), a consortium of states dedicated to the design and implementation of high standards and equitable educational opportunities for English learners. SD DOE utilizes research studies, educator resources, and training resources to help meet legal and program requirements for ELs. School systems and educators have a legal responsibility to provide for the needs of English Learners. They also have the educational responsibility of ensuring that every child can achieve the level of knowledge and skills they need to be productive citizens who participate in all areas of our society.

- If Limited English Proficiency (EL) is suspected, the school must identify and test the students.
- If there is at least one EL student, the school must use a well thought out pedagogic approach based on sound educational practice and theory for each and every student.
- The school must provide sufficiently qualified human resources, bilingual material, and appropriate programs and methodologies which will ensure the learning of English and the curriculum to the same extent as native English speaking students.
- The school must evaluate the program to verify that it is providing effective instruction, similar to that of students without limitations in English.
- After the evaluation, schools should amend programs to correct any deficiencies in meeting the educational needs of EL students.

South Dakota districts vary greatly in size, therefore to assist districts and schools in identifying and supporting English Learners, SD DOE provides a variety of supports. SD DOE provides one on one technical assistance, regional EL Boot camp trainings, series of webinar trainings, and informational

sessions provided during other events such as the accountability roadshow and conferences. SD DOE has created a guide for district to use that outlines how to identify students as well as information on types of program models that can be used to support the instruction of English Learners.

South Dakota recognized the need to provide financial assistance to the LEAs across the state that have students identified as English Learners. The LEAs will receive a per pupil expenditure for all ELs that have taken the state language assessment and scored less than a 4.0 composite. These funds are to be used to support their core support program for ELs that are in need of language assistance.

To support teachers and administrators in meeting the needs of all students, including English Learner students, SD DOE conducts training specific to: help address the needs of students with interrupted or limited formal education, scaffolding options for teachers of English Learners, training in separating difference from disability, classroom instruction networks with English Learners, and other WIDA supported trainings in areas such as lesson planning, standards, and formative assessment for English Learners, and provides opportunities for teachers to come together and share in a peer network via SD EL chats. SD DOE also helps sponsor the SD TESL (Teaching English as a Second Language) conference as well as a conference for Hutterite Colony teachers to better enable them to meet the needs of a special population of English Learners.

All Students including Gifted and Talented and Students with Specific Needs:

SD DOE encourages and supports schools in implementation of innovative and individualized education opportunities to support student achievement. Our staff assists schools in implementing innovative models or systems to support all students, including those with specific learning needs. One such system SD DOE currently supports and encourages is implementation of Mass Customized Learning. Mass Customized Learning allows schools to meet individual learning needs through a delivery system that provides students with access to qualified educators who understand the way in which standards build across each other, and allows students to work at their own pace, receiving support in those areas in which they need the most assistance, and progressing more quickly in areas for which a natural affinity exists. Implementation of mass customized or personalized learning allows districts to identify students such as gifted and talented or with other needs and provide instruction that best serves the individual student. Districts identify students using multiple data points in order to provide instruction based on the individual student needs. This model for education is expanding across the state.

SD DOE has partnered with IHEs via a CEEDAR grant to create a system of annual trainings hosted via one of the universities in the state that focuses expressly on culturally responsive pedagogy both for teachers and administrators. This has grown to include training for university faculty members who are teaching education coursework, and has resulted in one of the universities offering summer coursework at a reduced rate for any teacher in the state. The training focuses on ensuring that all educators have the skill to be responsive to the needs of all students in the classroom regardless of their cultural background.

5. Data and Consultation *(ESEA section 2101(d)(2)(K))*: Describe how the State will use data and ongoing consultation as described in ESEA section 2101(d)(3) to continually update and improve the activities supported under Title II, Part A.

SD DOE has two main data systems to review data in this area. The Personnel Record Form (PRF) database system includes district staffing information and state certification information. The system is used to calculate the state certification status for teachers and administrators according to their assignments. If a teacher is not certified, the system notifies the district that a Plan of Intent (POI), which is a plan for the teacher to obtain proper certification, must be completed. A district is not able to sign off on its reporting to the database (required annually in mid-October) until all POIs have been submitted.

The second system is SD-STARS, the state's longitudinal database used to drive educational initiatives to improve instruction and student performance, described more fully above.

In the context of these two systems, it is important to note that South Dakota state statute protects both student and teacher data in a manner that is above and beyond the requirements of the Family Educational Rights and Privacy Act. These privacy laws prohibit the collection or use of individual educator evaluation data and limit the data the state can collect related to students.

In addition to looking at internal data systems, SD DOE will also examine information available from the state's IHEs. A K-20 data connection with the ability to monitor both the pipeline of students entering the university system and the ability to track teachers from preparation programs back to the classroom does not currently exist. To address this limitation, SD DOE collaborates with SD BOR on a regular basis and works together to develop data sharing agreements when and where needed.

The below stakeholder groups may be used as the first source of feedback to update and improve the activities for Title II, Part A before seeking additional consultation through meetings such as the state curriculum directors monthly webinars, regional principal and superintendents meetings, and meetings with IHEs.

- Commission on Teaching and Learning (CTL): The CTL was first convened in 2013 and includes teachers, administrators, and education stakeholders from across the state and draws its membership from the ranks of educational professional organizations, higher education, and SD DOE. The CTL meets on a quarterly basis.
- Professional Learning Community for Teachers (PLC): The PLC membership includes past and present State and Regional Teachers of the Year, South Dakota Milken Award winners and/or Nationally Board Certified Teachers. The PLC meets by conference call on a monthly basis.
- Content Advisory Councils: SD DOE recently established content advisory committees for English language arts, math, and science to give stakeholders a voice on content specific discussions. Those discussions include, but are not limited to: equity, leadership, instruction, assessment, and professional development relating to improving student achievement and educator development. The advisory councils will provide SD DOE valuable insight, expertise, and feedback from K-12 education and university partners.

6. Teacher Preparation *(ESEA section 2101(d)(2)(M))*: Describe the actions the State may take to improve preparation programs and strengthen support for teachers, principals, or other school leaders based on the needs of the State, as identified by the SEA.

SD DOE has a strong relationship and works very closely with SD BOR, as well as the deans of education from both private and public IHEs, to ensure the expectations for new teachers and principals are met. SD DOE engages in meetings with SD BOR to discuss joint efforts or provide updates on efforts of

common interest. SD DOE also participates in meetings with the Education Discipline Council, comprised of public university deans of education and biannual meetings with the South Dakota Association of Colleges of Teacher Education, which include both private and public deans of education, to discuss forthcoming plans, gather input and feedback, and address current and future concerns.

SD DOE is in the process of reviewing and updating the education preparation programs administrative rules to align with Council for the Accreditation of Educator Preparation standards, the Specialized Professional Association organizations that have content standards, and Interstate Teacher Assessment and Support Consortium standards for teacher effectiveness and growth. SD DOE partners annually with the SD BOR to create data reports on both student college-going rates and teacher candidate placement rates.

SD DOE is already active on the front of collaborating with IHEs to improve preparation programs. As noted previously, SD DOE partnered with a public IHE to pilot a new principal preparation program using a cohort model with participating school districts. Specifically, the program seeks to emphasize the specific challenges faced by South Dakota principals working in rural settings. The program's curriculum aligns with the SD DOE's "Recommended Domains of Professional Practice" and includes seven semesters of co-taught curriculum focused around units on Instructional Leadership; School Operations and Resources; School, Student and Staff Safety; School and Community Relationships; and Ethical and Cultural Leadership. The program operates in a hybrid delivery model allowing students to learn theory and practice in the classroom and independent settings, as well as receive opportunities to apply their learning in field exercise at partner school districts. The goal is to continue working with school districts to identify cohorts of interested administrators and slowly have the curriculum model replace the IHE's former Educational Administration program. If the pilot IHE continues to succeed in the curriculum delivery, then expansion to include the other three IHEs may be considered.

SD DOE will continue to partner with IHE preparation programs to provide supports to teachers, principals, and school leaders based on identified needs. Currently, SD DOE and SD BOR have identified a need to ensure there is an alignment between the education preparation requirements for Indian Studies to the state-adopted Oceti Sakowin Essential Understandings and Standards (see http://indianeducation.sd.gov/documents/OcetiSakowinEUS.pdf for more information). Second, a group of stakeholders led by SD DOE in the summer of 2016 created a proposed State Dyslexia Plan designed to support struggling readers, including those with dyslexia (see: http://doe.sd.gov/secretary/documents/DyslexiaPlan.pdf for more information). The plan includes partnering with the university programs to:

- Ensure structured literacy and information pertaining to dyslexia as a specific learning disability is included in the preparation programs for elementary education, special education, and reading endorsement programs;
- Add a literacy interventionist certification; and
- Work with the universities to ensure SD DOE professional learning opportunities will meet the requirements for university reading endorsement programs.

As evidenced by these two concrete examples, the collaboration between SD DOE and IHEs is robust to ensure students leave preparation programs with the skills necessary to meet the needs of South Dakota's students.

SD DOE also partners with IHEs on multiple initiatives to ensure universities are abreast and involved in SD DOE-led initiatives. Representatives of the education preparation programs are directly involved in

the state content standards review process by serving on the review committee and by serving on the advisory councils for English language arts, math and science. SD DOE and IHEs work together through the Commission on Teaching and Learning to address specific needs of the state. SD DOE also partners with IHEs on several grants such as the Collaboration for Effective Educator Development, Accountability, and Reform grants and State Personnel Development grants. Through ongoing collaboration, SD DOE will continue to work with the universities to evaluate, identify and address needs as they arise.

E. Title III, Part A, Subpart 1: English Language Acquisition and Language Enhancement

1. Entrance and Exit Procedures *(ESEA section 3113(b)(2)):* Describe how the SEA will establish and implement, with timely and meaningful consultation with LEAs representing the geographic diversity of the State, standardized, statewide entrance and exit procedures, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.

The South Dakota Department of Education (SD DOE) convened a work group of English learner (EL) experts from across the state in mid-2016 to discuss and provide recommendations regarding requirements under the Every Student Succeeds Act (ESSA). Represented on the work group were:

- The state's district with the largest EL population
- EL teachers
- An administrator at an EL immersion center school for newcomers
- Institutions of higher education
- Districts with unique EL populations
- ESL consultants

Over the course of nine months, the work group studied the complex issues surrounding ELs in South Dakota, including the design of the English language proficiency indicator and growth goals (see Section 4), entrance and exit procedures (as required by law), and best practices for supporting schools identified for additional supports based on the EL subgroup of students.

SD DOE then presented the work group's recommendations to stakeholder groups across the state to gather feedback on the proposals related to English learners as part of the state's broader ESSA consultation process.

The entrance and exit process described below stems from the above-described consultation process.

Standardized English Learner Identification Process:

Identification is triggered with South Dakota's standardized Home-Language Survey. All South Dakota students who may be English learners will be assessed for such status within 30 days of enrollment in a school in the state utilizing the following process:

- Upon a student's enrollment, the school district administers the Home-Language Survey to all students.

- The school initiates the standardized identification screening process based on the results of the Home-Language Survey (i.e., if the survey indicates that a language other than English is prevalent at home).

If the Home-Language Survey results indicate a need to screen a student, the district begins the screening process.

Standardized Identification Screening Process:

- The school district must conduct a screener assessment if another language is present, unless there is an abundance of evidence of academic success at the time the student enrolled in the school district. This may be based on prior student grades, GPA, and assessment scores from prior schools.
- South Dakota school districts will utilize the World-class Instructional Design and Assessment (WIDA) Screener (online and paper) for students in grades one through 12, or the MODEL/KG-WAPT screener for Kindergarten and Junior Kindergarten students.
- Each student whose score on one of the screening tools mentioned above is "not proficient" will be considered as an English learner and placed in an appropriate language assistance program.

Standardized Exit Procedure:
Districts will follow the state's standardized Exit Procedures:

All English learners will be assessed annually with the state's English language proficiency (ELP) assessment – SD-ELP. In order for an English learner student to be deemed proficient on South Dakota's ELP assessment, he or she must achieve an overall composite score of 5.0 on the SD-ELP or score a 4.0 on the SD-ELP assessment and a score of 3 or 4 on the SD-ELA assessment

Students with the Most Severe Cognitive Disabilities:
Students in grades one through 12 with the most significant cognitive disabilities and who take alternate content assessments will be assessed for English language proficiency using the SD-ELP-Alt for ELLs. For more information on the SD- ELP-Alt for ELLs assessment, please see:
https://www.wida.us/assessment/alternateaccess.aspx#about

Students participating in the SD- ELP-Alt for ELLs assessment must achieve a proficiency level of P1 or higher to exit.

SD-Alernate ELP

2. SEA Support for English Learner Progress *(ESEA section 3113(b)(6))*: Describe how the SEA will assist eligible entities in meeting:
    i. The State-designed long-term goals established under ESEA section 1111(c)(4)(A)(ii), including measurements of interim progress towards meeting such goals, based on the State's English language proficiency assessments under ESEA section 1111(b)(2)(G); and
    ii. The challenging State academic standards.

Through SD DOE's annual data analysis, SD DOE will review the SD-ELP data to ensure that all students who have been identified as English learners are taking the annual SD-ELP assessment. For those districts that do not meet the requirement to test annually 100 percent of their ELs, they will be

required to submit a plan as to how they will ensure that going forward, 100 percent of the district's ELs will be tested on the annual SD-ELP. Those districts will also be required to identify a coordinator for the annual assessment and for EL services. Based on the results of the data analysis, SD DOE will determine what type of professional development opportunities SD DOE can and will make available to districts. As an example of the outcomes of this analysis, in prior years, this analysis has indicated a need for additional trainings in the areas of Special Education identification for students who are ELs, and has resulted in additional difference versus disability trainings being offered across the state. Additionally, data analysis has shown that there are an increasing number of districts with low-incidence EL populations. To help ensure appropriate delivery of technical assistance and professional development for teachers and administrators in systems which may never have had EL students before, the state has developed a statewide Title III consortium that will bring districts together to receive support, resources, and training as they work to implement programs.

SD DOE adopted the WIDA ELP Standards in 2008, which are aligned to South Dakota's state content standards. SD DOE annually will monitor and analyze the progress of students towards meeting the ELP and content standards using the results of SD-ELP and the state content assessments.

In an effort to collaborate and utilize various resources, SD DOE's Division of Learning and Instruction along with the Division of Educational Services and Support will develop ongoing plans to support districts that have significant deficiencies with students not meeting the ELP and content standards. Such supports that may be provided to help support EL students would include state-purchased online reading interventions, statewide training offered to schools with ELs, and Core Reading and other evidenced-based practices.

3. Monitoring and Technical Assistance *(ESEA section 3113(b)(8))*: Describe:
    i. How the SEA will monitor the progress of each eligible entity receiving a Title III, Part A subgrant in helping English learners achieve English proficiency; and
    ii. The steps the SEA will take to further assist eligible entities if the strategies funded under Title III, Part A are not effective, such as providing technical assistance and modifying such strategies.

SD DOE will create a risk assessment tool based upon various data analysis components that will be utilized in determining which eligible entities will be receiving which type of monitoring throughout the following year. The state will continue developing this tool through the 2017-18 school year in collaboration with the new statewide Title III consortia, the technical expertise of the English Learner work group, and supports from WIDA and the Comprehensive Center.

Title III subgrantees will be monitored on what they proposed in their grant application to ensure the fidelity of the program. SD DOE will ensure that Title III activities are aligned to allowable objectives of the Title III program and will conduct annual Title III meetings statewide. Professional development and technical assistance will be provided to all eligible entities on an annual basis to help them achieve the goals of their grant applications.

F. Title IV, Part A: Student Support and Academic Enrichment Grants

1. Use of Funds *(ESEA section 4103(c)(2)(A)):* Describe how the SEA will use funds received under Title IV, Part A, Subpart 1 for State-level activities.

The South Dakota Department of Education (SD DOE) provides direct, state-level support to districts with funds received under Title IV, Part A, Subpart 1, for enrichment activities to provide growth within the following areas:

- access to a well-rounded education;
- improve school conditions for student learning; and
- improve the use of technology in order to improve the academic achievement and digital literacy of all students (ESEA section 4101).

Currently, the state level funds are used to partner with the South Dakota Center for the Prevention of Childhood Maltreatment (CPCM). Annually, CPCM holds a Community Response to Child Abuse Conference. SD DOE partnered with CPCM to offer tracks specific for educators during the conference. SD DOE also sponsors school districts to send up to two staff members to attend the conference. This includes the cost of the conference registration and travel expenses.

SD DOE also uses state-level Title IV, Part A funds to host an annual conference for educators and administrators as well as 21st Century Community Learning Center Program staff. The conference provides a variety of topics including, but not limited to, Adverse Childhood Experiences (ACEs), specific classroom strategies, providing an equitable education, and family engagement.

SD DOE continues to review existing resources and programing available without duplication of opportunities with the intent of providing statewide opportunities to enhance the three areas of Title IV, Part A. The state coordinator continues to provide technical assistance to LEAs and schools to develop specific and measurable activities.

SD DOE will monitor the implementation and ensure equitable access of activities funded through the inclusion of the Title IV, Part A into the state's consolidated ESEA monitoring process.

2. Awarding Subgrants *(ESEA section 4103(c)(2)(B))*: Describe how the SEA will ensure that awards made to LEAs under Title IV, Part A, Subpart 1 are in amounts that are consistent with ESEA section 4105(a)(2).

SD DOE will allocate subgrants to each district by formula in the same proportion as the district's prior year's Title I, Part A allocation to the total amount of Title I, Part A allocations received by all districts in the state. If the amount available is insufficient to make allocations to all districts in an amount equal to the minimum allocation of $10,000, the allocations to districts above $10,000 will be ratable reduced until all districts in the state receive at least the minimum allocation of $10,000.

G. Title IV, Part B: 21st Century Community Learning Centers

1. Use of Funds *(ESEA section 4203(a)(2))*: Describe how the SEA will use funds received under the 21st Century Community Learning Centers program, including funds reserved for State-level activities.

The South Dakota Department of Education (SD DOE) will allocate at least 93 percent of the state allotment to subgrant awards for eligible entities.

Further, not more than two percent of the state allotment will be used to establish and implement a rigorous peer review process for subgrant applications and awarding of funds to eligible entities in consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities.

