

**Navajo Nation:
Alternative Accountability Workbook
January, 2011**

(Public Law 107-110)



Submitted to:

**U. S. Department of Education
Office of Elementary and Secondary Education
And
U.S. Department of Interior
Washington, D.C. 20202**

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The Navajo Nation Alternative Accountability Proposal

REQUEST FOR A WAIVER

The Navajo Nation seeks to waive, pursuant to Section §9401 NCLB Act, the existing AYP Accountability plan administered by the Bureau of Indian Education (25 C.F.R. §30.104). This document is a formal application for an Alternative AYP plan. As specified in 25 C.F.R. §30.106-107, the Navajo Nation respectfully submits this Alternative AYP plan to the Secretary of the Department of Interior, and requests his support for developing and implementing the plans as outlined.

Navajo political and educational leaders support the idea of accountability as it is currently defined in the No Child Left Behind Act, 2001. However, the implementation of those laws have not served Navajo children or their schools very well. Most Navajo students still fail to meet proficiency standards in mathematics and reading, even after 9 years of accountability under the existing BIE plan. In 2005, Navajo Tribal Council sought to rectify these problems with the passage of the Navajo Sovereignty in Education Act. One of the key components of the law was the directive to develop an educational and accountability plan that recognized Navajo language and culture and infuse it into the school's curriculum and instruction. The following plan reflects the sovereign wishes of the Navajo people.

Navajo students attending schools on or proximate to the Navajo Nation's boundaries are served by 5 different and independent school systems: Public schools (Arizona, New Mexico and Utah), BIE-controlled schools, tribally-controlled schools, charter, and parochial schools. The Navajo Alternative Accountability plan is intended to only serve tribally-controlled schools. While the Navajo Nation recognizes its right and responsibility for the education of all Navajo students, the plan is not intended to govern the accountability rules and judgments of public, BIE, parochial, or charter schools.

Organizationally, this document is divided into two parts. The first introduces the problems that justify the application for an Alternative AYP plan. This section of the paper also describes the nature of the Navajo Alternative AYP plan and explains why Navajo leaders believe the plan will improve the educational outcomes of Navajo students. The second part of the document provides the Navajo Nation's responses to the 10 principles framing the U.S. Department of Education's Accountability Workbook.

PROBLEMS WITH THE EXISTING ACCOUNTABILITY PLAN

Section §1116(g)(1)(B) of the NCLB Act specifies that: "The tribal governing body or school board of a school funded by the Bureau of Indian Affairs may waive, in part or in whole, the definition of adequate yearly progress established pursuant to paragraph (A) where such definition is determined by such body or school board to be inappropriate."¹ The Navajo Nation identifies four specific reasons why the current Bureau of Indian Education's accountability plan, which simply defers to the individual state plans in which the BIE school is located, is inappropriate. The reasons are introduced here and then discussed in the following sections:

¹ The reference to the Bureau of Indian Affairs in this quote refers to the current Bureau of Indian Education, restructured from the Office of Indian Education Programs in August 2006. Bureau of Indian Education schools includes both Bureau-operated and Tribally-operated or controlled schools; the differences are many but the later is governed by a local school board and is responsible for the funds allocated by the BIE via a 638 contract (PL 93-638).

- 1) The majority of Navajo children attending Bureau and tribally-controlled schools do not meet their respective state's performance standards, even after 9 years of BIE accountability.
- 2) The current patchwork of accountability standards and reports can never build the systemic and sustainable reform necessary for a meaningful plan to improve tribally-controlled schools.
- 3) The Navajo Sovereignty in Education Act, 2005, specifically requires that Navajo language and cultural standards be developed and implemented in an accountability system; the BIE accountability plans do not meet this requirement.
- 4) The Navajo Nation's application for an alternative AYP plan is part of a strategy for building the organizational capacity and leadership skills necessary to successfully govern Navajo education; it is an expression of self determination, as reflected in Navajo law.

These four points are foundational to the Navajo Nation's application for an Alternative AYP plan. The Navajo Alternative AYP proposal is a plan to rectify these problems, as well as to build and strengthen the capacity of the Navajo Nation to oversee the education of its children.

NAVAJO STUDENTS AND SCHOOLS FAIL TO MEET STANDARDS

The Navajo Nation proposal for an Alternative AYP plan is framed by many issues, but it is fundamentally about the welfare of Navajo children. The history of Indian education, and in this case Navajo education, is fraught with failure. The establishment of the No Child Left Behind Act has not made things much better.

The Navajo Nation has systematically collected individual student criterion reference test scores since the inception of NCLB.² As schools have shared these student level reports with DoDE, the data have been entered (most often from paper reports) into the Navajo Education Information System (NEIS). These efforts were necessary because until the recent development of the BIE's Native American Student Information System (NASIS), the BIE did not collect and hold such data. Currently the Navajo Nation is negotiating with the BIE for the transfer of student level performance data for BIE schools operating within the boundaries of the Nation.

The database in the Navajo Education Information System is not complete, but the numbers are sufficient to offer a reasonably reliable and valid picture of student performance over time. The graph below shows the percentage of Navajo students, grades 3-8, who meet AYP performance standards in mathematics and reading over time (2004-05 to 2009-10).