Additionally, not more than five percent of the state allotment will be used to monitor and evaluate programs and activities of subgrantees, including:

- Providing capacity building, training, and technical assistance (to include an annual conference/training session, partnering with other afterschool organizations, regional meetings, peer mentoring, and one-on-one sessions);
- Conducting a statewide evaluation of program effectiveness that will both assist in determining individual grantee action plans and inform where state support is needed;
- Ensuring that subgrantees provide programming that addresses challenging state academic standards and work to develop open communication and working arrangements with teachers, school leadership, parents and the local community;
- Working to develop coordination in partnerships to implement high-quality programs; and
- Providing a list of prescreened external organizations.

2. Awarding Subgrants *(ESEA section 4203(a)(4)):* Describe the procedures and criteria the SEA will use for reviewing applications and awarding 21st Century Community Learning Centers funds to eligible entities on a competitive basis, which shall include procedures and criteria that take into consideration the likelihood that a proposed community learning center will help participating students meet the challenging State academic standards and any local academic standards.

SD DOE awards 21st Century Community Learning Centers (CCLC) subgrants to support state-level strategies by following the current guidelines of the ESSA guidance of the 21st CCLC program. Subgrant applications must show they are serving students that attend schools that are in one of the below categories:

- Comprehensive or Targeted Support Schools;
- Schools on the cusp of becoming a Comprehensive or Targeted Support School;
- Schools that have just exited of one of those categories.
- Schools with a poverty level of 40 percent or higher, as determined by the percent of students served Free and Reduced lunches.

SD DOE held a Title IV, Part B stakeholder meeting in January 2017 to gather input and recommendations on how to implement some key areas of the Every Student Succeeds Act (ESSA). Participants included classroom teachers, 21st CCLC recipients, school administrators, and other state-wide afterschool professionals.

To be eligible to be awarded a 21st CCLC subgrant, a local educational agency, community-based organization, Indian tribe or tribal organization, another public or private entity, or a consortium of two or more such agencies, organizations applying on behalf of students must meet the above requirements. Once the eligibility requirements are met, the application process consists of writing a narrative explaining the need for the subgrant along with the general scope of how the program will meet the needs of the students served. Each grant must comply with ESSA and provide opportunities for academic enrichment to meet challenging South Dakota and local academic standards.

SD DOE ensures these standards are met by:

- Reviewing and providing follow-up on the required fall and spring reports which includes questions regarding the program's academic enrichment;
- Reviewing data from 21APR and providing appropriate follow up;
- Facilitating in-depth monitoring visits to sites based on results of a risk assessment process and other considerations including appropriate follow up; and
- Collaborating with SD DOE offices such as Title I, Division of Learning and Instruction, and Special Education to support our department aspiration and goals.

A major part of the application also includes a demonstration of how these grants will support the needs of the families of the students, while at the same time offering a broad array of educational and recreational activities for students.

Applicants must also submit an evaluation plan. Each grantee must demonstrate how it will evaluate the effectiveness of the overall goals and objectives of the project and make use of the information to improve and celebrate.

The applications are completed and submitted using SD DOE's online Grants Management System. As part of the risk analysis process, the application includes a financial management questionnaire as well as a sub-grantee questionnaire to establish fiscal capacity. These documents are used to further analyze the risk of each grantee and establish an applicant's overall ability to manage a grant.

Once SD DOE receives all applications, it employs a rigorous peer review process:

- Reviewers are chosen with consideration given to areas such as expertise, availability, possible conflict of interest, etc.
- After the grant application deadline, SD DOE conducts a preliminary check of the grantee applications to ensure that all requirements have been met
- DOE may conduct virtual or in-person training with the selected reviewers to ensure a consistent review process. This allows reviewers to gain a shared understanding of the on-line review process and expectations. Reviewers continue the process off site.
- Once the review process is finished, the scores from all the reviewers are calculated and the applicants that have scored highest are verified.
- Grants management conducts a pre-award risk-assessment. They review budget material and other fiscal information to determine if the grantee has the fiscal capacity to receive a grant.

- When the peer review process is complete, SD DOE reviews the scores and awards the grants to those that scored the highest, provided that the grantee meets SD DOE's required fiscal capacity to manage the grant. Information on the determination of which applications will be awarded a 21st CCLC grant is sent to the Secretary's office and the Secretary sends a letter of congratulations to each of those grantees.

H. Title V, Part B, Subpart 2: Rural and Low-Income School Program

1. Outcomes and Objectives *(ESEA section 5223(b)(1))*: Provide information on program objectives and outcomes for activities under Title V, Part B, Subpart 2, including how the SEA will use funds to help all students meet the challenging State academic standards.

The South Dakota Department of Education (SD DOE) will award the Rural and Low-Income School Program funds to eligible school districts to assist them in meeting the state's academic standards. The funds will be awarded by formula based on the number of students in average daily attendance served by eligible school districts. SD DOE will reserve five percent of the program funds for state-level administration. The administrative funds are consolidated with other ESEA programs funds and utilized to provide technical assistance and oversight of the included ESEA programs.

2. Technical Assistance *(ESEA section 5223(b)(3))*: Describe how the SEA will provide technical assistance to eligible LEAs to help such agencies implement the activities described in ESEA section 5222.

SD DOE recognizes the uniqueness of South Dakota's rural districts and will continue to promote and provide guidance on the allowable activities under this program. SD DOE includes the RLIS program with the Title I Part A,Title II Part A, and Title IV Part A programs in a district consolidated application. The activities are listed in the RLIS section of the consolidated application, and technical assistance is provided to districts on how they could utilize the funding to meet the objectives of programs included in the consolidated application. Technical assistance to eligible districts will be provided on how the district can support activities under Title I Part A, Title II Part A, Title III, Title IV Part A and parental involvement.

I. Education for Homeless Children and Youth program, McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B

1. Student Identification *(722(g)(1)(B) of the McKinney-Vento Act)*: Describe the procedures the SEA will use to identify homeless children and youth in the State and to assess their needs.

The South Dakota Department of Education (SD DOE) plays a strong role in ensuring that each child of an individual experiencing homelessness and each youth experiencing homelessness have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth.

The process begins by SD DOE verifying that each school district has a designated McKinney-Vento liaison (M-V liaison). SD DOE will provide training, information and direct support to these liaisons to educate them in how to identify qualifying students in their districts.

At a district level, SD DOE will provide technical assistance to school districts in assessing the needs of qualifying children and youth with an understanding that collective subgroup needs differ from the individual needs of those identified, and that the individual needs of a student must be addressed. SD DOE also will provide assistance and training to districts in the services, funding sources, and rights of qualifying children and youth.

Finally, SD DOE will encourage districts and district liaisons to provide training within their districts for teachers and support staff in recognizing the signs of homelessness and district procedures.

2. Dispute Resolution *(722(g)(1)(C) of the McKinney-Vento Act)*: Describe procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth.

SD DOE will continue to utilize its established dispute resolution process for the purpose of providing an opportunity for the parent/guardian/unaccompanied youth to dispute a local education agency (LEA) decision on eligibility, school selection, and enrollment or transportation feasibility. Disputes may be initiated at the school they choose, the district office or the district's homeless liaison office. Appeals may be made to the SD DOE complaint coordinator. SD DOE shall make a timely investigation and disseminate findings and corrective actions taken by SD DOE to the complainants.

SD DOE will be working over the next year to review and refine the procedures around dispute resolution to ensure that not only the state, but also the LEAs, have a strong dispute resolution policy. SD DOE will be developing a common local policy that LEAs may adopt and technical assistance will be provided.

Prior to initial submission of this State Plan, an internal committee was formed to review SD DOE's current dispute/complaint policies. This committee began work on revisions and will establish an updated process.

The current policy describes the following procedure:

- After a dispute has been processed at the LEA level, an unsatisfied complainant has the option of pursuing the dispute at the SEA level.
- Upon receipt of a signed written dispute in the department, the complaint will immediately be assigned to a designated coordinator.
- The coordinator will ensure that the qualifying McKinney-Vento **student is enrolled/fully participating, receiving all services, and all rights are protected during the dispute process.** No student will be denied services while this process is occurring.
- During the complaint process, the parent/guardian/unaccompanied youth and the LEA are encouraged to continue to seek a resolution of the dispute for the best interest of the child(ren) and youth involved.
- The coordinator will ask for written comment from the LEA by the superintendent. Comment from the LEA must be received within fifteen (15) days.

- Immediately upon receipt of the LEA response, an interdepartmental meeting shall be arranged to determine any further actions for resolution of the dispute. A department committee will be formed.
- If a visit to the district is required, this visit must occur within twenty (20) days of the receipt of the dispute. If no visit is required, this timed requirement is eliminated.
- The designated coordinator and/or department team will conduct an investigation of the allegations and make a report within forty days (40). If deemed necessary, interviews and questioning of LEA administrators and staff, school board members, parent/guardian/unaccompanied youth, McKinney-Vento liaison or any other person may be conducted to provide information to expedite the investigation and resolution of the dispute.
- At the close of the investigation, a final report shall be prepared by the designated coordinator. The report will contain a summarization of the dispute and the activities of the department team along with a summary of the findings. The report must also include any necessary directives, if any, to the LEA administration to resolve the dispute. If the LEA is instructed to take actions to resolve the dispute, the district has fifteen (15) days to comply and provide proof to the SEA. The parent/guardian/unaccompanied youth shall be provided a written explanation of the SEA's decision. All decisions of the SEA are final.

3. Support for School Personnel *(722(g)(1)(D) of the McKinney-Vento Act)*: Describe programs for school personnel (including the LEA liaisons for homeless children and youth, principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel) to heighten the awareness of such school personnel of the specific needs of homeless children and youth, including runaway and homeless children and youth.

SD DOE has and will continue to regularly communicate with districts in a variety of formats. Key components of the information regularly include the definition of homelessness and U.S. Department of Education guidance. Examples of regular information about the needs of children and youth experiencing homelessness include:

- "Know Your Rights" is an SD DOE-produced pamphlet for homeless parents used frequently by districts in identifying students
- Electronic listserv newsletters to district educational liaisons
- Direct mailings of information such as the Liaison Packet sent annually
- Articles in SD DOE's Title I Update newsletter sent to districts regularly
- A dedicated page on the SD DOE website with frequently used information and resources
- Information and resources provided by SD DOE from the National Center for Homeless Education (NCHE) on the needs of students including unaccompanied youth, runaway youth, and post-secondary bound youth (including the Local Homeless Education Liaison Toolkit);

In addition to these resources, SD DOE also conducts regular workshops and trainings for school personnel. SD DOE will provide training for district liaisons and other district staff at the state's annual Title I Conference and will provide training to district staff upon request. More informally, SD DOE staff regularly provide technical assistance to liaisons through phone calls and emails. SD DOE additionally continues to provide information to district liaisons about NCHE's webinar trainings.

On the financial side, SD DOE assists districts in establishing Title I set-aside funds for homeless students and in educating districts about the allowable uses of the set-side funds.

4. Access to Services *(722(g)(1)(F) of the McKinney-Vento Act)*: Describe procedures that ensure that:
   i. Homeless children have access to public preschool programs, administered by the SEA or LEA, as provided to other children in the State;
   ii. Homeless youth and youth separated from public schools are identified and accorded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youth described in this clause from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies; and
   iii. Homeless children and youth who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs, if such programs are available at the State and local levels.

Preschool:

South Dakota currently does not have a universal public preschool program; however, children and youth experiencing homelessness have the same access to the provision of early childhood special education services as defined in the Administrative Rules of South Dakota.

At SD DOE, the Head Start Collaboration Director position is housed within the same administrative office as the Part B 619 Coordinator, State McKinney-Vento Coordinator and the Title I Director. This enables the State McKinney-Vento Coordinator to work directly and regularly with the state coordinators for Title I and Head Start. Because of this relationship, the state McKinney-Vento coordinator and the Head Start coordinator collaborate to ensure that Head Start programs understand and have access to information about and requirements pertaining to children experiencing homelessness in South Dakota.

SD DOE will continue to work to ensure equal access to public preschool programs. SD DOE has and will continue to provide training on the transition and coordination plans required of all the districts. That training will emphasize district responsibilities, including that:

- Children experiencing homelessness should be provided with immediate access to public preschool through the district as an at-risk population;
- Children experiencing homelessness are automatically eligible for Head Start and must be placed at the earliest possible date;
- Strong relationships between districts and their area Head Start program are essential, including signing of inter-agency agreements;
- Best practice dictates that local shelters are included in these agreements to help clarify coordination concerns over enrollment, transportation, and records transfer. This results in increased access to preschool and reduces frustration for families. With agreements in place, programs can explore creative ways to pool their resources and enhance the quality of services that they can provide together.
- Information will be communicated to districts through webinars regarding special education regulations and homelessness.

SD DOE will monitor implementation of public preschools in Title I schools and districts and whether eligible children have appropriate access through the consolidated application and through regular district monitoring.

Equal Access:
SD DOE has a common course numbering system used by districts to allow for the easy transfer of student coursework. The state's Student Information Management System (SIMS) record follows the student. Each student is given a unique student identification number; that number and the student's entire record follows the student to any district in South Dakota. SD DOE also makes available free virtual courses through South Dakota's E-Learning Center as well as credit recovery courses.

In defining a unit of credit, South Dakota Administrative Rule 24:43:01:01 allows for partial credit to be given, based upon proportionate time spent in class. This helps remove the barrier for credit bearing classes.

Academic and Extra-Curricular Activities:
SD DOE emphasizes efforts to identify and serve students who are separated from public school. The homeless state coordinator is also the Title I Part D neglected/delinquent coordinator. Efforts are made to ensure that activities occur across departments such as Corrections, Education, and Social Services along with work with the Continuum of Care and special education to ensure that students in out-of-home placements in facilities or in foster care or living on the street are assisted in continuing in school or re-connected with schooling to obtain credits and a diploma. SD DOE works with the LEAs to identify students through technical assistance, monitoring, and the consolidated application for federal funds to ensure that identification activities and posters are provided in public locations where separated students may frequent. LEA subgrantees are required to demonstrate how they are seeking out separated students.

SD DOE will review and investigate developing state policies to expedite full participation in extracurricular activities for homeless students. SD DOE will also investigate forming cooperative relationships with the South Dakota High School Activities Association to identify ways it can adjust policies to facilitate participation of homeless students in athletics and fine arts programs. Career and Technical Education (CTE) programs are part of SD DOE, providing another avenue for the state homeless coordinator and state advisors for CTE student organizations to work cooperatively to ensure that children and youth experiencing homelessness do not face barriers to access these organizations.

Together with districts, SD DOE will investigate policies and procedures to ensure that costs do not prevent students from participating in activities by waiving fees or paying for equipment and fees with school districts funds or appropriate federal funds, including McKinney-Vento grant funds, donations, and fundraisers. South Dakota's subgrantee LEAs all have these policies in place now. Perkins funds are available for youth experiencing homelessness in accessing CTE programs and student organizations.

iii. Elimination of Barriers to Access Programs

SD DOE implements McKinney-Vento federal law and non-regulatory guidance as the South Dakota SEA policies. The SEA ensures that separated students are identified and accorded equal access to appropriate secondary education and support services. When a separated student re-enters the school

system, the student is provided with all the services provided to other students, appropriate credit for full or partial credit. Every effort is made to ensure that homeless children and youth who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including summer school, career and technical education, advanced placement, and online learning. South Dakota does not have charter school or official state recognized magnet programs. Title I Part A set aside funds may be utilized for summer school or other extended learning opportunities.

5. Strategies to Address Other Problems *(722(g)(1)(H) of the McKinney-Vento Act)*: Provide strategies to address other problems with respect to the education of homeless children and youth, including problems resulting from enrollment delays that are caused by—
   i. requirements of immunization and other required health records;
   ii. residency requirements;
   iii. lack of birth certificates, school records, or other documentation;
   iv. guardianship issues; or
   v. uniform or dress code requirements.

SD DOE instructs districts in all requirements, including immediate enrollment, records transfer, and immunizations, to ensure students do not miss class time and are able to fully participate. SD DOE ensures that districts do not delay enrollment and full participation due to the immediate unavailability of health records and birth certificates. Students are enrolled and allowed to participate while district liaisons assist parent/guardians/unaccompanied youth in seeking missing records of all kinds. SD DOE does not tolerate failure to immediate enrollment/participation. SD DOE has collaborated with SD Department of Health to ensure that lack of records do not create a barrier and has created a procedure for records to be sent to the school directly from the Department of Health with parental permissions. SD DOE will continue to research and promote ways to facilitate the immediate enrollment of highly mobile students. SD DOE will also promote district efforts to provide students leaving a school with enrollment information and examples of school work to provide to his or her new school to facilitate placement. Districts include questions on the student's type of housing on their enrollment forms and then immediately follow up with students or families not in permanent housing. When a student is not enrolled by a parent or guardian (other than unaccompanied youth), districts provide caregiver forms and then immediately follow-up with the caregiver or family to collect information to establish residency and other relevant data.

SD DOE generates a report in the state's data system that provides the enrollment date for each identified student. SD DOE matches the date on the report against the date the student was identified as eligible. Matching the two records allows the SD DOE to verify how quickly a student was enrolled after identification. SD DOE's monitoring of districts allows SD DOE to ensure eligible students are able to participate fully in the classroom and other school activities.

South Dakota public schools do not have uniform dress code requirements for students to attend classes. Where there are dress codes for athletic participation, social clubs, graduation, etc., school district liaisons privately assist students in meeting the dress requirements. When these barriers are recognized, district liaisons work with their districts to change policies or actions that result in barriers and/or the district provides funding to assist with the purchase of appropriate clothing.

6. Policies to Remove Barriers (*722(g)(1)(I) of the McKinney-Vento Act)*: Demonstrate that the SEA and LEAs in the State have developed, and shall review and revise, policies to

remove barriers to the identification of homeless children and youth, and the enrollment and retention of homeless children and youth in schools in the State, including barriers to enrollment and retention due to outstanding fees or fines, or absences.

The South Dakota State Constitution establishes a system of public schools that are tuition free and equally open to all. SDCL 13-27-1 requires youth to attend school until reaching eighteen years of age or having obtained a diploma or equivalency. SD DOE uses the McKinney-Vento law and non-regulatory guidance as our guiding policies to ensure McKinney-Vento students are able to enroll and participate fully in school. SD DOE, through collaboration with the LEAs, other state agencies, and youth involved organizations, has developed and will review and revise, if necessary, any policies or practices that create barriers to identification, enrollment and retention of homeless students. We endeavor to eliminate any barriers to identification, enrollment, and retention due to outstanding fees or fines, or absences by following the mandates listed above and through the work of the LEAs in South Dakota. SD DOE provides these laws and guidance documents to districts, and provides pamphlets for parents detailing their rights under the law. SD DOE also hosts webinars as needed and works to ensure that all LEA liaisons have access to federal webinars providing training. SD DOE asks LEA liasons to provide to the department a copy of their certificate of completion in the federal webinar series.