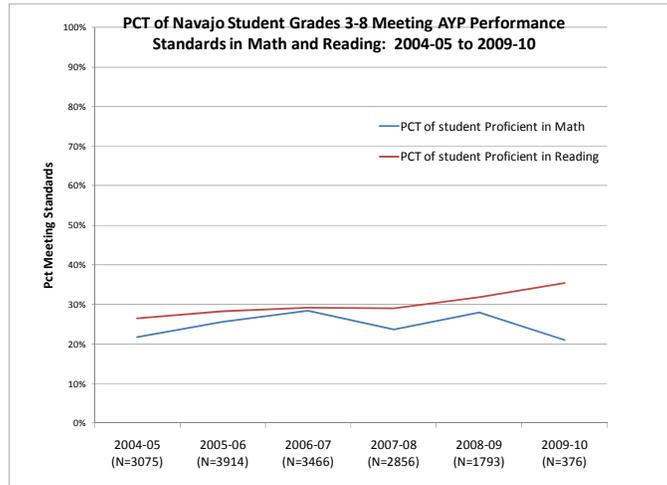
The picture in this graph captures the great urgency that underlies the Navajo Nation's Alternative AYP proposal. The obvious and painful reality is that there is no substantial improvement in the performance of Navajo students in reading and math.³ Overall, reading performance has increased only slightly since 2004-05, from about 27% of the students meeting performance standards to about 35% in 2009-10. The performance record in mathematics is

² Initially, BIE schools relied on norm referenced test scores, like the Terra Nova, so it was not until about 2004-05 that most of these schools began reporting CRT type performance scores for their accountability reports.

³ Please note that the scores for the 2009-10 school year are based on only 376 cases; the report for all students may be significantly different. However, it is not likely that the difference, even if statistically significant, will be dramatically different from a policy perspective—generally students are not performing at a very high level.

more erratic, and leaves one doubting that the educational system has improved in any substantial way since 2004-05. In neither case is the growth of performance keeping pace with the performance objectives stipulated by NCLB: there is no way that 100% of these children will meet performance standards within the required timeline.

Figure 1: Measures of Student Proficiency at BIE Schools Over Time



The problem, as one Tribal Council member put it, is acute: We cannot lose another generation of Navajo children because of a failed educational system. This is a moral, as well as cultural and economic imperative.

Most BIE schools are in either a status of school improvement or restructuring. In 2007-08, only 10, or 17%, of the 59 BIE schools for whom we have scores met the AYP criteria, largely through Safe Harbor. Six of the 28 tribally-controlled schools, or 22% of them, met the 2007-08 AYP criteria. Table 1, below, shows the numbers, which shows clearly that the pattern has not changed substantially over time.

Table 1 Count of BIE & Tribally Controlled Schools on the Navajo Nation Meeting AYP by Year

	2008-09	2007-08	2006-07	2005-06	2004-06
BIE Schools Meeting AYP (N=31)		4	9	8	4
Tribally Controlled Schools AYP (N=28)	10	6	7	5	3
PCT BIE	N/A	13%	29%	26%	13%
PCT Tribally Controlled	36%	21%	25%	18%	11%
Avg of Both Groups of Schools	N/A	17%	27%	22%	12%

Compiled from AYP reports provided by BIE to the Navajo Nation, DODE

PATCHWORK REFORMS CAN NOT CREATE SYSTEMIC REFORM

It is important to establish clearly that the Navajo Nation embraces the goals of accountability; a system that improves student achievement by holding educators (student and

parents) accountable for rigorous standards, curricula, and assessments. This application seeks waivers from the current Bureau AYP plan and other specific rules, but it does not waiver from the central idea of standards, alignment of curriculum, and assessments of performance.

Two features distinguish the Navajo Alternative AYP plan from the existing Bureau plan governing BIE schools. First the locus of authority for governance would shift from the BIE to the Navajo Nation. Second, The Navajo Nation would put into practice a set of Navajo standards that address the unique circumstances of Navajo language, culture, history, governance and character. The Navajo standards represent a vital and central set of issues for the Navajo Nation. Consequently, the proposal places the Navajo Standards in the same category as the Federal academic standards for reading, math and science. The Navajo Nation does not want Navajo standards to be defined in their accountability plan as "other indicators," [(Sec. 1111)(2)(D)] which would not hold schools accountable to section 1116 of the NCLB act.

The Navajo Nation's Alternative AYP plan will apply a single uniform accountability plan, as required by Section 1111(b)(2) of the NCLB Act, to all tribally-controlled schools. The Navajo Nation views itself as the "state" in these matters; this position is consistent with the principles of sovereignty and enhances the opportunities to develop a coherent approach to school improvement to the schools serving Navajo children.

Currently, the Bureau accountability plan holds BIE schools accountable to the standards and assessments of the state in which they are located (25 C.F.R. §30.104). Tribally-controlled schools operate in three different states (AZ, NM, & UT) and, consequently are subject to three different accountability systems. If students attended the same school over time, then the assessment problems posed by the current situation would be manageable. However, a recent mobility study, conducted by the Department of Diné Education, estimated that about 45% of students enrolled in tribally-controlled schools, change schools each year. Some of these changes are due to promotional moves (from 6th to 7th grade and so on) but many students are moving from school to school, across state lines and into different accountability systems.

There is no simple and obvious way to equate the accountability scores from different states; the nature of standards, their sequence and composition by grade level, as well as the nature of the test question, and the states' scoring make such efforts problematic. In order to get some sense of the overall progress of Navajo students the Navajo Nation has to equate different state scores, because so many students change schools across state borders.

The imposition of a single accountability plan, one that addresses the unique cultural and educational circumstances of Navajo students, will enable the Navajo Nation to better track students' academic progress over time. This plan will strengthen accountability. In many cases, student performance data does not follow mobile students to the next school; this leaves educators poorly informed about the student's academic strengths and needs.

The imposition of a single Navajo accountability plan will strengthen the coordination of school improvement plans and programs for all tribally-controlled schools, regardless of the state in which they reside. Currently, school improvement plans are developed by the school boards of the independent tribally-controlled schools. This patchwork of school improvement plans does not serve mobile students, comprising almost 50% of the Navajo student population attending tribally-controlled schools. A Navajo accountability plan, with the authority of the Department of Diné Education, could coordinated and sequence school improvement efforts to better focus such efforts on accountability standards and student learning.

The Navajo Education Information System and Growth Model

A corner stone of the Navajo Alternative Accountability proposal is the creation of a value added Hierarchical Linear Model by which to assess the contribution of schools and teachers to

the educational progress of students. A measure of progress would be included in the accountability AMOs and AYP calculation.

The Navajo Nation has, since the year 2000, been collecting student level achievement data from tribally-controlled schools. The Tribal Council and President's Office matched federal grant money to develop the Navajo Education Information System, which houses the data year to year. Recently, the Department of Diné Education cleaned the data and assigned unique student identification numbers to students. This allows the Department to track student enrollment and testing results over time.

The Department of Diné Education is negotiating Memorandums of Agreement with State Offices of Education in Arizona, New Mexico and Utah, in order to share data about the performance and progress of individual students. Additionally, the Department is negotiating with the Bureau of Indian Education for a similar data-sharing agreement. Finally, the Department is working with the tribally-controlled schools to establish the means by which to collect student demographic and attendance data, which is necessary for calculation of the Navajo AYP measure.

All of these data collection plans are contingent upon the development of a safe, secure and reliable data warehouse. A recent grant (NCLB 6111 money) awarded to the Navajo Nation, Department of Diné Education, supports the development of such an IT system. Policies and business rules are being developed to ensure the security of the data, and the confidentiality of student information.

THE CENTRALITY OF NAVAJO LANGUAGE AND CULTURE

The design and organization of the Navajo Alternative AYP proposal reflects the intention of Navajo law as spelled out in the Navajo Sovereignty in Education Act of 2005. This law requires that Navajo standards be developed that hold schools accountable to Navajo language and cultural subject matter. These accountability standards would be in addition to the federal academic subject areas of math, reading and science.

The Navajo standards include 5 subject areas: Navajo language, culture, history, government, and Ke (character). The inclusion of these five subject areas, under the rubric of a single accountability measure, reflects the Navajo Nation's strong position that the loss of the Navajo language and culture is threat to their identify and survival as stated in the Navajo Sovereignty in Education Act of 2005:

The Navajo Nation Diné Language Act is hereby established to ensure the preservation and education of the Navajo (Diné) language. The Navajo (Diné) language is an essential element of the life, culture, tradition and identity of the Navajo (Diné) people (Section §52)... The Navajo (Diné) language must be used to ensure the survival of the Navajo (Diné) people and their future, to maintain the Navajo way of life, and to preserve and perpetuate the Navajo Nation as a sovereign nation (Section §53).

These sentiments, long held by the Navajo (Diné) people, are reflected in Federal law as well. The Native American Languages Act (PL 101-477, 1990) states in Section §102 that:

"the United States has the responsibility to act together with Native Americans to ensure the survival of these unique cultures and languages...traditional languages of native Americans are an integral part of their cultures and identities and form the basic medium for the transmission,

and thus survival, of Native American cultures, literatures, histories, religions, political institutions, and values.

More, Section §102(6) states that "there is convincing evidence that student achievement and performance, community and school pride, and educational opportunity is clearly and directly tied to respect for, and support of, the first language of the child or student." Navajo Nation wants to use the Navajo accountability plan as a way to infuse culturally relevant curriculum into the instruction of tribally-controlled schools. It is a plan akin to what the National Indian Education Association (NEIS) describes as "Culturally Based Education (CBE)":

CBE is more than teaching language and culture as special projects, it is a systematic approach fully incorporating and integrating specific cultural ways of thinking, learning, and problem-solving into educational practice.

For Native students these approaches include recognizing and utilizing Native languages as a first or second language, pedagogy that incorporates traditional cultural characteristics and involves teaching strategies that are harmonious with the Native culture knowledge and contemporary ways of knowing and learning (NEIA, 2009, August 20, p 1).

The Navajo Sovereignty in Education Act of 2005 definition of culture includes language as well as governance, history and values:

Culture means a set of shared patterns of behavior developed by a group of people in response to the requirements of survival. These sets include: established patterns of relationships (interpersonal and kinship) Ké; values (behavior, material possessions, individual characteristics attitudes); language; technology, acquisition and use of knowledge; planning for the future; governing structure; education; economics; and spiritual relationships. Section §3(F).