Training and technical assistance is provided to districts so they understand their obligation to remove barriers to the enrollment and retention of homeless children and youth. This includes immediate enrollment, even if the child or youth is unable to produce the records normally required for enrollment, has missed the application or enrollment deadlines during a period of homelessness, or has outstanding fees. Part of the guidance provided includes an understanding that the district must not present barriers to children and youth experiencing homelessness because of outstanding fines, fees or absences.

The local liaison must assist children and youth experiencing homelessness with enrolling and accessing school services. When students are fined or there are fees involved, district liaisons work with the administration to eliminate or change the fines or fees through action of the administration. Our subgrantee districts have developed administrative or school board policies to address this problem through use of other funds or forgiveness of fines and fees.

Districts review their policies on attendance and work to eliminate arbitrary ways of counting attendance. Districts ask: “As the student does not have a permanent home, is the student’s absence a result of the student experiencing homelessness or is the absence resulting from another reason?” Either explanation triggers direct involvement of the M-V liaison or other M-V knowledgeable staff person to take action to improve the student’s attendance.

Occasionally, districts have encountered difficulty with the transfer of records, for example from another district either in-state or out-of-state not transferring records because of outstanding fees. A call from the district liaison to the sending district liaison, or a call from the state coordinator to the sending state coordinator, has resulted in immediate records transferal. This situation also results in a training point for district staff.

7. Assistance from Counselors *(722(g)(1)(K))*: A description of how youths described in section 725(2) will receive assistance from counselors to advise such youths, and prepare

and improve the readiness of such youths for college.

Through guidance documents, training and technical assistance districts must ensure that counselors provide advice to homeless youth to prepare and improve their readiness for college. Local liaisons, along with school counselors, should ensure that homeless high school students receive information and individualized counseling regarding college readiness, college selection, the application process, financial aid, and the availability of on-campus supports.

As most South Dakota districts are small, the school counselor is often the designated district M-V liaison. This provides an advantage for students experiencing homelessness who are preparing for college.

SD DOE encourages districts to take the online trainings with the National Center for Homeless Education pertaining to postsecondary school and training and financial aid. Additionally, the state homeless coordinator has met with the college and universities' financial aid administrators' organization to share information and materials with them to help them better assist students.

Appendix A: Measurements of interim progress

Instructions: Each SEA must include the measurements of interim progress toward meeting the long-term goals for academic achievement, graduation rates, and English language proficiency, set forth in the State's response to Title I, Part A question 4.iii, for all students and separately for each subgroup of students, including those listed in response to question 4.i.a. of this document. For academic achievement and graduation rates, the State's measurements of interim progress must take into account the improvement necessary on such measures to make significant progress in closing statewide proficiency and graduation rate gaps.

A. Academic Achievement

ELA:

Subgroup	Baseline Current Year Data (2017-18)	Interim Target Year 5	Interim Target Year 10	Long-Term Goal
All Students	54.58%	60.48%	66.38%	100%
Asian	56.40%	61.40%	66.38%	100%
Black/African American	32.88%	54.43%	66.38%	100%
Hispanic/Latino	38.59%	54.44%	66.38%	100%
Native American	23.15%	54.45%	66.38%	100%
Hawaiian/Pacific Islander	52.38%	54.43%	66.38%	100%
Two or More Races	46.03%	54.43%	66.38%	100%
White	61.55%	63.95%	66.38%	100%
Female	60.41%	63.41%	66.38%	100%
Male	49.01%	54.46%	66.38%	100%
Economically Disadvantaged	36.93%	54.43%	66.38%	100%
Students with Disabilities	19.20%	54.45%	66.38%	100%
English Learners	17.01%	54.46%	66.38%	100%

Math:

Subgroups	Baseline Current Year Data (2017-18)	Interim Target Year 5	Interim Target Year 10	Long-Term Goal
All Students	47.09%	54.44%	66.38%	100%
Asian	49.73%	54.43%	66.38%	100%
Black/African American	23.03%	54.43%	66.38%	100%
Hispanic/Latino	30.15%	54.45%	66.38%	100%
Native American	15.58%	54.43%	66.38%	100%
Hawaiian/Pacific Islander	46.03%	54.43%	66.38%	100%
Two or More Races	39.88%	54.43%	66.38%	100%
White	54.14%	54.44%	66.38%	100%
Female	46.78%	54.43%	66.38%	100%
Male	47.39%	54.44%	66.38%	100%
Economically Disadvantaged	30.00%	54.45%	66.38%	100%
Students with Disabilities	18.19%	54.44%	66.38%	100%

English Learners	15.78%	54.43%	66.38%	100%

B. Graduation Rates

Subgroup	Baseline Current Year Data (2017-18)	Interim Target Year 5	Interim Target Year 10	Long-Term Goal
All Students	84.06%	92.31%	96.30%	100%
Asian	87.03%	92.33%	96.30%	100%
Black/African American	75.10%	92.30%	96.30%	100%
Hispanic/Latino	70.85%	92.30%	96.30%	100%
Native American	50.05%	92.30%	96.30%	100%
Hawaiian/ Pacific Islander	87.50%	92.30%	96.30%	100%
Two or More Races	79.56%	92.31%	96.30%	100%
White	89.93%	92.33%	96.30%	100%
Female	87.06%	92.31%	96.30%	100%
Male	81.35%	92.30%	96.30%	100%
Economically Disadvantaged	68.62%	92.32%	96.30%	100%
Students with Disabilities	62.98%	92.33%	96.30%	100%
English Learners	79.17%	92.32%	96.30%	100%

* N size fewer than 10.

C. Progress in Achieving English Language Proficiency

Subgroup	Baseline Current Year Data (17-18)*	Interim Target Year 5	Interim Target Year 10	Long-Term Goal
All Students	48.83%	50%	75%	100%

Appendix B

OMB Control No. 1894-0005 (Exp. 03/31/2017)

NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

(1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.

(2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

(3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

(4) An applicant that proposes a project to increase school safety might describe the special efforts it will take to address concern of lesbian, gay, bisexual, and transgender students, and efforts to reach out to and involve the families of LGBT students

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

The South Dakota Department of Education recognizes the importance of equitable access to, and participation in, federally assisted programs for students, teachers, and their beneficiaries with special needs. Potential barriers that can impede equitable access to and participation in these programs include gender, race, national origin, color, disability, and/or age.

The SD DOE monitors LEAs to ensure that iIndividuals who are members of special populations will be provided with equal access to enrollment and placement in educational programs available to individuals who are not members of special populations, including specific courses, apprenticeship programs, and to the extent practicable, comprehensive career guidance and counseling services, and shall not be discriminated against on the basis of their status as members of special populations.

Descriptions of the steps the South Dakota Department of Education will employ to overcome these barriers are as follows:

1. Provide technical assistance to LEAs about ways to eliminate barriers.
2. Provide technical assistance on civil rights to ensure all educational programs available to all populations of students and staff.
3. Provide guidance and training on creating and implementing educational modifications and accommodations .
4. Make available alternative forms of the state assessments for students that have hearing or visual impairments.
5. Ensure the website is accessible for individuals that have visual impairments.
6. Provide transcripted copies of all webinars and materials that are posted on the SD DOE website.

7. The South Dakota Department of Education does not discrimate on its hiring practices.

To assist districts in ensuring they are in compliance with this part of the law, as part of the state's consolidated application process, all LEAs much provide a written GEPA statement that pertains to the LEA. To assist LEAs in the creation of these statements, the SEA provides an example statement that LEAs can refine to reflect their unique local requirements and needs.

Estimated Burden Statement for GEPA Requirements

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (Public Law 103-382. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537 or email ICDocketMgr@ed.gov and reference the OMB Control Number 1894-0005.

APPENDIX C

South Dakota Certification Rules
Effective July 1, 2017

Certification Rule	Description
Name of Certificate	Certificate will be referred to as an Educator Certificate.
Certificate Contents **24:28:02:01**	• Certificate Status • Certificate Level • Certificate Type • Preparation Type • Endorsement • Effective date of educator certificate • Expiration date of educator certificate
Certificate Status **24:28:02:02**	• Valid • Expired • Invalid • Temporary • Provisional
Certificate Level **24:28:02:03**	• Professional • Advanced
Certificate Type **24:28:02:04**	• Teacher • Administrator • Education Specialist • Educator Permit • Alternative
Preparation Type **24:28:02:05**	• Early Childhood • Elementary • Secondary • Career and Technical Education (CTE) • K-12 • Early Childhood Special Education • K-12 Special Education • Superintendent • K-12 Principal • Education Specialist • Alternative Preparation • Educator Permit
Duration and Expiration of Certificates **24:28:03**	• Issuance – valid from the date of issuance. • Certificates expire June 30th. • Certificates become invalid October 1st if all renewal requirements are not completed. • Hardship modification – allows DOE to extend the expiration date of the certificate without penalty for one year if it is determined there is good cause.

Application, Termination and Withdrawal of Application **24:28:04**	• Complete appropriate application and pay fee. • Complete a minimum of one clock hour of suicide awareness and prevention training (new statutory requirement). • Application is invalid 365 days after the date of the application if all requirements have not been met. • An applicant may submit a written request to withdraw an application for good cause.
Fees **24:28:05**	$35 One Year Out of State Provisional Certificate $20 Two Year Alternative Preliminary Certificate $60 Five Year Initial Certificate $60 Renewal (includes 5-year teacher, administrator, education specialist, or a temporary renewal certificate for those who allowed their certificate to become invalid) $25 Initial or Renewal Educator Permit $25 One Year Alternative Certification Certificate $35 Adding an endorsement(s) based on state-designated test $50 Adding an endorsement(s) based on transcript analysis $25 Duplicate certificate or conversion to professional or advanced certificate not during renewal $25 Paper Application (covers administrative processing costs)
Teacher Certificate Requirements **24:28:06**	**Initial certification requirements** • Bachelor's degree or higher from a regionally accredited institution of higher education. • Complete a teacher education program from a regionally- accredited institution of higher education. • Complete South Dakota Indian Studies. • Receive a passing score on state-designated pedagogy test. • Provide written recommendation from a regionally accredited institution of higher education verifying program completion. • Applicants from a foreign country must provide a transcript evaluation completed by an approved agency. • Staff employed as an instructor at a university or postsecondary technical institute is exempt from the requirement of holding a teaching certificate when teaching dual credit courses.
	Certificate Levels • Professional – new teacher. • Advanced – 5 or more years of teaching experience and an advanced degree in an education-related field or national board certification.
	Length of Certificate • Five year certificate.
	Preparation Types • Early Childhood Preparation (Birth - grade 3). • Elementary Preparation (K – grade 8). • Secondary Preparation (Grades 5-12). • Career and Technical Education Preparation (grades 7-12). • K-12 Preparation (K-12 areas such as music, art, health, etc.) • Early Childhood SPED Preparation (Birth - grade 3 SPED setting). • K-12 SPED (may teach in K-12 special education setting). • *Removing K-8 Special Education.* • *Middle level preparation will no longer be required.*

Administrator Certificate Requirements **24:28:07**	**Initial certification requirements** • Bachelor's degree or higher from a regionally accredited institution of higher education. • Complete a school superintendent or principal program from a regionally-accredited institution of higher education. • Complete South Dakota Indian Studies. • Provide written recommendation from a regionally accredited institution of higher education verifying completion of the approved program. • Applicants from a foreign country must provide a transcript evaluation completed by an approved agency.
	Certificate Levels • Professional – new administrator. • Advanced – Education Specialist Degree of higher
	Length of Certificate • Five-year certificate.
	Assistant Superintendent and Assistant Principals • Must meet same requirements as a superintendent or principal. There will be a two-year delay in implementation of these requirements. **Available July 1, 2017. Required July 1, 2019.**
	Preparation Types • School Superintendent. ▪ Eligible to be a school superintendent or assistant superintendent in an educational setting from early childhood through grade 12. • K-12 Principal. ▪ Eligible to be a school principal or assistant principal in an education setting from early childhood through grade 12.
Education Specialist Certificate Requirements **24:28:08**	**Initial certification requirements** • Bachelor's degree or higher from a regionally accredited institution of higher education. • Complete an approved program or coursework from a regionally-accredited institution of higher education. • Provide written recommendation from a regionally accredited institution of higher education verifying completion of the approved program. • Applicants from a foreign country must provide a transcript evaluation completed by an approved agency.
	Certificate Levels • N/A
	Length of certificate • Five-year certificate.
	Certificate areas (Functions like a Preparation)
	• Curriculum Director (curriculum director preparation).
	• School Counselor (school counselor preparation).
	• School Psychologist (school psychologist preparation).
	• Special Education Director (SPED director preparation).
	• School Psychological Examiner (school psychological examiner endorsement).
	• Mentor Teacher (3 or more years of experience as a teacher and an active certificate).
	• Mentor School Counselor (requires 3 years of experience as a school counselor).

	• Technology Integrationist (3 years of experience as a teacher or administrator).
	• Technology Coordinator (3 years of experience as a teacher or administrator).
Educator Permit Requirements **24:28:09**	**Educator Permits** A type of certificate for individuals who qualify to teach in specific fields, have specific leadership roles, or assist teachers with classroom support. Endorsements may not be added to the permit unless the individual has completed the required preparation program.
	Educator Permit restrictions Teacher, administrator, or education specialist certificate or endorsement may not be added to the permit unless the applicant has completed the required preparation program. Endorsements may be added if it is specifically designated as part of the educator permit.
	Initial certification requirements ▪ Document the requirements of the permit have been met. ▪ Recommendation from the appropriate agency, if required.
Educator Permits continued **24:28:09** (Those in bold are required to teach the specific subject or job responsibility for which they are assigned. Those not in bold are not required by rule to have the permit, however may be required by district employment policy.)	**Permit Types**
	• **Native American Lakota, Dakota, Nakota Language and Culture Permit** ▪ 5-year renewable permit. ▪ Allows applicants to teach Lakota, Dakota, or Nakota language and culture. ▪ Applicant must demonstrate proficiency in oral and written language and culture and receive sign-off from a regionally accredited institution of higher education offering a program in Lakota studies or an organization approved by both a tribal government in South Dakota and the Department. ▪ Must complete a 3 hour methodology course.
	• **K-12 Eminent Scholar Lakota, Dakota, Nakota Language Permit** ▪ 5-year renewable permit. ▪ Allows applicants to teach Lakota, Dakota, or Nakota language and culture. ▪ Must complete a 3 hour methodology course. ▪ Meets requirements of the eminent scholar program recognized by an approved indigenous language board or similar organization recognized by a tribal government and recommend for licensure.
	• **Performing Artist Permit** – Issued to performing artists in the fields of art, dance, drama and music. ▪ 1-year renewable permit. ▪ Minimum of a high school diploma or equivalent. ▪ Minimum of five years of experience in the field. ▪ District must complete a verification form identifying the position to be held and documentation the school is unable to hire a certified educator for the vacancy and provide a mentor teacher.
	• **Junior ROTC Permit** ▪ 5-year renewable permit issued to active or retired military personnel to serve as JROTC teachers. ▪ Applicant must complete the ROTC instructor training program.

	• **Expert Lecturer Permit** ▪ 5-year renewable permit. ▪ Issued to individuals with distinctive qualifications and capacity to enhance educational programs in schools. ▪ Must have a master's degree or higher. ▪ Must demonstrate a unique qualification and experience that enhances school and district programs. ▪ Districts must recommend the applicant for employment, develop a program to assist the lecturer with academic and classroom support, provide a mentor teach and provide assurances of regular observation, guidance and evaluation of the performance of assigned duties.
	• **Athletic Coaching Permit** ▪ 5-year renewable permit. ▪ Limited to the area of athletic head or assistant coaching. ▪ Must complete coursework specific to coaching from a regionally-accredited institution of higher education. ▪ Submit documentation of completion of first aid, health, and safety for coaches, fundaments of coaching and concussion in sports.
	• **Driver's Education Permit** ▪ 5-year renewable permit. ▪ Requires 8 semester hours of coursework. ▪ Beginning July 1, 2019, must meet additional requirements regarding driving record.
***Educator Permits continued* 24:28:09** (Those in bold are required to teach the specific subject or job responsibility for which they are assigned. Those not in bold are not required by rule to have the permit, however may be required by district employment policy.)	• **International Exchange Teacher Permit** ▪ 5-year non-renewable permit. ▪ Allows eligible teachers from other nations to teach in South Dakota schools. ▪ Must have a valid J1 or H1B Visa. ▪ Holds U.S. equivalent of a bachelor's or higher. ▪ Holds a foreign educator credential in a teaching field. ▪ Provides verification from a public or Department- accredited school of intent to employ. ▪ Does not prevent an individual moving to the United States from applying for a teacher, administrator or education specialist certificate.
	• **American Sign Language Education Permit** ▪ 5-year renewable permit issued to applicants to serve as instructors of sign language. ▪ Receives a score of intermediate or Level 3 on the Sign Language Proficiency Instrument or certification from the American Sign Language Teachers Association. ▪ Complete six semester hours of coursework.
	• **Braille Education Permit** ▪ 5 year renewable permit issued to individuals to serve as instructors for blind or visually-impaired students. ▪ Must pass the state-designated content test and complete six semester hours of coursework.

	• **School Business Official Permit** ▪ 5-year renewable permit issued to applicants responsible for the financial requirements of school districts. ▪ Must have a bachelor's degree or higher from a regionally- accredited institution of higher education and two years of experience as a school business official or a minimum of two semester hours of coursework in each of the areas of accounting, school finance, school law, and school business administration.
	○
	• **CEO Permit** ▪ 5-year renewable permit issued to individuals from outside the traditional education route functioning as a school leader. ▪ **Minimum requirements:** ○ Bachelor's degree or higher; ○ Minimum of three years of business, management, leadership and/or instructional experiences; and ○ Pass the state-designated assessment. ▪ **Limitations:** ○ Cannot be called a superintendent, assistant superintendent, principal or assistant principal. ○ Cannot conduct teacher evaluations.

***Educator Permits continued* 24:28:09** (Those in bold are required to teach the specific subject or job responsibility for which they are assigned. Those not in bold are not required by rule to have the permit, however may be required by district employment policy.)	• **CTE Instructor Permit** ▪ **5-year renewable permit.** ▪ **Minimum Requirements** ○ Minimum of a high school diploma or equivalent; and ○ An associate of applied science degree or higher in a related CTE field, or 4000 hours of work experience in a related CTE field, or holds a national certification in a related CTE field; and ○ Completes a minimum of 6 transcripted credit hours with a grade of C or higher in the following: • 4-credit mentored internship experience completed in the 1st year of employment; and • 2-credit methods of CTE completed in the first 3 years of employment. ▪ **Employer requirements** ○ Provide a mentor teacher to the applicant; ○ Develop a program to assist the CTE instructor with academic and classroom support; ○ Provide assurances of regular observation, guidance, and evaluation of the performance of assigned duties; and ○ Recommend based on documented performance and progress. ▪ **Limitations** ○ Holders of a CTE instructor permit are limited to the following endorsement areas ○ CTE career pathway; ○ Education and training career cluster; ○ Law, public safety, security, and corrections career cluster
Alternative Certification	• Once an individual meets the requirements of the alternative certification program, they receive a five year standard educator certificate and the preparation is reflected as alternative preparation. • Cannot be granted for K-4 (except TFA) or special education.
***Alternative Preliminary Certificate* 24:28:10**	**Alternative Preliminary Certificate** • Two-year renewable certificate. • Required for someone applying for the following alternative certification programs: ▪ General education alternative certification ▪ TFA alternative certification ▪ CTE alternative certification ▪ Administrator alternative certification. • Must have an alternative preliminary certificate prior to being hired by a school district and to be eligible for the Alternative certification program. • Within ten business days of receipt of complete alternative preliminary application the department shall determine whether the applicant meets the requirements for the issuance of the certificate and if so expedite the application. • Minimum requirements: ▪ Bachelor's degree or higher; or ▪ Associate of applied science degree or higher in a CTE field; or ▪ 4000 documented hours of work experience in a CTE field; or ▪ Hold a national certification in a related CTE field.
General Education	**General Education Alternative Certification Available Areas** • Applicant may teach in grades 5-8, secondary, or K-12 general education areas while pursuing alternative certification.

Alternative Certification **24:28:11**	**Initial Certification Requirements** • Must have a valid alternative preliminary certificate. • Receive an offer of employment from a public or Department-accredited school. • Bachelor's degree or higher. • Must add endorsements for subject areas teaching, based on content requirements for the endorsement. • May not teach grades or content areas beyond the endorsements listed on the certificate.
	Duration • Receives a one-year certificate which can be renewed two times. Following three years the certificate is invalid.
	District Responsibilities/Requirements • Verify applicant has a valid alternative preliminary certificate. • Provide mentorship and orientation. • Recommend applicant for certification. • Beginning July 1, 2019 must also document school attempted but was unable to hire certified teacher, provide information on the Code of Ethics and school evaluation system, and recommend the applicant.

	Requirements to Move to a Teaching Certificate July 1, 2019 (current requirements in place until 2019)
	▪ 15 transcripted credits in the following:
	  ○ Classroom Management;
	  ○ Teaching Methods and differentiated instruction;
	  ○ Student Assessment;
	  ○ Adolescent Psychology; and
	  ○ South Dakota Indian Studies.
	▪ Passage of the state-designated pedagogy test.

CTE Alternative Certification **24:28:12**	**CTE Alternative Certification Available Areas** ▪ Applicant may teach grade 7-12 CTE endorsement areas while pursuing certification.
	Initial Certification Requirements ▪ Must have a valid alternative preliminary certificate. ▪ Receive an offer of employment from a public or Department-accredited school. ▪ Hold an associate of applied science degree or higher in a related CTE field, have 4,000 hours of work experience in a related CTE field, or hold a national certification in a related CTE field. ▪ May not teach grades or content areas beyond the endorsements listed on the certificate.
	Duration ▪ Receives a one-year certificate which can be renewed two times. Following three years the certificate is invalid.
	District Responsibilities/Requirements ▪ Verify applicant has a valid alternative preliminary certificate. ▪ Provide mentorship and orientation. ▪ Recommend applicant for certification. ▪ Beginning July 1, 2019 must also document school attempted but was unable to hire certified teacher, provide information on the Code of Ethics and school evaluation system, and recommend the applicant.

***CTE Alternative Certification continued* 24:28:12**	**Requirements to Move to a Teaching Certificate July 1, 2019 (current requirements in place until 2019)** • May obtain endorsements in all CTE career cluster and career pathways. • Requirements to complete a CTE alternative certificate through June 30, 2019: ▪ Complete a four-credit mentored internship experience; ▪ Complete a three-credit South Dakota Indian Studies; ▪ Complete a three-credit course in human relations; adolescent psychology, classroom management, student assessment or differentiated instruction; ▪ Pass the state-designated pedagogy test; ▪ Adhere to the SD Code of Professional Ethics; and ▪ Receive sign of from the employing district. **Requirements to complete a CTE alternative certificate beginning July 1, 2019:** ▪ May obtain endorsements in all CTE career cluster and career pathways. ▪ Complete a minimum of 12 transcripted credit hours to include: o Complete 9 credits in methods of CTE and a mentored internship to include adolescent psychology, classroom management, student assessment, and differentiated instruction. o Complete a three-credit South Dakota Indian Studies; ▪ Pass the state-designated pedagogy test; ▪ Adhere to the SD Code of Professional Ethics; and ▪ Receive sign of from the employing district. • May receive a standard teaching certificate after completion of all requirements.
***Teach For America (TFA) Alternative Certification* 24:28:13**	**TFA Education Alternative Certification Available Areas** • Applicant may teach as an elementary teacher, secondary, or K-12 teacher while pursuing alternative certification. • May receive a CTE alternative certificate if the requirements for CTE alternative certification are met.
	Initial Certification Requirements • Must have a valid alternative preliminary certificate. • Receive an offer of employment from a public or Department-accredited school. • Bachelor's degree or higher. • Participate in the TFA program. • May not teach grades or content areas beyond the endorsements listed on the certificate.
	Duration • Receives a one-year certificate which can be renewed two times. Following three years the certificate is invalid.
	District Responsibilities/Requirements • Verify applicant has a valid alternative preliminary certificate. • Provide mentorship and orientation. • Recommend applicant for certification. • Beginning July 1, 2019 must also document school attempted but was unable to hire certified teacher, provide information on the Code of Ethics and school evaluation system, and recommend the applicant.

	Requirements to Move to a Teaching Certificate July 1, 2019 (current requirements in place until 2019)
	• 15 transcripted credits in the following:
	  ▪ Classroom Management;
	  ▪ Teaching Methods and differentiated instruction;
	  ▪ Student Assessment;
	  ▪ Adolescent Psychology; and
	  ▪ South Dakota Indian Studies.
	• Pass the state-designated pedagogy test.

Special Education Alternative Certification **24:28:14**	**Purpose** ▪ Allows general education teachers an alternative pathway to receive the special education endorsement.
	Eligibility Requirements • Must have a valid teaching certificate. • Must have a minimum of three years of teaching experience within the past five years. • Must be employed by a qualifying district.

	Special Education Alternative Certification Available Areas
	• May teach early childhood special education or K-12 special education while pursuing the special education alternative certificate.
	  ▪ **Early Childhood Special Education Requirements**
	  o Must have an early childhood or elementary preparation.
	  ▪ **K-12 Special Education Requirements**
	  o Must have an elementary preparation, secondary preparation, K-12 preparation, or CTE preparation.

	Duration • Receives a one-year certificate which can be renewed two times. Following three years the certificate is invalid.
	Employer Requirements • Verify the applicant meets the requirements for special education alternative certification. • Provide mentorship by an individual with special education experience. • Recommend the applicant. • Document the school attempted but was unable to hire a certified teacher.
	Requirements to Receive Special Education Endorsement • Complete a six-credit year-long practicum; • Complete nine credits of coursework in special education law, assessment and a special education-related course • Pass the state-designated pedagogy test; • Pass the state-designated content test; and • Receive signoff from the applicant's employing school.

Administrator Alternative Certification **24:28:15**	**Administrative Alternative Certification Areas** Applicant may perform administrative duties as a superintendent or principal, but may not act as both while completing the administrator alternative certification.
	Eligibility Requirements ▪ Must have an alternative preliminary administrator certificate; ▪ Must be employed by a qualifying district; and ▪ Must have a bachelor's degree or higher.
	Duration ▪ Receives a one-year certificate which can be renewed four times. Following five years the certificate is invalid.
	Superintendent Administrator Alternative Certification • **Eligibility Requirements** ▪ Must have a master's degree or higher; ▪ Must have three or more years of experience in a management role in a business, district, or employed as a teacher with a leadership role; and ▪ Pass the state-designated school superintendent assessment. • **Requirements to obtain a standard administrator certificate with a superintendent endorsement** ▪ Must complete a minimum of 21 transcripted credits with a C or higher in the following: o Leadership and district culture; o Organizational management; o Values and ethics of leadership; o Educational policy and law; o Communication; o Community relations; o Curriculum planning and development; o School finance; o Instructional Management; and o Three-hour South Dakota Indian Studies.
Administrator Alternative Certification continued **24:28:15**	**Principal Administrator Alternative Certification** • **Eligibility Requirements** ▪ Complete a state-approved teacher education program or alternative certification program; ▪ Must have three or more years of teaching experience; and ▪ Pass the state-designated school leadership assessment. • **Requirements to obtain a standard administrator certificate with a principal endorsement** ▪ Must complete a minimum of 18 transcripted credits with a C or higher in the following: o Instructional leadership; o Ethical and inclusive leadership; o Cognitive coaching/facilitation skills; o Creating a safe and inclusive school environment; o Process Management; o Systems Management; and o Educational Policy and Law; and o South Dakota Indian Studies.

	Employer Requirements • Verify the applicant has a valid alternative preliminary certificate. • Document the school attempted but was unable to hire a certified administrator. • Assign a mentor with experience as a school administrator to support the applicant. • Provide the application with information about the South Dakota Code of Professional Ethics for Teachers and Administrators. • Train the applicant on the administrator and teacher evaluation systems. • Recommend the applicant for renewal.
Reciprocity **24:28:16**	**Eligibility for Reciprocity based on completion of Approved Program through a regionally accredited university** • Received a teacher, administrator or educator specialist license or certificate in another state exclusive of a temporary, emergency, substitute or provisional certificate. • Completed a successful student teaching, internship, field experience. • Provide verification from the licensing state that there are no disciplinary actions or ethics violations.
	Eligibility for Reciprocity based on completion of Alternative Certification • Must have completed the alternative certification program in another state. • Provides verification of three years of experience within the last five years. • Provide documentation of a valid educator's license from the issuing state. • Provide verification from the licensing state that there are no disciplinary actions or ethics violations.
	Requirements • Applicants must complete a 3-credit South Dakota Indian Studies Course and one clock hour of suicide awareness and prevention training.
	Provisional Certificate • Applicants may receive a one-year provisional certificate if they have not passed South Dakota Indian Studies. This certificate may be renewed once.
Reciprocity continued **24:28:16**	**Adding Preparations and Endorsements to an Applicant with a Valid Out-of-State Educator Certificate** • Preparations and endorsements for applicants who meet the requirements will be awarded based on a comparison of the out-of-state certificate and South Dakota endorsements. The corresponding South Dakota endorsements will be awarded to the applicant. No additional content or pedagogy requirements apply. • If the applicant has a categorical special education endorsement, the applicant must pass the state-designated content test for a K-12 special education endorsement. • If the applicant has a K-8 special education endorsement, the applicant must have a minimum of one year of teaching experience as a secondary teacher or pass the state- designated pedagogy test for the secondary level to add the K-12 special education endorsement.
	Adding Preparation and Endorsement to an Inactive, Expired or Invalid Out-of-State Educator Certificate • Endorsements may be added only if the applicant has a major in content, an active national board certification in the content area, or meets South Dakota endorsement requirements.

	Requirements to Add New Endorsements • If the applicant is seeking additional endorsements not included on the out-of-state certificate, the applicant must meet South Dakota requirements to add the endorsement.
	Military Spouse • All previous reciprocity requirements apply to applicants who are a military spouse. • Within 30 days of receipt of a complete application, determination whether the applicant meets the requirements for the issuance of a reciprocal certificate shall be made by the Department. • If the Secretary cannot make the determination within thirty days a provisional certificate shall be issue for a period of one year.
Renewal Requirements **24:28:17**	**Renewal cycle of a certificate** • All certificates are considered valid until the expiration date of the certificate (not including suspended or revoked certificates). • The educator certificate is valid from the date of issuance until June 30 of the year of expiration. If renewal requirements are not completed by July 1, the certificate is expired. • A certificate becomes invalid if all renewal requirements have not been met by October 1.
	Renewal Requirements • Certificates may be renewed upon receipt of a completed application, fee, and official documentation verifying completion of six credits. • State statute requires all applicants to meet a minimum of one clock hour of suicide awareness and prevention training. • This includes issuance of an initial or renewal certificate as a teacher, administrator, or other education professional. • Any educator called to active military duty while the certificate is valid shall have the certificate re-issued at no cost and will not be required to meet credit requirements. • Unless a certificate becomes invalid, applicants may substitute a specialized learning experience for three transcripted credits.
	Professional Teaching Certificate Renewal requires: • Minimum of three transcripted credits and three additional credits which can be transcripted or continuing education contact hours; or • Participation as a mentee in the state-approved mentor program for at least two of the past five years; or • Participate as a mentor in a state-approved mentor program for at least two of the past five years; or • National Board certification or recertification.
	Advanced Teaching Certificate requires: • Minimum of 6 credits which can be transcripted or continuing education contact hours; or • Participation as a mentor in the state-approved mentor program for at least 2 of the past 5 years; or • National Board certification or recertification.

	Professional Administrator Certificate • Minimum of 3 transcripted credits and 3 additional credits which can be transcripted or continuing education contact hours.
	Advanced Administrator Certificate ▪ Minimum of 6 credits which can be transcripted or continuing education contact hours.
	Education Specialists requires: • Minimum of 6 credits which can be transcripted or continuing education contact hours; or • Complete National Board of School Counselors certification or recertification during the previous five years; or • Complete Nationally Certified School Psychologist certification during the previous five years.
	Alternative Preliminary Teaching or Administrator Certificate requires: ▪ One clock hour of Suicide Awareness and Prevention training.
	Alternative Teaching or Administrator Certificates requires: ▪ Progress toward meeting requirements of the coursework; and ▪ Employing school district recommends renewal; and ▪ Completion of one clock hour of Suicide Awareness training.
	Educator Permits require (unless otherwise specified): ▪ All 5-year renewal permits require a minimum of 3 credits which can be transcripted or continuing education contact hours. ▪ The 1-year renewable Performing Artist permit requires .50 (8 hours) education related credits which can be transcripted or continuing education contact hours. ▪ Athletic Coaching Permit requires completion of First Aid, Health and Safety for Coaches every two years, Concussion in Sports annually, and Fundamentals of Coaching.
	Advanced Degree ▪ Applicants with a master's degree or higher shall verify completion of a minimum of 6 credits which can be transcripted or continuing education contact hours.
	Requirements for applicants who have an Invalid Certificate increase to the following: ▪ Applicants with a teaching, administrator, or education specialist certificate shall complete a total of 6 transcripted credits. ▪ Applicants with a general education, CTE, TFA, or administrator alternative certification shall complete 3 transcripted credit hours. ▪ Applicants with educator permit shall complete 6 education-related credits. ▪ Applicants with a performing artist educator permit shall complete 1 education-related credit. **Applicants may receive a one-year non-renewable temporary certificate to meet the additional requirements.**

Endorsements **24:28:18 – 24:28:27**	**Determining Assignments Eligible to Teach** • Assignments will be directly tied to an endorsement. • The first determination is the preparation and then, based on the preparation, endorsements may be added. • The new system simplifies how to add an endorsement and the endorsement required to teach an assignment. • School structure no longer dictates whether someone is authorized to teach a subject.
	Philosophy of Adding Endorsements • Individuals with early childhood preparation may add endorsements for early childhood through 12th grade and K- 12 endorsements (music, health, etc.) by demonstrating content and pedagogical knowledge. • Individuals with an elementary preparation may add endorsements for early childhood through 12th grade and K- 12 endorsements by demonstrating content. Beginning July 1, 2017 demonstration of pedagogical knowledge is required. • Individuals with secondary preparation may add endorsements for grades 5 through grade 12 and K-12 endorsements by demonstrating content. Beginning July 1, 2017 demonstration of pedagogical knowledge is required. • Individuals with K-12 preparation may add endorsements for grades 5 through grade 12 and K-12 endorsements by demonstrating content knowledge. • Individuals with early childhood SPED preparation may add endorsements for early childhood through grade 12 and K-12 endorsements by demonstrating content and pedagogical knowledge. The K-12 special education endorsement may be added by demonstrating content and pedagogical knowledge. • Individuals with K-12 SPED may add endorsements for grades 5 through grade 12 and K-12 endorsements by demonstrating content knowledge. The early childhood special education endorsement may be added by demonstrating content and pedagogical knowledge.
	Review Preparation to Endorsement Worksheets ▪ Early Childhood Preparation ▪ Elementary Preparation ▪ Secondary Preparation ▪ K-12 Preparation ▪ CTE Preparation ▪ Early Childhood Special Education Preparation ▪ K-12 Special Education Preparation ▪ Administrator Preparation ▪ Education Specialist Preparation Review ▪ Educator Permit ▪ Alternative Certification

Transition to New Certification Rules **24:28:28**	• Current certificates shall remain valid for the period for which the certificate is issued. • Endorsements placed on an existing certificate will be transitioned to the corresponding new endorsement and allows the certificate holder to teach the same courses as the previous endorsements. • A certificate holder with an expired or invalid certificate on July 1, 2017, who has not been granted two one-year certificates, may be granted a one-year temporary certificate to meet renewal requirements or request an inactive certificate. • All valid, renewable certificates meeting the requirements of the advanced certificate will be converted to equivalent certificates. • K-8 and K-12 special education teachers who have passed 0146/5146 Praxis test prior to July 1, 2017, will have K-8 self-contained and K-8 subject-specific endorsements added to their certificates in the areas of math, social science, science and English language arts. • Middle level endorsements will no longer make someone eligible to teach a particular subject. Certificate holders who currently have a middle level endorsement will be transitioned to an endorsement called Middle Level Learner. This endorsement will not add make someone certified to teach any additional subjects. • Demonstration of pedagogical knowledge to add an endorsement will be required beginning July 1, 2017. The state-designated pedagogy test required to add an endorsement not covered by the preparation area of the certificate holder may be waived if verification of two or more years of state-certified teaching experience in the grade span of the endorsement is documented.