Considerable effort and Navajo resources have already been spent toward the development of these standards. Indeed, there is a long history of schools, tribal elders and educators working together toward standards and curriculum in these areas. Diné College, a tribal college serving Navajo students throughout the reservation, has faculty and staff whose expertise is in this area. The human capital and capacity to develop these standards is available.

CULTURALLY BASED CURRICULUM: EVIDENCE OF EFFECTIVENESS

NIEA believes that the integration of culture and language are critical to meeting high expectations and accountability in the education of Native students, something that is only possible when communities serving Native students have the tools and resources needed to play a meaningful role in school reform. Promoting policies and practices that support CBE is critical to fulfilling the Federal Government's responsibility in meeting the unique educational and culturally related academic needs of Native students (NEIA, 2009, August 20)

In 2003, the Mid-Continent Research for Education and Learning Lab did a commissioned review of literature, for the Institute of Education Sciences, on effective standards-based practices for Native American students (Apthorp, D'Amato, & Richardson, 2003). The report's authors divided the findings into two program types: 1) Bilingual/bicultural curriculum following a primary education in Native language and culture; 2) Culturally "congruent" curriculum, or culturally-based curriculum programs.

Rough Rock Demonstration school, initiated in the mid-1960s, is cited as the first example of a Native language and culture curriculum followed by bilingualism. The Honolulu KEEP program, initiated in the 1970s, was cited as the first project fully representing the idea of a culturally congruent curriculum. The ideas developed in KEEP program soon spread to many schools in the United States, including Rough Rock Demonstration school.

The McReal review (Apthorp, D'Amato, & Richardson, 2003) of the effectiveness of such programs in improving student academic achievement is, in the words of the reviewers, mixed. However, the reviewers note, that the programs, implemented prior to the era of accountability, were not explicitly intended to improve academic performance; as much as they were also about creating jobs, developing leadership skills, and promoting cultural pride. It is not surprising, in this context that an evaluation of the effects of these programs on student achievement were mixed.

The McReal review does find literature, such as McCarty's (1993) evaluation of the Rock Point Community and Fort Defiance Elementary programs, that does suggest a significant academic impact on literacy and reading vocabulary on the California Test of Basic Skills. The Rosier & Farella study (1976, as referenced in the McReal review) compared Rough Rock and non-tribally-controlled BIE schools, and found that Rough Rock students' reading scores increased at a dramatically different rate than students at the non-tribally controlled BIE schools.

William Demmert is often cited as a key reference for the idea of cultural congruence, although Demmert describes such programs as Culturally Based Education. Demmert (2003) notes that "There is a firm belief within many Native tribal communities and professional Native educators that this cultural context is absolutely essential if one is to succeed academically and to build a meaningful life as an adult (p, 1)." He argues, citing Jerome Bruner, a pioneer in cognitive development and educational psychology, that "...culture shapes mind,...it provides us with the tool kit by which we construct not only our worlds but our very conceptions of our selves and our powers...Learning, remembering, talking, imagining: all of them are made possible by participating in a culture" [Bruner J. (1996). *The Culture of Education*, p. x-xi].

The idea of culturally-based instruction has widespread support from many organizations, including the Nation Indian School Boards Association, the National Congress of American Indians and the National Indian Education Association. There is also a coalition of academics involved with and supportive of the idea, including David Beaulieu, University of Wisconsin-Milwaukee, John Tippeconnic, Pennsylvania State University, and Karen Swisher, President of Haskell Indian Nations University, just to name a few. The idea of culturally-based education represents a mainstream idea for Indian educators and reform of Indian education.

Demmert (2002), offers an operational definition of culturally-based education and a salient conclusion to its operation. He notes that there are six critical elements of culturally-based education:

- 1). Recognition and use of Native American languages.
- 2). Pedagogy that stresses traditional cultural characteristics, and adult-child interactions.
- 3). Pedagogy in which teaching strategies are congruent with the traditional culture and ways of knowing and learning.

- 4). Curriculum that is based on traditional culture and that recognizes the importance of Native spirituality.
- 5). Strong Native community participation in educating children and in the planning and operation of school activities.
- 6). Knowledge and use of the social and political mores of the community.

Evaluations of Navajo Nations Recent Culturally Based Programming

The Navajo Nation has long been at the center of the language immersion and culturally-based educational reforms, as the above reviews clearly illustrate. In recent years, the Navajo Nation has made Navajo language immersion a key feature of its Head Start program and at a number of K-12 schools on the reservation. However, it was the Navajo Nation Rural Systemic Initiative that has recently shaped the debate about Navajo standards and culturally-based education.

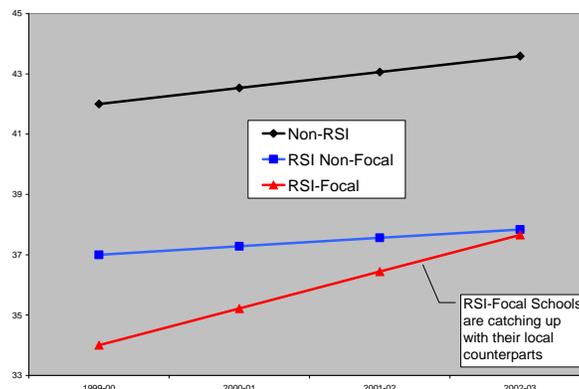
In 1999, the Navajo Nation won a Rural Systemic Initiative grant from the National Science Foundation, for developing math, science and technology by infusing culturally appropriate curriculum and instruction into the classroom. In this five year project, the Navajo Nation developed educational leaders to implement a standards based, culturally infused program. The Navajo Nation incorporated this program into its Department of Diné Education (DoDE) by creating the Office of Diné Science, Math and Technology.

The evaluation of this project compared two groups of participating schools, with a third group of schools that never participated at all. The two groups of participating schools differed in their level of participation. One group was actively involved throughout the program, the other group started but failed to maintain participation in the Rural Systemic Initiative (RSI) program.

A summary of the findings is provided in the graph below. The evaluation divided schools into three categories: 1) neighboring schools that did not participate in the RSI project; 2) the RSI focal schools (those that participated fully with the program); and, 3) the RSI non-focal schools (those that began participating in the project but did not stay with it). Each of the groups of schools included 10 or more schools (total number of schools was 37) and represented some 3,800 students. Student level data was collected and tracked over time.

The data represented in the graph compare the average Stanford9 scores for the schools in each of these categories over a four year period. In general, the performance scores of the schools not participating in the RSI begins and continues at a much higher level than that for either the RSI Focal or Non-focal school groups.

Figure 2: Navajo Nation Rural System Initiative Summary Results (1999-00 to 2002-03)



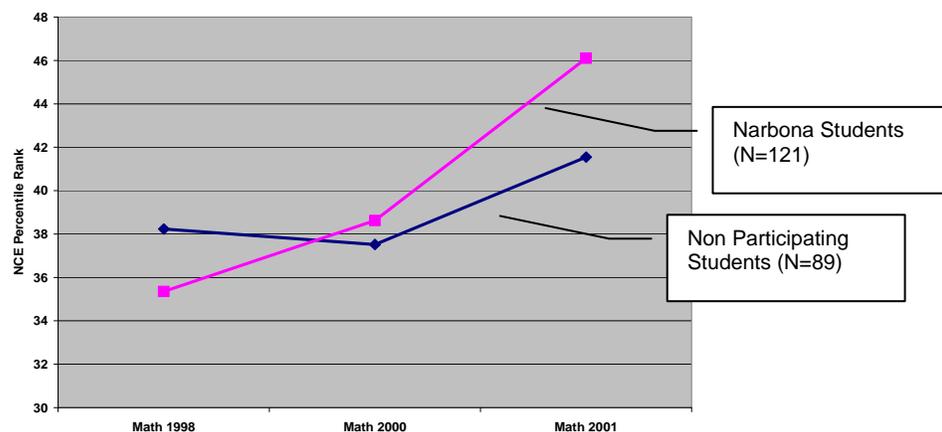
The RSI focal schools, which were the schools most fully engaged with the reform, began as the lowest performing group and showed the greatest growth over time. Using HLM regression techniques revealed that growth curves between the RSI Focal and non Focal schools is statistically significant. An HLM regression analysis, which provides a more efficient estimate of standard errors and properly partitions the within and between group variance, is the appropriate tool for this analysis. It appears that the RSI initiative its culturally infused standard based curriculum, had a significant effect closing the achievement gap between among students and schools serving Navajo students.

This evidence, coupled with interviews, observations and surveys, leads to the conclusion that culturally- infused, standards-based education represented an effective school improvement strategy for Navajo schools and children. In other words, the Navajo Nation's Rural Systemic Initiative, organized around standards based education and cultural infusion, appears to have significantly impacted the academic performance of students attending schools actively involved in the initiative.

The evaluation of the Navajo Nation Rural Systemic Initiative was augmented with mini case studies that focused on culturally based or infused curriculum. One such project, called the Narbona project, embodies the principles of culturally-based education. The Narbona project was then, in 2001, a summer program where tribal elders camped with Navajo children in the mountains and taught students traditional Navajo math and science.

The evaluation of this project involved identifying those student who participated in the summer camp and followed their academic performance over time. The graph below presents the finding from the study in a summary form..

Figure 3: Performance Scores comparing of Narbona Program Students with Non-participants from the same school and grade levels.(1997-98 to 2000-01)



The results of the data collection and analysis show that students participating in the Narbona program were among the lower performing students in the school's 5th grade class. After one summer of the program they had caught up with their non-participating counterparts. It is important to note that these students all attended the same school, were exposed to the same curriculum and were taught by the same teachers during the school year. The study followed the students into 7th grade, a different school, and found that the students participating in the Narbona program maintained their accelerated growth and continued to out-perform their non-participating counterparts. Finally, it should be noted, that school climate and attitude surveys were used to ensure that the two groups of students did not differ significantly in terms

of their views of school and their educational aspirations. Collectively, these data support the hypothesis that culturally-based education positively impacts student learning and academic performance.