APPENDIX D

Assessing Students in Their Home Language

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Jan. 27, 2017

Abstract

Assessing students in their home language is intended to produce more valid measures of academic achievement for English learners (ELs; students who are developing English as a second language). Provisions in the Every Student Succeeds Act (ESSA) offer a new set of opportunities for these students to demonstrate their knowledge by allowing state assessment systems to test them in their home language in the content areas of mathematics and English Language Arts. While, in principle, this new legislation is a significant step towards ensuring that valid inferences can be made about students based on test scores, it is limited in its ability to address the complexity of language processes and linguistic groups, according to current knowledge from the language sciences. In addition, testing English Language Arts in the ELs' first language poses serious threats to validity and fairness. Successful implementation of ESSA provisions largely depends on the extent to which assessment practices effectively address the nature of language development, the linguistic demands of each disciplinary content area, and the individual schooling histories of ELs. Using the perspectives of bilingualism, psychometrics, and educational policy, this paper discusses the possibilities and limitations of home language-based assessment. It discusses the factors that are critical to properly operationalizing home language-based assessment, and the sets of realistic expectations that policy and decision makers should have concerning policy and practice as critical to fair and valid assessment of ELs. Whether testing ELs with translated instruments is appropriate depends on whether they have received instruction in their first language, the type of translation, the availability of qualified translators, and the content assessed.

Assessing Students in Their Home Language

Guillermo Solano-Flores & Kenji Hakuta

Stanford University

Introduction

Attention to English learners (ELs) has moved from periphery to center in our national education reform effort, as the numbers of these students have increased their prominence in recent years, and their pattern of distribution across states has become more complex. Roughly one in nine or ten students in America's public schools is classified as an EL and one in five students in public schools comes from a home in which languages other than English are spoken (Kindler, 2002; NCES, 2016a).

Educational attainment of ELs, as measured by academic assessments in English, shows large gaps compared to non-EL populations. For example, 2010-2011 National Assessment of Educational Progress (NAEP) reading scores show a 36-point gap and a 44-point gap respectively in NAEP reading scores for 4th grade and 8th grade students (NCES, 2016b). Subgroup scores for ELs reported by states as part of their Title I accountability on their academic assessments also show large gaps whose magnitude depends on who is included in the EL subgroup (Hopkins, Thompson, Linquanti, Hakuta, & August, 2013).

Second language development is a long-term process. It takes between four and seven years for ELs to attain English proficiency at a level that allows them to meet district criteria for reclassification (Hakuta, Butler, & Witt, 2001; Thompson, 2015). Yet the Every Student Succeeds Act (ESSA) imposes the requirement that ELs be included in state assessment systems (typically available only in English) after a period of one year of schooling in English—which makes it difficult to validly assess any second language learner in the second language. Recognizing this inconsistency, the law has contained the following language since the inception of the notion of standards, assessment, and accountability was introduced in the Improving America's Schools Act of 1994 (Public Law 103-382, 1994):

> "English Learners shall be assessed … in a valid and reliable manner and provided appropriate accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency"

By acknowledging the need for "assessments in the language and form most likely to yield accurate data," the legislation clearly signals the need for assessments in the native language of the student whenever appropriate. Yet most of the attention to this provision of the law has focused on accommodation practices in the administration of the assessment in English, not on the complexities of assessing students in the native language.

This paper contributes to understanding the complexity of assessing academic achievement among EL students in their home language. It makes an attempt to show that what counts as "assessments in the language and form most likely to yield accurate data" is shaped by the ways in which ELs are defined, the ways in which the accuracy of data is examined, and the ways in which "assessing in the home language" is understood. The paper provides a set of considerations intended to inform policy makers, decision makers, and practitioners in their efforts to comply with legal mandates according to current knowledge in the field of EL assessment.

More specifically, the paper provides conceptual considerations and examines practice implications of five major changes in ESSA:

- States have considerable flexibility in the construction of their Title I accountability system, although they continue to be held accountable for the EL subgroup, consistent with the civil rights origins of Elementary and Secondary Education Act (ESEA).
- The Title I accountability system must include an indicator of progress toward English language proficiency (ELP) in addition to an indicator of academic content achievement, bringing the two major academic indicators for ELs – content and language – within Title I.
- Up to seven states can be approved for "Innovative Assessment Pilots," granting flexibility to experiment with non-traditional assessments for accountability that may be locally developed and administered.
- Some flexibility is granted in how newly arrived ELs are assessed and counted in the accountability system during their first two years, but the provisions do not include the possibility of assessment in the native language for English Language Arts.
- States are required to report in their state plan the languages other than English that are present to a significant extent in their student populations for which academic assessments are "not available and are needed" and the ways in which states "shall make every effort to develop such assessments."

Ultimately, the paper is concerned with valid assessment for ELs. For the purposes of this discussion, validity is understood as the extent to which adequate generalizations can be made about the skills and knowledge of these students based on their performance on tests. Thus, major questions underlying the discussion are: Under which conditions does testing ELs in their home language allow making more valid interpretations of their test scores than testing them in English? Also, what are the optimal characteristics of tests in the home language?

Following this introduction, the paper provides a short history of ESEA legislation concerning EL assessment. A trend in legislation towards more flexibility can be identified in the ways in which states assess ELs and towards a wider variety of testing practices. However, the vagueness of this legislation may lead to interpretations based on simplistic assumptions about language and linguistic groups.

The third section discusses the challenges of EL assessment. Many of these challenges stem from the fact that ELs are difficult to define and, in many cases, they are not properly identified. These challenges also stem from the fact that tests have unique linguistic features which are often underestimated.

The fourth section examines population misspecification as a potential threat to validly assessing EL individuals. It also discusses how translation may alter the constructs test items are intended to measure. The challenges of preserving the integrity of constructs across languages vary depending on content area, as language encodes knowledge in a unique manner for each discipline. Moreover, how students should be tested in the home language may be difficult to determine when the content area assessed is English Language Arts.

The fifth section discusses multiple ways in which "assessing ELs in their first language" can be implemented through different test translation formats. In terms of validity and practicality, each format (e.g., partial or full-text translation in the textual modality or in the audio or visual modality) has a unique set of advantages and disadvantages. Recent innovations in information technology in computer-administered tests allow designing translation formats that adjust to the unique set of needs of each EL student and which more effectively support ELs in gaining access to the content of items without altering the constructs those tests are intended to measure.

The sixth section discusses how decisions and practice concerning the assessment of ELs in their home language need to be guided by probabilistic views—as opposed to deterministic views. Probabilistic views recognize that there is always some uncertainty about the knowledge that is possible to gather about the proficiency of ELs in their first language and in English, and some uncertainty about the fidelity with which these students can be tested in their first language. While this error may be in some cases a reflection of poor assessment practices, it is mostly a reflection of the challenges that result from the complexity of language and linguistic groups.

The last section provides a summary and a short set of conclusions about the level of commitment needed from test users and decision makers concerning proper implementation, and the kinds of expectations it is reasonable to hold about assessments in the home language if these assessments are to contribute to more valid, fair assessment for EL students.

ESEA Legislation: The Language of Policy and the Policy of Language

Inclusion of ELs in Assessment Programs

The issue of inclusion of ELs in state assessment systems has been part of the Elementary and Secondary Education Act (ESEA) since the 1994 reauthorization as the Improving America's Schools Act (IASA), carrying with it the inclusion provisions mentioned in the introduction. While the notion of identification of a student as an EL was carried in the Definitions section of the law, instrumentation was left to the operationalization of identification procedures required through the Office of Civil Rights as part of its enforcement of Title VI of the Civil Rights Act (commonly known as "Lau Compliance" after the U.S. Supreme Court decision in 1974, Lau v. Nichols).

The 2001 reauthorization of ESEA as the No Child Left Behind Act (NCLB) created strict accountability rules of adequate yearly progress, with a requirement for progress of different subgroups of students, including ELs in schools and districts. NCLB raised the stakes through required sanctions for schools and districts that failed to meet proficiency targets, set at 100% of the students—which virtually guaranteed failure for almost all schools unless the law was re-authorized.

NCLB also set up requirements for English language proficiency assessments aligned to a set of state standards corresponding to its academic standards. This accountability system was set up as part of Title III and required districts to set and meet targets for growth and status on their state English language proficiency assessment. However, because it was not part of Title I, this system of assessment for English language proficiency was not subjected to the scrutiny of the Title I peer review process.

By 2008, when President Obama came into office, in light of strict targets for growth toward academic proficiency, many schools and districts were failing to meet adequate yearly progress for Title I, suffering the fate of schools and districts identified as "failing" and facing strict sanctions. With political pressure mounting for relief, the administration under the leadership of Secretary of Education Arnie Duncan granted flexibility waivers for states agreeing to certain conditions, some of which are relevant to this paper. One of these conditions was the requirement that states adopt academic standards that are college- and career-ready, which was widely read to mean the Common Core State Standards developed under the leadership of the Council of Chief State School Officers and the National Governors' Association.

Another notable requirement in the waiver process was that an applicant state adopt new English language proficiency standards that correspond to the college- and career-ready academic standards of the state. Note that the term "correspond," rather than the term "align" (although the law still uses "align") was used to signal that the ELP standards are not equivalent to academic content, but rather should speak to the language demands necessary for students to participate in and meaningfully engage with rigorous content. Many scholars and educators, including those involved with the Understanding Language initiative, welcomed this change as a way of bringing academic content and language development into coordination, rather than as separate instructional charges. An important document embracing this change was published by the Council of Chief State School Officers (2012).

Common Core State Standards and Assessment Consortia

The Common Core State Standards, which were finally released in 2010, received strong tailwind from

the Obama administration through the funding of two state consortia—the Partnership for Assessment of Readiness for College and Careers (PARCC) and the Smarter Balanced Assessment Consortium (henceforth referred to as Smarter Balanced)—to develop assessment systems aligned to the standards. Federal funding for these consortia is generally what critics mean when they refer to the Common Core as an example of heavy-handed federalism, since the standards themselves are adopted at the state level and nothing in federal law or policy specifies the Common Core.

The waiver process became de facto federal policy as the assessment and accountability portions of NCLB went into dormancy, and the inability of Congress to come to agreement on most matters, including education, cemented the policy. This environment also created an appetite for reform in assessment as the one-size-fits-all view of assessment and accountability in the style of NCLB became unpopular.

Examples of innovative ideas can be seen in the California CORE districts and in the 51st State initiative (see Darling-Hammond, Wilhoit, & Pittinger, 2014).

The reauthorization of ESEA as the Every Student Succeeds Act (ESSA) of 2015 caught many by surprise. It reflected the extent to which unhappiness with the NCLB limbo became a bi-partisan consensus. While its focus on civil rights categories was regarded as a positive aspect, its rigid accountability perspective was reviled, because of both its one-size-fits-all approach and the excessive federal regulation that gave states limited flexibility.

Owing to its rigid focus on assessment for strict annual accountability, NCLB may have provided a long-term favor to advocates of the movement to view assessment “of, for, and as learning” (Black & William, 1998; Wiggins, 1998), who once again are questioning the value of annual summative assessment, raising the value of a continuum of assessment approaches that examine learning, and putting this into the policy framework for continuous improvement (Darling-Hammond, Wilhoit, & Pittinger, 2014). This broader perspective on assessment is reflected, for example, in the chapter on assessment of the California Department of Education’s English Language Arts / English Language Development Framework (California Department of Education, 2014), which pays considerable attention to formative assessment and its role as a resource for teachers to inform their teaching and to provide feedback to their students.

The Challenge of Validly Assessing EL Student

Defining “English Learner”

There is no common national definition or set of criteria for defining an EL student, and there is no consistency even within a single state (Linquanti & Cook, 2013), which compounds the difficulty of getting a precise handle on the magnitude of the score gap between ELs and their non-ELs counterparts. Due to the complexities of language and the process of language development, efforts to define ELs are, to some extent, limited in their ability to capture the characteristics of these students that are relevant to valid testing. These limitations may lead to misspecification of EL populations and to errors in the identification of ELs (Solano-Flores, 2009).

ESSA defines “English learner” as an individual who, among other things, uses a language other than English at home and has difficulties in speaking, reading, writing, or understanding the English language that may be sufficient to deny the individual the ability to meet challenging state academic standards. In essence, the definition is basically the same as that provided by NCLB, which refers to “the ability of the individual to meet the state’s proficient level of achievement on state assessments.”

The definition acknowledges that ELs may vary in their levels of proficiency across different language modalities (i.e., speaking, reading, writing, and listening). This acknowledgement is important because speaking and listening skills are developed through social interaction, whereas reading and writing skills are typically developed through experience in formal instructional contexts (see Grosjean, 2001). The definition also recognizes the functional aspect of language (Mackey, 1968), especially in the context of

school and disciplinary knowledge (see Halliday, 1993; SchELpegrell, 2004) as critical for a student to benefit from instruction by providing academic standards as the context for determining English proficiency. Finally, the definition recognizes that language is context-bound. How proficient an individual is in a language depends on the context in which language is used (Fishman, 1965).

Two limitations of ESSA's definition of EL relevant to making assessment decisions need to be discussed. The first limitation concerns decisions made about individual EL students. ESSA's definition is silent about the fact that ELs are bilingual—they continue developing their first language while they develop English, their second language. Typically, the use of a language other than English at home is employed to operationalize the identification of EL students, not to examine proficiency in the first language. This omission leads to inaccurate and fragmented views of any given EL individual student's language skills and to erroneous decisions concerning the assessment of EL populations.

One possible consequence of these fragmented views of ELs is underestimating language development. Bilingual individuals develop a language system that integrates their first and second language in a way in which their language skills are distributed in these two languages (Oller, Pearson, & Cobo-Lewis, 2007; Valdés, 2015). A parallel monolingual perspective (which focuses only on English proficiency) and a holistic monolingual perspective (which pays attention to proficiency in their two languages) render different perceptions of ELs' skills (see Hopewell & Escamilla, 2013; Kenner & Kress, 2003).

Another consequence of these fragmented views of ELs is overestimating ELs' proficiency in the first language. In the absence of information on reading and writing skills in the first language, faulty decisions may be made concerning the language in which it is best to assess a given individual EL student. Guided by the best of the intentions, but without proper information, EL students might be tested in their first language under the wrong implicit assumption that their reading and writing skills in the first language are as good as their oral skills in the first language.

The second limitation of ESSA's definition is its limited sensitivity to the fact that EL populations are heterogeneous (although various portions of the law do address differentiation within the EL definition, such as recently-arrived ELs, ELs with disabilities, and long-term ELs). Due to differences in culture, migration, schooling histories, and first language, among other factors, EL students vary considerably as to their speaking, listening, reading, and writing skills in both English and their first language (Batalova, Fix, & Murray, 2005). This heterogeneity exists even among ELs who are users of the same language. Yet the definition leads to assuming the existence of few and clearly distinguishable categories of English proficiency and, ultimately, to making blanket assessment policies that may produce invalid interpretations of test scores for some EL students.

The development of standards of English proficiency for ELs and the development of assessments of English proficiency based on these standards such as WIDA and the more recent ELPA21 (English Language Proficiency Assessment for the 21st Century), are major milestones in a series of efforts towards more valid assessment for ELs. Unlike previous efforts, intended to identify ELs' levels of English proficiency, WIDA is consistent with a vision of language, which "has expanded to encompass both social contexts associated with language acquisition and academic contexts tied to schooling in general, and particularly to standards, curriculum and instruction" (Gottlieb, Cranley, & Cammilleri, 2007, p. RG-6) and, consequently, with a vision that developing English as a second language is not exactly the same as learning English as a foreign language, or learning English Language Arts. Furthermore, it is a remarkable effort to provide information on English proficiency that is sensitive to the linguistic demands of academic contexts in the different language modes (see Cook, Boals, & Lundberg, 2011). ELPA21 extended the notion of academic language by building its standards directly on the disciplinary demands of language based on the Common Core and Next Generation Science Standards (ELPA21, 2014).

In spite of their significance, these accomplishments will not lead to more valid assessment practices for ELs if the information on ELs' English proficiency provided by WIDA, ELPA21, or similar, future English proficiency assessments is not used appropriately. For example, even if different measures of oral, reading, and writing proficiency in English are reported, treatment of EL students based on broad categories of English proficiency may persist unless proper professional development opportunities are

made available to educators. These professional development opportunities should enable school administrators and educators to properly interpret those measures and make informed classification and assessment decisions for ELs.

Language as a Critical Component of Tests

In general, assessment instruments are administered under the assumption that the examinees have a minimum level of proficiency in the language of testing (AERA, APA, NCME, 2014). In addition to this assumption, the linguistic features of tests contribute to the complexity of validly assessing ELs. These linguistic features make tests different from other forms of text. For example, many test items contain complex problems stated in a relatively small number of words or sentences. Also, many items use certain grammatical forms, such as ellipsis (as in, Which of the following...), with higher frequency than other forms of text. Likewise, features such as an incomplete sentence followed by three or four complements preceded by capital letters (as is the case of the stem and its options in a multiple-choice item) are practically unique to the context of tests. Due to these linguistic features, tests pose students with a unique set of reading demands for both ELs and native English users.

Because of the dependence of tests on language as the medium through which they are administered, it is not a surprise that refining their linguistic features constitutes a great deal of the process of test development. A great deal of the process of developing tests consists of ensuring that their items' linguistic features (e.g., word frequency, sentence length, sentence structure, subordinate clauses, and presence of nominal phrases, among many others) do not affect comprehension adversely (Abedi, 2006). If tests are carefully developed, they should undergo a series of review iterations in which the wording of the items is refined based on comments from reviewers and the interpretations of responses from pilot students with whom these items are tried out.

This tremendous sensitivity of tests to language is even a more serious issue in the testing of ELs. For these students, the demands are more challenging not only because they are developing reading skills in a second language along with skills related to other domains but also because many items that include contextual information intended to make problems meaningful (for example, fictitious characters needing to compare their ideas, resolve a dilemma, or make a decision) use cultural referents and scenarios implicitly assumed to be familiar to all students but which may be specific to certain segments of the society.