SELF DETERMINATION AND THE NAVAJO SOVEREIGNTY IN EDUCATION ACT

Self determination is the corner stone on which the Navajo Nation's Alternative AYP proposal is built. The purpose of the Navajo Alternative AYP proposal is to develop a strong and successful Navajo educational system that reflects the values and goals of the Navajo people. Such an intention is consistent with language of the Indian Self Determination Act (PL 92-638), which in Section 3(B) eloquently states:

The Congress declares its commitment to the maintenance of the Federal Government's unique and continuing relationship with, and responsibility to, individual Indian tribes and to the Indian people as a whole through the establishment of a meaningful Indian self-determination policy which will permit an orderly transition from the Federal domination of programs for, and services to, Indians to effective and meaningful participation by the Indian people in the planning, conduct, and administration of those programs and services. In accordance with this policy, the United States is committed to supporting and assisting Indian tribes in the development of strong and stable tribal governments, capable of administering quality programs and developing the economies of their respective communities. (Emphasis added)

As a sovereign nation, the Navajo Nation's Tribal Council passed the Navajo Sovereignty in Education Act of 2005. Section 1(A) of this Act specifically declares the right of the Navajo Nation to oversee the education of its people:

The Navajo Nation has the authority and an inherent right to exercise its responsibility to the Navajo People for their education...The Navajo Nation commits itself, whenever possible, to work cooperatively with all education providers serving Navajo youth or adults or with responsibilities for serving Navajo students to assure the achievement of the educational goals of the Navajo Nation established through these policies and applicable Navajo Nation laws.

Additionally, Section 106(A) establishes the Navajo Nation Board of Education and assigns it the "purpose of overseeing the operation of all schools serving the Navajo Nation, either directly if under the immediate jurisdiction of the Navajo Nation, or if operated by another government, by joint powers agreements, memoranda of understanding/agreement, cooperative agreements or other appropriate intergovernmental instruments."

The Board is responsible for a wide range of duties:

- Establishing Navajo instructional content and achievement standards [Section 106(G)(3)(a)];
- Developing customized criterion referenced achievement testing for Navajo curriculum content [Section 106(G)(3)(a)];
- Establishing procedures and criteria for endorsing Navajo language and cultural knowledge programs [Section 106(G)(3)(d)].

- Establishing and maintaining the Navajo Education Information System (NEIS), which provides a comprehensive database on the schools and students [Section § 123(A)];
- Collaborating with all schools and educational entities serving the Navajo Nation to develop and implement a Navajo educational accountability system [Section 123(B)];
- Establishing Navajo policies and procedures for carrying out the accountability provisions of the federal and Navajo education laws [Section 106(G)(3)(b)];

The Board is also authorized to solicit funds, propose budgets and create positions to manage these goals. Central to these efforts is the creation of the position of Navajo Nation Superintendent of Schools, who works with the Board to develop, among other initiatives, a Navajo school accountability system.

Additionally, the Navajo Nation has invested its own money and resources into the development of the NEIS database, which houses individual student level data (tracked over time by a unique student identification number).

Unlike state educational agencies, that have for years developed databases, assessments and standards, the Navajo Nation is just beginning to develop the organization, rules, and human capital necessary for the this under taking. The Navajo Nation will not create in months what it took state educational agencies, with vast support and resources, decades to accomplish. However, the passage of the Navajo Sovereignty in Education Act of 2005 clearly illustrates the plan and intention of building the law, policies, and infrastructure to realize the goal of self-determination.

THE NAVAJO ALTERNATIVE AYP PLAN

The Navajo Nation is requesting a waiver from the current BIE AYP plan, as outlined in the in this section of the Accountability Workbook. The Navajo Nation's Alternative AYP plan calls for imposing a single state plan for all tribally-controlled schools operating within the boundaries of the Nation, regardless of the state in which they are located, and the development of five Navajo standards: Culture, Language, History, Governance and Ke (character).

The Navajo Nation does not want to use the Navajo Standards as alternative indicators, as defined in NLCB, but, rather, as accountability standards for which schools will be held accountable. The Navajo Nation, its government, and educators believe that the implementation of curriculum aligned with the five Navajo standards will complement and augment the promotion of academic achievement in reading, mathematics and science.

When common standards and assessments are completed and ready for use, the Navajo Nation will adopt them for their schools in all three states. Until that time, the Navajo Nation wishes to use a single state system, Arizona's, as a framework for the accountability system.

The Common Core State Standards, for mathematics and reading, are described by the Council of Chief State School Officers (CCSSO) and the National Governors Association Center for Best Practices (NGA Center) as aligned with college and work readiness expectations (<http://www.corestandards.org/assets/ccssi-introduction.pdf>). The Navajo Nation is ready to adopt the Common Core State Standards, as so many other states have. Adoption of common standards would resolve the current problem of Navajo students attending tribally-controlled schools being assessed by different standards in different parts of the reservation.

The Standards-based movement, manifest in the NCLB act, has changed the way American schools operate. However, eight years of NCLB, focused on issues of academic standards, has revealed some inherent limitations. One of these critiques argues that NCLB focuses too much on standards, at the expense of a well rounded education that raises a whole child, not just test scores. The Obama Blueprint for educational reform emphasizes a well-

rounded education that addresses the "whole" child, one that includes the arts, foreign languages, history and other subjects (Duncan & Martin, 2010, March, p.28). The Navajo Nation's Alternative AYP proposal, which includes its Navajo standards, reflects these ideas.

The Navajo Nation seeks to prepare its students to be competitively ready for higher education and the workforce. In this respect the Navajo Nation's view of an Alternative AYP is in line with the U.S. Department of Education's views for reauthorizing the Elementary and Secondary Education Act (a.k.a. NCLB) (Duncan & Martin, 2010, March).

The Navajo Nation will adopt a value-added growth model that tracks individual student progress and school performance indicators relative to individual, school, and community variables. Such an accountability model will allow the Navajo Nation to begin rigorously and scientifically testing the effects of proposed educational reforms like culturally-based education.

The Arizona AYP Accountability plan will be used in the interim, as the Navajo Accountability plan develops overtime and the Department of Diné Education assumes greater autonomy and independence. During this transition, the Navajo Nation will rely on the technical definition of the Arizona Department's performance categories. The use of single state accountability system, which is an alternative recognized in 25 C.F.R. § 30, will be used to standardize the difference systems across Utah, New Mexico and Arizona.

With this brief the remainder of the document addresses the Principles outlined in the Accountability Workbook template.

DEFINITIONS

CONTRACT AND GRANT SCHOOLS.—A school funded by the Bureau of Indian Affairs which is operated under a contract issued by the Secretary of the Interior pursuant to the Indian Self-Determination Act (25 U.S.C. 450 et seq.) or under a grant issued by the Secretary of the Interior pursuant to the tribally-controlled schools Act of 1988 (25 U.S.C. 2501 et seq.).

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Accountability Workbook

SUMMARY OF IMPLEMENTATION STATUS FOR REQUIRED ELEMENTS OF STATE ACCOUNTABILITY SYSTEMS

Status	State Accountability System Element	
Principle 1: All Schools		
	1.1	Accountability system includes all schools and districts in the state.
	1.2	Accountability system holds all schools to the same criteria.
	1.3	Accountability system incorporates the academic achievement standards.
	1.4	Accountability system provides information in a timely manner.
	1.5	Accountability system includes report cards.
	1.6	Accountability system includes rewards and sanctions.
Principle 2: All Students		
	2.1	The accountability system includes all students
	2.2	The accountability system has a consistent definition of full academic year.
	2.3	The accountability system properly includes mobile students.
Principle 3: Method of AYP Determinations		
	3.1	Accountability system expects all student subgroups, public schools, and LEAs to reach proficiency by 2013-14. Page 13
	3.2	Accountability system has a method for determining whether student subgroups, public schools, and LEAs made adequate yearly progress.
	3.2a	Accountability system establishes a starting point.
	3.2b	Accountability system establishes statewide annual measurable objectives.
	3.2c	Accountability system establishes intermediate goals
Principle 4: Annual Decisions		
	4.1	The accountability system determines annually the progress of schools and districts.
Principle 5: Subgroup Accountability		
	5.1	The accountability system includes all the required student subgroups.
	5.2	The accountability system holds schools and LEAs accountable for the progress of student subgroups.
	5.3	The accountability system includes students with disabilities.
	5.4	The accountability system includes limited English proficient students.
	5.5	The State has determined the minimum number of students sufficient to yield statistically reliable information for each purpose for which disaggregated data are used.
	5.6	The State has strategies to protect the privacy of individual students in reporting achievement results and in determining whether schools and LEAs are making adequate yearly progress on the basis of disaggregated subgroups.
Principle 6: Based on Academic Assessments		

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	6.1	Accountability system is based primarily on academic assessments.
Principle 7: Additional Indicators		
	7.1	Accountability system includes graduation rate for high schools.
	7.2	Accountability system includes an additional academic indicator for elementary and middle schools.
	7.3	Additional indicators are valid and reliable.
Principle 8: Separate Decisions for Reading/Language Arts and Mathematics		
	8.1	Accountability system holds students, schools and districts separately accountable for reading/language arts and mathematics.
Principle 9: System Validity and Reliability		
	9.1	Accountability system produces reliable decisions.
	9.2	Accountability system produces valid decisions.
	9.3	State has a plan for addressing changes in assessment and student population.
Principle 10: Participation Rate		
	10.1	Accountability system has a means for calculating the rate of participation in the statewide assessment.
	10.2	Accountability system has a means for applying the 95% assessment criteria to student subgroups and small schools.

PART II: State Response and Activities for Meeting State Accountability System Requirements

Instructions

In Part II of this workbook, States are to provide detailed information for each of the critical elements required for State accountability systems. States should answer the questions asked about each of the critical elements in the State's accountability system. States that do not have final approval for any of these elements or that have not finalized a decision on these elements by January 31, 2003, should, when completing this section of the Workbook, indicate the status of each element that is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the State Accountability Workbook.

1) PRINCIPLE 1: A SINGLE STATEWIDE ACCOUNTABILITY SYSTEM APPLIED TO ALL PUBLIC SCHOOLS AND LEAS.

1.1) How does the Navajo Nation's Accountability System include every tribally controlled school and LEA in the State?