While the potential lack of familiarity with these scenarios is a recurring concern in the literature on the testing of linguistic and cultural minority students, most of the information reported in the literature is anecdotal and based on specific items or small samples of items. Available empirical evidence indicates that students make sense of items based on their personal, everyday life experiences (Solano-Flores & Li, 2009a). Therefore, it is not unreasonable to argue that tests may potentially privilege white, middle-class, and suburban students over many EL students if their items tend to reflect middle-class and suburban contexts.

Language Proficiency and Fair Assessment

Decisions concerning who should and who should not be tested in their first language are to be made by educators. These decisions are likely to be erroneous in the absence of proper training, technical support, and appropriate information on EL students' school history. Unfortunately, because the definition of EL is silent about proficiency in the first language, schools are not obligated to obtain trustworthy information on the proficiency of their EL students in their first language.

Only 15% of EL students are immigrants (Zong & Batalova, 2015) and only about 30 percent of U.S. American schools provide bilingual education programs (American Federation of Teachers, 2002). Those programs may vary considerably in goals, ranging from transitional to dual immersion programs (Rennie, 1993). These pieces of information provide a gross indicator that the majority of ELs have not received instruction in their first language at any point in their lives. Thus, assuming that all of them have learned reading and writing skills in their first language and learned disciplinary content in their first language may

do more harm than good.

A major challenge in assessing ELs in their home language is ensuring that test translations go through a thorough process of review and that sufficient time is allocated to make sure that this process is completed appropriately. Typically, the timelines for test translation are tight (say, one or two weeks), and leave little room for careful review (see Kopriva, 2008). The implicit assumption underlying this practice appears to be that, if the quality of the test in its original language version is good, those properties will be transferred to the target language as long as highly qualified translators are hired to do the job. Yet available empirical evidence indicates that the complexity of test translation has been underestimated.

When a test is translated, the linguistic integrity of the items in the source language is not necessarily preserved in the target language (Turkan & Oliveri, 2014). Most importantly, there is evidence that translation can alter the constructs assessed by tests, to the extent that the skills and knowledge assessed may end up not being the same in the original version and in its translation (see Hambleton, 2005; Sireci & Faulkner-Bond, 2015). For example, the meaning and the grammatical complexity of the items may be increased or decreased and the words or terms used in the translation may be of lower or higher frequency among the population of users in the target language than among the population of users in the source language (Solano-Flores, Backhoff, & Contreras-Niño, 2009).

Altogether, these and many other factors contribute to making some items more difficult and some other items easier in the translation than in the original version of the test (see Arffman, 2013). Because of these complexities, high quality test translation cannot be achieved by simply allocating a few weeks for translators to produce the version of a test in a new language.

The current version of the Standards of Educational and Psychological Testing (AERA, APA, NCME, 2014) recognizes that, when tests are translated or adapted to be administered to students from populations for which the instruments were not originally created, the new versions need to be tried out with samples of students of the target populations. While the tone of the document does not emphasize sufficiently that test developers should be required to always take these actions, it is clear that impeccable translation does not suffice as validity evidence when ELs are tested in their first language.

Issues and Challenges in Home Language-Based Assessment

Heterogeneity of EL Populations

An important challenge for valid home language-based assessment is the linguistic heterogeneity of EL populations. This diversity concerns not only the number of languages spoken in the U.S. and the disproportionate numbers of their users, with nearly 80% of users of Spanish and dozens of languages spoken by small percentages of the total population of ELs (Kindler, 2002). It also concerns linguistic variation within broad linguistic groups due to dialect.

Dialects are varieties of the same language. These varieties are the result of differences in the frequency of oral and written modality features such as vocabulary, pronunciation, intonation, forms of speech, idiomatic expressions, and spelling, among many others (see Coulmas, 2013; Edwards, 2009; Phillips, 2006). Typical examples of dialects are the varieties of English used by the British and American press and broadcast television and the multiple varieties of Spanish used in the U.S.

Dialects are a reflection of social and demographic differences. Thus, dialect differences can exist between users of the same language but from different geographical areas, ages, genders, or socio-economic status. Because dialects are associated with their users, different dialects have different levels of social acceptability and prestige. A common misconception about dialects is that prestigious dialects are more complex whereas dialects with low prestige are “incorrect.” A large body of evidence shows that, regardless of social status, dialects are organized systems of conventions (see Wolfram, Adger, & Christian, 1999).

Although, in principle, dialects are typically regarded as mutually intelligible varieties of a language, it is probably more accurate to say that dialects are *mostly* mutually intelligible varieties of language.

Therefore, the ability of individuals to deal with dialect differences in printed text may be shaped by experience. The performance of students in the low grades may be particularly sensitive to dialect differences, as the following mathematics word problem illustrates:

> *At what speed is an 18-wheeler moving if it takes 4.5 hours to move from Point A to Point B and these points are 300 km apart?*

In the U.S., older students may be more likely than younger students to have been exposed to the term, *18-wheeler* instead of *truck*—more frequently used by young students. Or, older students are more likely than younger students to have developed skills that allow them to infer the meaning of *18-wheeler* based on the context of the sentence, or to simply realize that knowing the meaning of the term is not critical to solving the problem successfully.

There is evidence that children who are native English users and have high levels of use of their non-standard dialects have more difficulty understanding words in the Standard English dialect than children who have low levels of use of their non-standard dialects (Gross, Chen, MacDonald, Kaplan, Brown, & Seidenberg, 2014). In the context of EL testing, there is evidence that dialect variation may affect students' abilities to properly interpret test items, regardless of whether they are assessed in English or in their native language (Solano-Flores & Li, 2006, 2009b). The lesson from this research is that, even if EL students are tested in their home language, variation due to dialect is a considerable source of error. This issue may be especially important in the testing of younger ELs. As a consequence, the use of a standard version of a language in a translated test is not a guarantee of accessibility to the content of items, especially at lower grades.

Different Linguistic Demands in Different Content Areas

As mentioned above, testing student populations in different languages poses a problem of equivalence—the extent to which there is certainty that two language versions of the same test measure the same constructs (Gierl, 2000; Hambleton, 1989). Equivalence can be examined through methods from item response theory—a psychometric theory of scaling—and, more specifically, the analysis of differential item functioning (DIF). An item is regarded to be differentially functioning across student populations (e.g., those tested in the original version of a test and those tested in the translation of that test) if samples of students of the two populations with similar performance on the overall test do not perform similarly on that item (Hambleton, 2005). Differential item functioning analysis may reveal that an item is biased either in favor of the focal group—in this case the sample of students who take the translated test—or in favor of the reference group—in this case the sample of students who take the test in the original language version (Sireci & Allalouf, 2003).

In an ideal world, all items to be included in a test should be tried out with samples of students from the focal and reference populations and scrutinized for differential functioning. Also in an ideal world, items detected as biased should be eliminated or revised and tried out again. In practice, however, given to budget limitations and tight timelines, it may be unrealistic to expect that test developers will perform all these analyses. Hence the need for improved and more rigorous test translation and test translation review procedures.

While translation quality plays a critical role in ensuring equivalence across languages, entire equivalence may be difficult to prove or reach because languages encode experience and meaning in different ways. Many examples can be given. One is the systems used to denote different kinship relations (e.g., see Kemp & Regier, 2012). Certain languages have specific terms to distinguish the order of birth of siblings or to distinguish relatives from one's father's side from relatives from one's mother's side. Also, languages have different grammatical ways of expressing time (e.g., perfective, imperfective, progressive, etc.). For example, a tense may involve a case in which something could have happened but did not happen or tenses may distinguish actions that occurred in the past progressively, without a clear ending, from

actions that occurred in the past and which had a clear ending (e.g., Bybee & Dahl, 1989).

All these differences show that languages pose different set of resources for their users to communicate. When text is translated from one language into another, the translator has a twofold task. One is to preserve the intended meaning across languages; the other is to express that meaning in ways that are consistent with the rules and characteristics of the target language. In spite of translators' best efforts to preserve it, meaning may be altered, at least slightly. For example, while *brother-in-law* in English may mean either the husband of one's sister or the brother of one's wife, other languages have terms to make that distinction. In a translation of text written in one of those languages into English, that precision would be lost or the translator would need to make certain adjustments (i.e., adding some text) to preserve the original meaning. In contrast, in a translation from English into one of those languages, it would be impossible to resolve the ambiguity and the translator might not be able to determine the case of *brother-in-law* to which the original version in English refers.

In typical translation projects that do not involve tests (e.g., in literary translation), ambiguity due to these differences between languages is often mitigated by the content of the text, which may provide sufficient contextual information for the reader or listener to infer meaning expressed ambiguously. In test translation, that possibility is limited because test items are independent of each other and contain few (and usually short) sentences. With his colleagues, one of the co-authors of this paper (Solano-Flores, Backhoff, & Contreras-Niño, 2009b) has advanced the idea that error in test translation is inevitable (although it can be minimized) because the tension between preserving meaning across languages and doing it in ways that are consistent with the rules of the target language cannot be resolved entirely—even when translators do an impeccable job. Examples of translation error include an increase or a decrease in the complexity of the wording of an item or its reading difficulty, a slight modification of the meaning conveyed by the item, or a variation in the number of times that a critical term appears in the text of an item. Due to this impossibility, the fallibility of translations should be acknowledged as part of the efforts to validly test linguistically diverse populations.

The problem of equivalence poses different sets of challenges in different content areas because each discipline has a unique set of conventions for encoding knowledge through language (Lemke, 1998). In mathematics, the view of this discipline as a "universal language" may have originated from the high level of abstraction with which ideas can be synthesized and represented through a system of symbols. But a high level of abstraction does not mean that ideas cannot be represented in multiple ways or that those ideas have evolved in the absence of a culture or a community of users that shape usage (see Lemke, 2003).

The view of mathematics as a "universal language" may mislead into erroneously thinking that language issues do not pose problems for translation in mathematics assessment. To use a well-known example, different cultures use different conventions to separate thousands and decimals to represent numbers. A number that in the U.S. would be represented as *23,712.34* is represented in other cultures as *23.712,34* and in some other cultures as *23 712.34*.

These differences in conventions for representing information may pose different sets of challenges in different translation contexts. In the context of international test comparisons, the translations produced are adapted in ways that make them consistent with the system of notation conventions used in instruction in each country (see OECD—PISA, 2007). In contrast, in the context of EL assessment, the picture is more complex. Should the translation be consistent with the system of conventions used in the cultures associated with the student's first language? Since most of these students' schooling history is in the U.S., the answer is *no*, except for contexts in which the goal is to determine the level of proficiency in mathematics for newly-arrived ELs whose recent schooling has been outside the U.S. However, to complicate matters, even in those cases, variations in the systems of conventions used in mathematics may vary considerably across cultures that share the same language. For example, Spanish speaking countries vary considerably in the conventions they use to separate thousands and decimals. A simplistic view of mathematics as a universal language may lead to underestimating the complexities of translated endeavors. Also, translating a test into a language cannot be done appropriately without considering cultural variation in language in the context of a discipline.

The Impossibility of Validly Assessing English Language Arts with Translated Tests

Issues of equivalence across languages are considerably more serious in the case of English Language Arts—to the extent that it is impossible to make valid inferences about EL students' knowledge of this field based on their scores on English Language Arts administered in their native language. The reason is twofold. First, language arts are specific to the language in which they originate. Second, to a large extent, language arts involve more than meaning. Several examples are provided in this section.

The first example shows that there are subtle aspects that cannot be replicated and assessed across languages. Below is an English Language Arts item in English and its Spanish translation:

Read the following text: *Today you are you!* *That is truer than true!* *There is no one alive* *who is you-er than you!* Explain three reasons why you think this text is a poem.	Lee el siguiente texto: *¡El día de hoy tú eres tú!* *¡Esto es más cierto que la verdad!* *¡No existe nadie* *que sea más tú que tú!* Explica tres razones por las que este texto puede ser considerado como un poema.

The rhyming and the metrics of the poem written by Dr. Seuss (1959) have been altered in the Spanish version. Most importantly, the meaning conveyed through the deliberate use of grammatical absurdity (*you-er*, the view of a person as an adjective and, more specifically, a desirable quality) cannot be replicated in Spanish. Thus, while the meaning is kept in the translation of the text, its poetic nature is somewhat lost and the item cannot elicit from the student the analytical reasoning that it can potentially elicit in the English version. A student tested with the Spanish version would have much more difficulty than a student tested with the English version identifying rhyming and metrics, and appreciating the poetic tone of the text, simply because those features have been compromised.

The second example illustrates the challenges of scoring student performance due to the fact that the features that contribute to good writing are not valued in the same way across languages. Imagine a student who has received formal reading and writing instruction in her first language in a bilingual program and who writes an argument essay. This student uses discursive structures that differ from those used in English and are common and highly valued in her first language. For example, she consistently uses circular structures and does not use topic sentences as frequently as they are used in Standard English argument texts.

Due to these differences, the performance of this student would not be assessed fairly by simply using the scoring rubrics originally developed to assess students tested in English. On the other hand, a tremendous amount of work would be needed to develop or adapt scoring rubrics to ensure sensitivity to the characteristics of that student's written home language. Moreover, even if resources and time were not an issue, finding a sufficient number of student responses to use in the process of scoring rubric development and as benchmarks and training and calibration sample responses would be extremely difficult. Finally, needless to say, doing this for multiple languages would be practically impossible.

The third example shows the variety of conceptual issues need to be resolved before students' performance on translated English Language Arts tests can be validly interpreted. Suppose a task consisting of reading a literary passage, and then responding to a series of questions intended to assess

understanding of certain words and the ability to interpret metaphors. Should both the literary passage and the questions be translated? If so, should it be assumed that understanding a given metaphor in English is the same as understanding that metaphor in the translated version? What should be done if the meaning and the intention of the metaphor are impossible to capture in the translation?

As stated above, a recurrent issue in EL assessment is that the knowledge of a discipline and the language in which that knowledge is encoded are extremely difficult to separate. As the examples above illustrate, English Language Arts poses an additional challenge for validly assessing EL students—that the knowledge of the discipline is difficult to separate from the natural language from which it originated. Using direct translations of English Language Arts assessment does not appear to produce interpretable scores. More serious than the threat of altering the constructs assessed by some items in the original language version, translated English Language Arts tests may assess a different knowledge domain.

The challenges discussed have serious implications concerning graduation practices—which need to be revised. If taking an English Language Arts assessment is a used as a high school graduation requirement, testing students classified as ELs in their home language might unfairly prevent them from accessing college.

Human Resources

As mentioned above, tests have linguistic features that make them different from other forms of text and which pose a unique set of translation challenges. Because of the challenges that stem from the complex intersection of language, content, and the characteristics of EL populations, careful attention needs to be paid to the selection of translation and translation review procedures to be used. Also, careful attention needs to be paid to the selection of translators and educators charged respectively with translating the instruments and providing ELs with a wide variety of translation-related accommodations and supports.

Regarding translators, it is important to keep in mind that, to a large extent, translation skills are context-bound. Whereas many translation skills are relevant to any kind of text regardless of genre and content, translators need to be familiar enough with the content of the text to be translated in order to be able to properly address register—the nuanced uses of language within a disciplinary area. Also, they need to be knowledgeable of the dialects (varieties) of the target language used by the specific target student populations.

While desirable, formal certification in the profession is not a guarantee that a translator has the skills mentioned above. In addition, for most of the dozens of language used by ELs, certified translators may be impossible to find because translator certificates are available for only a few language combinations. For example, the American Translators Association offer certificates for translators from English into Chinese, Croatian, Dutch, Finnish, French, German, Hungarian, Italian, Japanese, Polish, Portuguese, Russian, Spanish, Swedish, and Ukrainian (American Translators Association, 2016). While fifteen is a good number of target languages, only a few of them are among the dozens of languages most frequently used by ELs. Clearly, the conventional desktop translation approach that involves one or two trusted professional translators is limited in its effectiveness in generating translations of tests that contribute substantially to valid assessment for ELs.

Recent translation models for EL assessment emphasize the use of multidisciplinary translation and translation review teams that include translators, linguists, content experts, teachers who teach students from the target linguistic groups, and members of the speech communities (Solano-Flores, 2012; Solano-Flores, Backhoff, & Contreras-Niño, 2009; Solano-Flores, Contreras-Niño, & Backhoff, 2012). These new models contrast with conventional translation approaches in that they do not rely heavily on the work of one or two translators. In addition, they replace back translation with alternative translation review procedures intended to ensure that the content of tests is preserved across languages. (Note 1) As experience in assessment across languages accrues, mainly from international test comparisons such as PISA (Programme for International Student Assessment), this verification procedure tends to be abandoned in major endeavors involving translation, due to evidence showing that translators tend to “correct” inaccurate translation, thus masking translation errors made in the target language (Grisay, de

Jong, Gebhardt, Berezner, & Halleux-Monseur, 2007). Unfortunately, awareness of the limitations of back translation is not sufficiently widespread, and many individuals in charge of test translation projects may still consider it as an effective method for test translation review.

An important consideration regarding human resources and fidelity of implementation is that the selection of translators should not be based on the social status of the dialects of the target language. A common misconception in the field of assessment of linguistically diverse populations is that hiring highly qualified translators suffices to ensuring appropriate translations. Of course, highly qualified translators are always needed. However, quality should not be confused with social status. Attention should be paid to ensure that translations reflect the dialect or dialects used by the target populations, not the prestigious dialect. For example, hiring translators who use Iberian Spanish (Spanish Castellan)—a dialect that many consider as more socially prestigious than other Spanish dialects in the U.S.—to create Spanish test translations would do a serious disservice to EL Spanish users in the U.S., as the majority of them use other Spanish dialects.

Regarding teachers charged with providing a wide variety of translation-related accommodations and forms of supports for EL students (e.g., translating the text of tests partially or totally, reading aloud test directions for students), availability and quality are important issues to consider. First, teachers with the communication skills in the EL students' home language may not exist in the numbers state- or district-level decision makers expect or assume. Second, educators with those skills may not always have the level of skills needed to properly serve these students under testing conditions. Pronunciation and knowledge of both the academic language of the students' first language and the students' dialect in their first language are among the subtle aspect of educators' students' first language proficiency whose importance should not be overestimated. As with professional translators, proper selection and screening process should be put in place to ensure that educators in charge of providing translators have the skills needed.

Validity and Fairness Testing in the Home Language

Types of Test Translation

Up to this point, the discussion of the sources that may lead to inadequate translation practices has not been explicit about any particular form of translation. This section examines different forms of translation and discusses the advantages and limitations of each form from the perspective of validity and fairness.

Typically, the term translation is understood as full text translation, which is probably the most common form of translation in legal or literary text translation. However, in the case of tests, there is a wide variety of translation formats and translation devices that, for the purposes of this discussion, should be included as types of test translation. These translation formats vary from the conventional full text translation to the use of glossaries of specific words to making English-to-first language dictionaries accessible to students.

Table 1 shows some translation formats; they should be thought of as some of the many possible formats that could be or have been used in EL assessment. As seen in the first column, these formats have been classified into two broad categories—full text and partial text translation. For each format, the table indicates the medium (paper-and-pencil; computer) through which a test is administered.

Translation Type/Format	*Safety*	*Sensitivity*	*Fidelity of Implementation*	*Usability*
Full Text				
Monolingual-Printed: The text of each item is provided in the student's first language; the original text in English is not provided (P&P)*	4	4	1	4
Monolingual—Read-Aloud: The test administrator reads each item aloud in the student's first language; the original text in English is not provided (P&P)	4	4	4	4
Bilingual-Printed: The English and first language versions of each item are displayed side-by-side (P&P)	1	3	1	2
Bilingual-Screen: The English and first language versions of each item are displayed one on top of the other (CA)	1	3	1	2
Audio Available: The student has the option to listen a recorded audio version of the item in their first language; text in English provided (CA)	1	3	1	1
Partial Text				
English-to-First Language Dictionary: Student is given a commercially-available printed dictionary with translations of words (P&P or CA)	1	3	3	3
Printed Glossary: Each item shows the translation of selected words or terms next to it (P&P)	1	2	1	1
Pop-Up Glossary: The text of each item in English highlights some words or terms as available for translation; when the student clicks on a word or term, its translation appears on the screen (CA)	1	1	1	1
Audio Glossary: The text of each item in English highlights some words or terms as available for translation; when the student clicks on a word or term, an audio translation of it is played (CA)	1	1	1	1
Directions Read Aloud in First Language: The test administrator reads the directions of the test aloud in the student's first language; English version provided (P&P)	4	4	4	4

Table 1. *Validity and Fairness Dimensions: Relative Ranking of Ten Test Translation Formats by Dimension (1=highest; 4=lowest). P&P = paper and pencil; CA = Computer-administered*

Adapted from Solano-Flores, G. (2012). Translation accommodations framework for testing English language learners in mathematics. Developed for the Smarter Balanced Assessment Consortium (SBAC). September 18, 2012. http://www.smarterbalanced.org/wordpress/wp-content/uploads/2012/09/Translation-Accommodations- Framework-for-Testing-ELL-Math.pdf

Five full text formats are shown. Monolingual formats come to mind when test translations are mentioned; two monolingual formats are shown—Monolingual-Printed and Monolingual—Read-Aloud. The Bilingual-Printed format shows the English version of an item and its translation next to it. The Bilingual-Screen format displays the translation below the original version of the item—a format that works better on screens in computer–based assessment, as is the case of Smarter Balanced assessments (see Smarter Balanced, 2016).

Five partial text formats are shown. The English-to-First Language Dictionary format consists of a simple, commercially-available dictionary that is given to students to look for words they do not know. The Printed Glossary format consists of translations of selected words or terms (strings of words) made available for each item. These words or terms are translated according to the context in which they appear. The Pop-Up Glossary shows on the screen of the computer the translation of selected words or terms when a student clicks on these words or terms. Likewise, in Audio Glossary, the recording of the translation of words or terms is played when the student clicks on those words or terms. The last partial text format shown consists of reading aloud the directions of the test.

Validity and Fairness Dimensions

Table 2 (next page) shows the rank ordering of the ten translation formats on each of four validity and fairness dimensions—safety, sensitivity, fidelity of implementation, and usability (see Solano-Flores, 2012). These dimensions shape the effectiveness with which a given translation format provides linguistic support, thus contributing to making valid inferences about an EL student's knowledge and skills based on their performance on a test. For each dimension, a 1 and a 4 indicate respectively the highest (best) and the lowest (worst) ranking of a translation format.

Safety refers to how innocuous or harmless a translation format is for students who do not need it. Assumptions about a given student's proficiency in English may be inaccurate. This may be the case even if those assumptions are informed by tests of English proficiency, as measurement error is inevitable. If a student has been wrongly classified as an EL and is given a test in his home language without the version in English, the translation format may hamper rather than support his performance, which will not reflect his knowledge and the skills in the corresponding domain as accurately as it would do on the test in English. As shown in Table 2, translation formats are safe as long as they provide the original text of the test in English. The lowest safety ranking is for the Monolingual-Printed, Monolingual—Read-Aloud, and Directions Read-Aloud in First Language formats, which do not provide the English version.

Relevance	
Frequency	• *Sheer number of users*
Proportionality	• *Percentage of users with respect to users of other languages*
Criticality	• *Extent to which the language is used by a historically underrepresented group* • *Vulnerability of the group of users due to poverty or segregation* • *Limited access of the group of users to social programs* • *Scarcity of indicators of academic achievement for the group of users* • *Prevalence of low academic achievement among users of the language*
Viability	
Sustainability	• *Extent to which translation team members (including native speakers of the language) can keep doing translation work for a long time in the future* • *Percentage of students schooled in the language* • *Existence of a critical mass of teachers users of the language*
Human Resources	• *Availability of sufficient numbers of individuals who can act as translators* • *Ease with which translators can be identified and recruited*
Cost	• *Existence of financial resources needed to develop the translations* • *Existence of a well-established logistics for developing the translations*
Dependability of Information	• *Trustworthiness of the information about the language* • *Trustworthiness of the numbers of users*
Fidelity of Implementation	• *Extent to which the translation can be created according to established procedures* • *Availability of resources for evaluating and refining the implementation of the translation procedures*

Table 2. *Criteria for Determining Priorities in EL Students' Home Languages to Support: Relevance and Viability*

Adapted from Solano-Flores, G., Shade, C., & Chrzanowski, A. (2014). Item accessibility and language variation conceptual framework. Submitted to the Smarter Balanced Assessment Consortium, (pp. 57 and 60).

October 10. http://www.smarterbalanced.org/wordpress/wp-content/uploads/2014/11/ItemAccessibilityandLanguageVariationConceptualFramework_11-10.pdf

Sensitivity refers to the ability of the translation format to react to the actions of the examinee in a way in which it adjusts to her needs. The best rankings are for translation formats that use information technology, thanks to which the computer provides linguistic support for specific terms. In the first place are Pop-Up Glossary and Audio Glossary, which provide translations for specific terms at the students' request (mouse click). In the second place is Printed Glossary, which provides translation for specific terms but not at the request of the student. In the third place are Bilingual-Printed and Bilingual-Screen formats, which react to examinees' actions but they do it only to the extent that the students switch back and forth between languages to access the entire text of the item in one language or the other. Also in the third place is Audio Available, which reacts to the examinees' actions to the extent that they can switch back and forth between language modalities to read or listen to the entire text of the item. Also in third place is English-to-First Language Dictionary, which may or may not react to the actions of the examinees. For example, the examinee may look up a word but the dictionary may not have that word—and if it does, the translation may not be sensitive to the context in which the word is used in the text of the item.

Finally, in fourth place are the Monolingual-Printed and Monolingual—Read-Aloud formats, which do not react at all to the examinee's actions. Also in fourth place is Directions Read Aloud in the First Language, a format that does not react at all to the examinee's actions and does not provide any translation (full or partial) of the text of the items.

Fidelity of Implementation refers to the extent with which the translation can be provided as intended by its creators. It is not possible to be certain about the effectiveness of a translation format if the way in which it is provided depends on the contexts in which students are tested or the idiosyncrasies of the individuals who administer it. Thus, the best ranking regarding fidelity of implementation is for translation formats whose administration does not assume any actions from the administrators. In contrast, a ranking of 3 is given to English-to-First Language dictionary. While this translation format does not require from administrators any other action than handing the dictionaries to the students, fidelity of implementation issues arises from the vagueness of state documents regulating the use of accommodations for ELs. In the absence of detailed guidelines, students from different schools may end up receiving different dictionaries of varying qualities and characteristics. Finally, the lowest ranking is for Monolingual—Read-Aloud and for Directions Read in First Language, as the individuals in charge of reading aloud the directions of the test may vary tremendously in their proficiency in the students' first language.

Usability refers to the extent to which students can use a translation format with ease. Usability depends on the skills needed to properly use and benefit from the translation format and on the extent to which a given EL is accurately assumed to have those skills. In first place in the ranking are Audio Available, Printed Glossary, Pop-Up Glossary, and Audio Glossary, which assume minimal mousing/clicking skills or minimal reading skills in the first language. The second ranking is for the Bilingual-Printed and Bilingual-Screen formats because, in order to benefit from this format, a student needs to be able to identify specific words or phrases she does not understand in English and identify them in the translation—an action whose complexity should not be underestimated. A ranking of 3 is given to the conventional English-to-First Language Dictionary, which assumes alphabetical word searching skills in the student.

For some dictionaries, students may even need to be able to interpret or dismiss abbreviations and notes on usage and select the right translation for terms with multiple translations or usages. In fourth place is Monolingual-Printed, which assumes that EL students are able to read in English better than in their first language. Also in fourth place are Monolingual Audio and Directions Read in the First Language, formats which assume that the student has respectively better listening skills in the first language than reading and writing skills in the first language.

Note that these rankings might vary depending on both the specific set of circumstances in which test translation takes place and whether translation is understood as an outcome or a process. For example, Table 2 gives the Bilingual-Printed and Bilingual-Screen formats the best ranking on the Fidelity of

Implementation dimension based solely on considering the extent to which contextual and idiosyncratic factors may produce variations in the ways in which these formats are provided. A lower ranking could be given to these formats if the need for considering text size in test translation is considered in their evaluation. For example, to ensure that the two languages of an English-Spanish bilingual format provide the same kind of support to ELs, the design of the format needs to address the well-known (albeit often neglected) fact that Spanish takes 20%-25% more screen or paper space than English. Otherwise, the developers may end up using a smaller font size for the Spanish side or even reducing the space for students to provide their responses.

Properly acknowledging that these rankings may vary depending on which components of the process of translation are considered, the relative standing of a given format with respect to the other on each dimension tends to be the same; they provide an overall appraisal of the advantages and limitations of the different translation formats. While all of them (or variations of them) have been used in state large-scale assessment programs, some are ineffective and even perilous. Few have high rankings across the four validity and fairness dimensions. As can be seen, testing EL students in their home language cannot be assumed to be more valid or fair if proper actions are not taken to address these dimensions.

Response Processes

Current thinking in the field of assessment places an important value on understanding the cognitive processes underlying the ways in which students respond to items. These processes mainly refer to the cognitive activity elicited by an item. For example, imagine a multiple-choice item intended to assess geometrical reasoning. The item shows some quadrilaterals and four statements on their properties, from which the student has to identify the most accurate. Does the item really elicit geometrical reasoning among test takers? Does that reasoning involve comparing and evaluating the geometrical figures? Do students who are and those who are not proficient in geometry differ in the kind of reasoning and knowledge they use when they respond to the item? Can the problem be resolved only by using geometrical reasoning rather than another reasoning strategy?

The term cognitive validity refers to the extent to which evidence addressing these kinds of questions supports the assumption that the item elicits the mental processes intended by the developer (see Chi, 2006; Ruiz-Primo, Shavelson, Li, & Schultz, 2001; Weir & O'Sullivan, 2011). Since cognitive activity can be inferred, not observed, collecting evidence on the cognitive validity of an item is based on asking samples of individuals to talk aloud while they are engaged in solving a problem. Also, evidence on cognitive validity is obtained by asking students to explain why they took certain actions when they were responding to the item (Ericsson & Simon, 1993; Leighton & Gierl, 2007).

Cognitive validity of test translations needs to be examined routinely if assessment in the home language is to contribute to valid and fair assessment for ELs (Solano-Flores, 2016). There are four main aspects that need examination. First is the obvious fact that limited proficiency in English may prevent students from gaining access to the content of test items. Evidence on cognitive validity should inform decisions concerning assessment in English, in the first language, or in both languages (Solano-Flores & Chia, In Press). In current testing practices, it is not customary to include ELs in the samples of students with whom pilot versions of translated tests are tried out, in spite of the valuable information they could provide on the linguistic challenges of the items and their wording. Underlying this unfortunate neglect may be the misconception that ELs cannot communicate in English. Yet the scant available evidence on this matter indicates that the majority of ELs can participate in talk aloud protocols and cognitive interviews conducted in English on tests administered in English (see Kachchaf, 2011; Kopriva, 2011).

Second, in spite of the large body of literature on cognitive validity, little research has included ELs and even less research has compared response processes when these students are tested in different

languages. For example, questions like the ones listed above in the example of the item on geometrical reasoning could be asked to determine whether EL students reason in different ways depending on the language in which they are tested. There is evidence that some ELs may use different terms and even different problem solving strategies depending on the language in which they are tested—a difference

that may reflect how comfortable they are using the language resources they have in each language in a formal, academic context (Solano-Flores, Lara, Sexton, & Navarrete, 2001). Also, there is evidence that ELs do not perform consistently on the same set of items administered in two languages. Moreover, there is evidence that ELs do not perform consistently when the same items are administered in different dialects of their first language (Solano-Flores & Li, 2009). This evidence indicates that, owing to the differences in the contexts in which they use and have acquired their two languages, ELs have different sets of strengths and weaknesses not only across languages but also across varieties within a language. This evidence also indicates that items administered in different languages or in different dialects of the same language pose different sets of linguistic challenges to ELs.

Third, examination of cognitive processes may reveal ways in which translations can be improved. A study that examined the think-aloud protocols of expert reviewers when they reviewed test translations of an international test found that their judgments of the translated items did not necessarily correspond to the categories of items classified as differentially and non-differentially functioning (Roth, Oliveri, Sandilands, Lyons-Thomas, & Ercikan, 2013). These findings indicate that rigorous translation review procedures should be used in combination with DIF and other analytical procedures to evaluate the quality of test translations. Similar studies need to be conducted routinely in test translation for ELs, for example, to compare samples of translated items generated by several translation teams and determine which team generates fewer items that are differentially functioning, or to determine the extent to which differences in the dialect of the translated versions may contribute to differential item functioning.

Regardless of their formal training and certification, translators may not be able to create translations of items that effectively support ELs to gain access to the content of items if they fail to address the complex interaction of content, dialect, and linguistic heterogeneity (Solano-Flores et al, 2007).

Fourth, while the use of information technology allows offering different translation formats to ELs, it also increases the complexity of test taking for these students. For example, hovering the mouse over a word identified as available for translation, clicking on it, and examining different dialect versions of its translation may increase the cognitive load of an item. Thus, in addition to the knowledge needed to interpret and respond to an item, examining cognitive process for ELs may include consideration of the metalinguistic skills students need to identify words they do not understand and interacting with the user's interface. Among many other, questions that need to be answered in projects involving testing ELs in their home language are: Do ELs use translations in the way test developers intend them to be used? How frequently is a given translation resource used by the student? What is the minimum amount of time students need to respond to an item if they are to use the translation resources made available to them? To what extent does the translation resource help students to gain access to the content of an item?

While research intended to answer these questions is beginning to be conducted, policy makers need to be aware that, to ensure proper test translation, these kinds of issues should not be taken lightly—all of them are relevant to validity and fairness.

Operationalizing Home Language-Based Assessment for ELs

Recognizing Uncertainty, Inaccuracy, and Fallibility in EL Assessment Practices

A fundamental limitation of current testing practices for ELs is that they are influenced by deterministic views of language and language groups that follow the compliance needs generated by Civil Rights law that require the identification of a class of individuals without much regard to variation within class. (Note 2). For example, the use of a small number of categories of English proficiency fails to capture the heterogeneity of EL populations and limits the possibility of addressing each student's unique set of needs. Also, impervious to knowledge from the language sciences, test translation practices fail to recognize language variation (e.g., due to dialect differences among test takers or to idiosyncratic differences among translators) as a threat to validity in EL testing. Furthermore, analysis of differential item functioning analysis techniques, which allow detection of biased translated items, assume homogeneity in both the focal and reference groups—an assumption that is inappropriate in the assessment of EL populations (see Ercikan, Roth, Simon, Sandilands, & Lyons-Thomas, 2014).

In addition to these deterministic views, the effectiveness of testing practices is affected by error and uncertainty. For example, some students may be classified in the wrong categories of English proficiency. The reason is that, as with any instrument, tests of English proficiency are not perfect—even the best instruments have a margin of error within which wrong classifications of students are produced. Also, legislation and testing policies that allow the use of test translations can be interpreted in multiple ways concerning translation procedures and the characteristics of translation teams. Furthermore, while differential item functioning analysis techniques are often invoked as a resource that contributes to fair testing, it is not clear whether large-scale assessment programs use them systematically with all items or at least substantial numbers of items. High cost and tight timelines for development make it unlikely for these techniques to be used routinely, for example, to examine bias in translated items compared to their counterparts in the original English version. These high cost and tight timelines pose a limit to the extent to which potentially biased items can be detected and modified or revised.

In related publications (Solano-Flores, 2014; Solano-Flores & Gustafson, 2013), it has been proposed that more valid and fair assessment practices can be developed by recognizing the uncertainty that affects the process of assessment of EL populations at all its stages (e.g., identification of ELs and their native language, development or adaptation of instruments, interpretation of scores), rather than pretending that this uncertainty does not exist. More specifically, it has been proposed that probabilistic views should replace deterministic views of language and linguistic groups.

In the context of EL assessment in the students' home language, a deterministic view assumes that EL populations are homogeneous and does not challenge the assumption that EL individuals may be improperly classified in terms of their English proficiency. This deterministic view also fails to recognize language variation due to the students' dialects and relies and uses a top-down approach to translation, according to which the language used by one translator or a small team of translators is assumed to be as representative of the language used by an entire linguistic group. Moreover, generalizations about the students' skills and knowledge based on the scores may fail to incorporate error due to language as a factor to incorporate in score interpretation.

In contrast, a probabilistic approach assumes linguistic heterogeneity (even among native users of the same language) and fallibility in the categories of English proficiency within which a given EL may have been classified. This probabilistic approach uses a bottom-up approach to translation. Accordingly, translations are created by multidisciplinary translation teams with different kinds of expertise relevant to the content of the test to be translated. Thus, in addition to professional translators, the teams include content experts, teachers who teach students of the corresponding linguistic group, and sociolinguists (who provide expertise on language variation). Also, under a probabilistic view, test translation is used in combination with other accessibility resources, rather than relying on it as the only resource used to support ELs to gain access to the content of test items.

Examples of Practices Based on Probabilistic Views of Language

Pop-up textual and audio glossaries are an example of testing in ELs' home language guided by probabilistic views of language and linguistic group. These forms of accessibility resource are possible due to recent advances in information technology and computer-based assessment systems. Smarter Balanced has designed an interface which makes available for students the translation of selected words or terms (Smarter Balanced, 2016). For each item, a translation team identifies the words or terms that are likely to pose a challenge to EL students and which are irrelevant to the constructs measured (i.e., terms whose translation does not give away the content of the item). (Note 3)

This translation is item-specific—it is not taken from a dictionary and is not assumed to be the same for the same word or term when it appears in a different item. Words or terms available for translation are highlighted. When a student clicks on one of these highlighted words or terms, a translation pops up on the screen, showing, when appropriate, different dialect versions of the translation. The translation is sensitive to the grammatical context in which the target word or term appears in the text in English. For example, the translation of a noun appears in plural form if it appears in plural in the original text in English.

An audio version of this accessibility resource is available and can be used in combination with the pop-up version. This allows students to use the textual modality for some words and the audio modality for other words, or to access the translation of a word or term in one modality when the other modality is not helping them. This flexibility is important, as the reading skills in the first language may vary considerably across ELs. As can be seen, what makes this interface sensitive to the unique set of linguistic skills of each student is its ability to react to their actions.

A second example of use of probabilistic views concerns the evaluation of the effectiveness of test translations. In the conventional approach to evaluating the effectiveness of test translations, the performance of non-EL students is compared to the performance of EL students who are tested in English and to the performance of EL students who are tested with a translation of the test. Ideally, effectiveness would be observed when: (a) EL students tested with the translation score higher than their EL peers tested in English and (b) score differences between EL students tested with the translation and non-EL students are smaller than score differences between EL students tested in English and non-EL students. While this kind of comparison is necessary and should be conducted routinely, it has the limitation that it requires the use of large random samples of students to control for multiple extraneous factors—an action that is difficult to perform under tight timelines and budget restrictions.

A more powerful approach to evaluate effectiveness consists of deliberately examining the amount of measurement error obtained when EL students are tested with and without the translation. Generalizability theory, a psychometric theory of measurement error (Brennan, 1992; Cronbach, Gleser, Nanda, & Araratnam, 1972; Shavelson & Webb, 1991), makes this possible. Unlike the other two psychometric theories—classical theory and item response theory—generalizability theory allows partitioning measurement error into different sources of error.

In a perfect world, the variation of test scores observed among students would be attributable only to differences in their knowledge or skills. In the real world, test scores vary not only because of differences in the students' skills and knowledge but also because of many factors beyond control, such as differences in the characteristics of items that are irrelevant to the constructs measured (e.g., some items are unnecessarily more complex than others), and characteristics of the individuals who score their responses. Also, test scores vary across occasions—performance is not stable in time due, for example, to variations in students' moods or level of engagement or fatigue.

Generalizability theory allows examination of the extent of which the score variation observed is attributable to student (s)—the object of measurement—and facets (factors) such as item (i), rater (r), or occasion (o), and the interaction of all these sources (s x i, s x r, s x o, i x r, i x o, s x i r, and s x i x r x o). The theory also allows estimation of the extent to which the scores obtained can be regarded as generalizable—the extent to which appropriate generalizations about the students' knowledge can be made based on the scores of the specific test. In a simple design, if the translation is effective in supporting the students to gain access to the content of items, the magnitude of measurement error due to the main and interaction effect of facet, the item should be smaller for EL students tested with the translation than EL students tested without the translation (Solano-Flores, 2017; Solano-Flores & Li, 2013). The importance of this approach lies in the fact that it allows examination of validity and fairness based on the psychometric properties of the instrument (i.e., the validity of generalizations of test scores) not on comparing ELs with their non-EL counterparts.

Supporting Multiple Languages

In implementing a policy that mandates testing ELs in their home language, states face challenges that result from the wide variety of first languages used by EL populations in the U.S. For example, there are languages that have so small numbers of users or whose characteristics are so unique that it may be extremely difficult to find adequate translators. To some extent, those in charge of assembling translation teams may not have a way of ensuring that the individuals they are hiring for the job have the proper skills or qualifications. Ultimately, these challenges are relevant to assessment validity and fairness.

The number of speakers of languages other than English in the U.S. is disparate and these speakers'

distribution is complex. The most common native language among ELs is Spanish (used by 71 percent of the EL students), followed by Chinese (4 percent). The remaining 25 percent of EL are constituted by users of many other languages (Ruiz-Soto, Hooker, & Batalova, 2015). In addition to this disproportionality, the ELs' first languages are not equally distributed throughout the country. Thus, in five states, the languages most frequently spoken by ELs are not Spanish. Also, trends in the distribution of ELs across the country are changing. ELs are now more widely distributed across states, with rapid growth in "non-traditional" states such as Arkansas, Kentucky, North Carolina, South Carolina, and Tennessee, contrasting to an earlier period when they were concentrated in a smaller number of big states such as California, Texas, New York, and Florida.

Given this complex linguistic makeup, careful, long-term planning is needed to determine which languages can be supported, especially because ESSA requires states to test EL students in their home language "to the extent practicable," ruling out low-incidence languages. More specifically, states need to make reasoned decisions on their priorities concerning the languages that are to be supported.

While the number of users is the criterion that first comes to mind to establish these priorities, there are other criteria that are critical to making fair decisions. A conceptual framework on item accessibility and language variation developed for Smarter Balanced (Solano-Flores, Shade, & Chrzanowski, 2014) identifies two sets of factors that should be taken into consideration in deciding which languages are to be supported by an assessment system (Table 2). One set of factors is called relevance, which includes frequency, proportionality, and criticality. Relevance factors define why a language is important to support. For example, while a high sheer number of users may be relevant to translating tests into a given language, another language may be relevant because, although its users are few, they are an ethnic or socioeconomic group vulnerable or historically underrepresented.

A second set of factors is called viability, which includes sustainability, the availability of human resources, cost, dependability of information, and fidelity of implementation. Viability factors define when the efforts to translate tests into a given language are likely to be successful. For example, for certain languages, assembling teams of translators can be a formidable task. Also, there should be a critical mass of potential users who can qualify to participate in translation teams, so that it is possible to make long-term projections of the translation efforts.

It is important to note that the reasoning behind these principles is not naive about the practical limits of test translation. Supporting all the EL students' first languages in the immediate short term may not be possible or sustainable, even if states have the best sets of financial resources at their disposal.

A form of an accessibility resource, currently being developed by Smarter Balanced, may contribute to support EL students whose home languages are difficult to support for the reasons discussed above. This resource consists of illustrations that pop up on the screen (in the same way translations of words or terms can pop up) when students click on the words or terms flagged as available for illustration. Since the illustrations offered are the same regardless of the students' home language, they may potentially become a cost-effective accessibility resource. While their effectiveness and technical properties—and the procedures for their proper design and production—are currently being investigated, available evidence indicates that the design of illustrations is a delicate process. Illustrations need to be conceived, scripted, crafted, and refined according to rigorous design specifications (Solano-Flores, Wang, Kachchaf, Soltero-Gonzalez, & Nguyen-Le, 2014). For example, in order to not increase the cognitive load of items unnecessarily, illustrations should be extremely simple. Also, in order to properly support EL students without giving away the content of items, the words and terms that can be illustrated need to be identified through a careful analysis of the linguistic features of items and their content.

Assuming that these design requirements are properly met, pop-up illustrations rank along with pop-up glossaries and audio glossaries as the best translation formats do in their ability to meet the fairness and validity dimensions discussed above (see Table 1). It has to be noted that, while regarding illustrations as a form of translation may be unacceptable to some, current thinking in the field of semiotics holds that text and image are interacting, rather than separate, independent sets of semiotic modalities (Kress, 2010).

But even if text and image are thought of as totally different, from a semiotics perspective, translation consists of representing information in a different semiotic modality. This includes representing text (or portions of text) in another language, in audio, or in images. According to this reasoning, illustrations are as defensible as a form of test translation as audio translations are as forms of translations for ELs—although with a different set of possibilities and limitations.

Final Remarks

New ESSA legislation opens up a new opportunity towards more fair and valid assessment for EL students by bringing to attention the need for assessment through the home language and reinforcing (as in prior legislation) the requirement for it to the extent practicable. However, the experience in test translation for ELs is relatively limited. As shown in the paper, many conventional translation practices (e.g., full text translation made by one or two translators under a tight timeline) may comply with legislation. Yet, given the vagueness of the wording of this legislation, they may fail to support valid interpretations of test scores for ELs.

Assessment in the home language of EL students should be considered accordingly within a broader view of assessment. This view should include the use of assessment through the native language for the traditional purposes of annual accountability, but also help conceptualize further the purpose of an assessment and accountability system for states and districts, especially for continuous improvement of systems, schools, and ultimately instruction.

From the perspective of accountability, the language used in legislation may be considered as straightforward and clear (e.g., “in a valid and reliable manner,” to “yield accurate data ... until such students have achieved English language proficiency”). But technically, many interpretations are possible, and each addresses different sets of students’ needs. For EL students in English-only and transitional programs, proper “assessing in the home language” needs to be conceived in multiple ways; for example, as providing partial text translation formats, such as pop-up and audio glossaries. For EL students in bilingual programs, proper “assessing in the home language,” for example, through full text translations such as Bilingual-Printed and Bilingual-Screen, should be regarded as viable only when those bilingual programs have a strong commitment and the means and resources necessary to support bi-literacy and the continuing development of the first language. “Assessing in the home language” in those programs can also be conceived of as a form of support for teachers to formatively assess their EL students.

To properly interpret and implement ESSA, decision makers and practitioners need to ensure that the translation practices they support are effective in addressing the nature of language development, the diverse linguistic demands of each disciplinary content area, and the multiplicity of individual schooling histories of ELs. Accordingly, assessment programs need to establish new sets of requirements for contractors and vendors in charge of creating test translations. More specifically, assessment programs need to:

1. Allocate the financial resources needed to create and offer those translation formats that have the highest levels of safety, sensitivity, fidelity of implementation, and usability;
2. Establish timelines that allocate reasonable amounts of time for the process of test translation as an important component in the overall process of test development;
3. Require the use of test translation and translation review procedures that involve teams comprised of not only professional translators but also educators who teach EL students the corresponding content areas, professionals who are familiar with the use of the target language in those content areas, and individuals who are native users of the target language;
4. Allocate resources to provide professional development for educators to support them to make appropriate decisions concerning the sets of accessibility resources that are appropriate for each of their EL students both instructionally and for assessment purposes; and
5. Commission research that informs decisions on issues yet to be resolved, such as test translation into low incidence languages or the extent to which constructs are altered in cross-language, cross-semiotic modality translation (e.g., translation of printed English into audio recording in the target language and translation of printed English into illustrations).

Ensuring valid, fair assessment for ELs entails much more than complying with ESSA legislation. It requires committing to the principles of social justice underlying that legislation and thinking critically and creatively about what test translation is.

Notes

Note 1. In the back translation method, the translated version of a test is translated back to the original language. Then the original and back translated versions of the test are compared to determine if the content is preserved across versions. Discrepancies are resolved by making the proper modifications in the target language version.

Note 2. See Department of Justice Civil Rights Division and Department of Education Office for Civil Rights Dear Colleague Letter (DCL) Jan. 7, 2015. Retrieved at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

Note 3. For a first-hand experience with the interface, visit the Smarter Balanced Practice Test: https://practice.smarterbalanced.org/

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APPENDIX E

ARTICLE 24:57

TEACHER PERFORMANCE STANDARDS AND EVALUATION

Chapter
24:57:01 Definitions.
24:57:02 Teacher Evaluation Process.

CHAPTER 24:57:01

DEFINITIONS

Section
24:57:01:01 Definitions.

24:57:01:01. Definitions. Terms used in this article mean:

(1) "Danielson framework," the twenty-two components, clustered into domains one through four, inclusive, in The Framework for Teaching Evaluation Instrument (2013 edition) by Charlotte Danielson;

(2) "Department," the South Dakota Department of Education;

(3) "Evaluation," a process to assess objectively the performance of a teacher;

(4) "Professional practice rating," the rating assigned to a teacher using at least one component from each of the four domains of the Danielson framework;

(5) "State assessments," the academic achievement tests referenced in SDCL 13-3-55 and the science achievement test provided by the Department pursuant to 20 U.S.C. § 6311(b)(1)(C), as amended through December 1, 2013;

(6) "State minimum evaluation requirements," the model for evaluating teacher performance which, for each teacher:

(a) Assigns a professional practice rating;
(b) Assigns a student growth rating based on attainment of student learning objectives;

(c) Combines the professional practice rating and student growth rating into one summative effectiveness rating;

(d) Will be used to guide professional growth; and

(e) Provides clear, timely, and useful feedback, including feed back that identifies needs and guides professional development;

(7) Student growth," a change in student achievement between two or more points in time;

(8) Student growth rating," the rating assigned to a teacher based on student growth;

(9) "Student learning objectives," target goals of student growth that can be achieved during the instructional period;

(a) Reflect a rigorous, yet realistic expectation of student growth that can be achieved during the instructional period;

(b) Are written by a teacher and approved b y an evaluator; and

(c) Include district, school, or teacher-developed assessments and, where applicable, state assessments;

(10) "Summative effect5iveness rating," the combination of a teacher's professional practice rating and student growth rating into one of the following categories: Below Expectations, Meets Expectations, or Exceeds Expectations;

(11) "Teacher," for purposes of this article, an individual who:

(a) Provides instruction to any grade, kindergarten through grade twelve, or ungraded class or who teaches in an environment other than a classroom setting;

(b) Maintains daily student records;

(c) Has completed an approved teacher education program at an accredited institution or completed an alternative e certification program;

(d) Has been issued a South Dakota certificate; and

(e) Is not serving as a principal, assistant principal, superintendent, or assistant superintendent.

Source: 40 SDR 102, effective December 4, 2013; 41 SDR 109, effective January 12, 2015.
General Authority: SDCL 13-3-69(7), 13-42-33.
Law Implemented: SDCL 13-3-69(7), 13-42-33 to 13-42-35, inclusive.

Reference: Charlotte Danielson, The Framework for Teaching Evaluation Instrument, published by the Danielson Group, 2013 edition. The materials are available for viewing at the South Dakota Department of Education, 800 Governors Drive, Pierre, South Dakota. Copies may be obtained from www.danielsongroup.org.

CHAPTER 24:57:02

TEACHER EVALUATION PROCESS

24:57:02:01 Teacher performance standards.
24:57:02:02 State minimum evaluation requirements.
24:57:02:03 Alternative evaluation model.
24:57:02:04 Alternative evaluation application.
24:57:02:05 Application timelines.
24:57:02:06 Effect of application denial.

24:57:02:01. Teacher performance standards. Beginning in the 2014-15 school year, the minimum professional performance standards to be used as a basis for evaluation teacher performance shall be aligned with the Danielson framework.

Source: 39 SDR 58, effective October 7, 2011; 39 SDR 32, effective September 3, 2012; transferred from § 24:08:06:01, 40 SDR 102, effective December 4, 2013.
General Authority: SDCL 13-3-69(7), 13-42-33, 13-42-34.
Law Implemented: SDCL 13-3-69(7), 13-42-33 to 13-42-35, inclusive.

24:57:02:02. State minimum evaluation requirements. Beginning in the 2014-2015 school year, each school district must, at a minimum, use all the state minimum evaluation requirements when evaluation teachers in the district.

Source: 40 SDR 102, effective December 4, 2013.
General Authority: SDCL 13-3-69(7), 13-42-33.
Law Implemented: SDCL 13-3-69(7), 13-42-33 to 13-42-35, inclusive.

20:57:02:03. Alternative evaluation model. Notwithstanding § 24:57:02:02, a school district may use a model of professional practice other than the Danielson framework to evaluate its teachers if it proves to the department that this model is aligned with the Danielson framework. A school district may also choose not to use student learning objectives as a measure of student growth if it proves to the department that the district's method of measuring student growth for all teachers in the district reflects a rigorous, yet realistic expectation of student growth that can be achieved during the instructional period and includes district, school, or teacher-developed assessments and, where applicable, state assessments.

Source: 40 SDR 102, effective December 4, 2013.
General Authority: SDCL 13-3-69(7), 13-42-33.
Law Implemented: SDCL 13-3-69(7), 13-42-33 to 13-42-35, inclusive.

24:57:02:04. Alternative evaluation application . If a district chooses to use the options provided in § 24:57:02:03, it must apply on forms provided by the department. The department may require additional documents and information necessary to enable the department to make the determinations referenced in § 24:57:02:03.

Source: 40 SDR 102, effective December 4, 2013.
General Authority: SDCL 13-3-69(7), 13-42-33.
Law Implemented: SDCL 13-3-629(7), 13-42-33 to 13-42-35, inclusive.

24:57:02:05. Application timelines. All materials specified in § 24:57:02:04 must be received by the department by January thirty-first before the school year in which the district intends to implement the alternative evaluation model. By April 1 of that year, the department shall review the application and all documentation and issue a decision on the application. If a district's model is approved by the department, the district must submit any subsequent revisions for review and approval pursuant to this chapter.

Source: 40 SDR 102, effective December 4, 2013.
General Authority: SDCL 13-3-69(7), 13-42-33.
Law Implemented: SDCL 13-3-69(7), 13-42-33 to 13-42-35, inclusive.

24:57:02:06. Effect of application denial. The department may deny the application if the district fails to submit all materials specified in § 24:57:02:04 by the deadline or if the department determines that the proposed model does not meet the requirements of § 24:57:02:03. If the application is denied, the district shall comply with all state minimum evaluation requirements for the upcoming school year. Nothing in this chapter requires the department to provide a hearing on the district's application.

Source: 40 SDR 102, effective December 4, 2013.
General Authority: SDCL 13-3-69(7), 13-42-33.
Law Implemented: SDCL 13-3-29(7), 13-42-33 to 13-42-35, inclusive.

Appendix F

English Language Proficiency Indicator SPI Points

I have 0 ELs at my school in the current year.

No ELP SPI points. 10 points are redistributed to other academic indicators.

I have 16 ELs at my school in the current year.

Responsible for my own 10 ELP SPI points.

I am in a school that has less than 10 ELs in the current year.

I will receive district ELP SPI points. The number of EL students at my school will be added to the number of EL students at other schools in my district.