- Currently, all BIE funded schools are subject to the accountability rules and laws of the state in which the school is located (BIE's accountability plan 25 C.F.R. §34.104). The Navajo Nation is seeking to waive these rules and establish a single accountability system, administered by the Navajo Nation's Department of Diné Education (DoDE), over all tribally-controlled schools.
- The State in this application is defined as the Navajo Nation. The Navajo Sovereignty in Education Act of 2005 claims a right of authority over all schools operating within or proximate to the Navajo Nation's boundaries and primarily serving Navajo students [§106(G)(1)]. However, the Navajo Nation has legitimate authority, under Public Laws 93-638⁴ and 100-297⁵, over BIE grant school or, as they are also known, tribally-controlled schools. The term 'tribally controlled school' means a school that receives a grant under the tribally-controlled schools Act of 1988, as amended (25 U.S.C. 2501 et seq.) or is determined by the Secretary to meet the eligibility criteria of section 5205 of the tribally-controlled schools Act of 1988, as amended (25 U.S.C. 2504).
- Under the Navajo Sovereignty in Education Act, Sections §109(A-D), BIE funded schools are required to work under a unified, single accountability system. Section 106(G)(3)(a) specifically states that, "These sections require the Navajo School Board to establish instructional content and achievement standards and customized criterion referenced achievement testing instruments for schools serving the Navajo Nation,

⁴ Indian Self-Determination and Education Assistance Act is Pub. L. 93-638, Jan. 4, 1975.

⁵ Tribally controlled school.—The term 'tribally controlled school' means a school that currently receives a grant under the Tribally-controlled schools Act of 1988, as amended (25 U.S.C. 2501 et seq.) or is determined by the Secretary to meet the eligibility criteria of section 5205 of the Tribally-controlled schools Act of 1988, as amended (25 U.S.C. 2504).

including consolidation of the standards of the three states overlapping the Navajo Nation with those of the Navajo Nation for Navajo language and cultural knowledge."

- "All schools" in this Accountability Workbook refer the thirty-four (34) tribally-controlled schools operating within the boundaries of the Navajo Nation under 297 contracts. The five BIE "schools" and their students are not included in this accountability plan. A list of these schools, with descriptions of their grade spans and enrollments, is included in Appendix A.
- All other BIE schools, public or charter schools are under the authority and jurisdiction of their respective state accountability plans. They are not subject to, by the terms of this Accountability Workbook, the rules and goals proposed herein.

1.2) How are all participating tribally-controlled schools and LEAs held to the same criteria when making an AYP determination?

- The Navajo Nation Diné Department of Diné Education (DoDE) will apply the same accountability criteria to all tribally-controlled schools and districts (LEAs) by completing, for each school, a Performance Profile.
- The Performance Profile analysis will include a determination of Adequate Yearly Progress (AYP) for grades 3-8 and grade 10 as required by the No Child Left Behind Act of 2001 [NCLB (Sec. 1111)(b)(2)(C)] and whether schools are meeting the Navajo Cultural Standards (the mechanisms for these standards are detailed later in this proposal).
- All schools will be expected to maintain 95% participation [NCLB (Sec. 1111)(b)(2)(I)(ii)] in the assessments for all groups and sub-groups. The Navajo Nation will use the 3 year averaging option provided by the Secretary of Education (see Letter to Chief of State School Officers, May 19, 2004). However this same section notes that "...the 95 percent requirement described in this clause shall not apply in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student)." The problem is significant for the Navajo Accountability plan because if the N=40 rule that Arizona uses, is utilized only 25% of the schools would be assessed by grade level (because 75 % of the schools have grade level enrollments of less than 40). On the other hand, if a N of 20 was used, 70 % of the schools would be assessed at the grade level but a single student absence at test time would put the school in jeopardy of failing to meet the participation criteria. The problem of student counts is compounded by issues of mobility and attendance (counting students who are enrolled a Full Academic Year). Nonetheless, to ensure that most schools are assessed at the grade level, which allows the Navajo Nation to track and report academic progress, a N=20 rule will be used to judge assessment participation rate.
- The additional academic indicator, as required by NCLB will be attendance in elementary and middle schools and graduation in high schools.
- High schools (grades 9 through 12) will include graduation rates as defined in (34 C.F.R. §200.19) and the National TAC as a "...four-year adjusted cohort graduation rate' as the number of students who graduate in four years with a regular high school diploma divided by the number of students who entered high school four years earlier (p.3)."

- Schools with K-2 grade span will be held accountable to the 3rd grade performance at the school where the majority of the students transfer.
- Navajo Nation accountability plan will hold all tribally-controlled schools accountable to the accountability criteria as spelled out in its Accountability Workbook. No school will be eligible to substitute alternative accountability standards or criteria for those defined in this workbook. No school can negotiate separate and unique accountability agreements with the Navajo Nation [Navajo Sovereignty in Education Act of 2005, §106(G)(3)(a),(b), (c), and (d)].

1.3) Does the Navajo Nation have, at a minimum, a definition of basic, proficient and advanced student achievement levels in reading/language arts and mathematics?

- The Navajo Nation seeks to establish "mastery" levels (definition of basic, proficient and advanced student achievement levels) appropriate for Navajo students using Navajo student data from the 34 tribally-controlled schools and other BIE and public schools serving Navajo student populations on the reservation.
- Currently the Navajo Nation does not have the necessary data or infrastructure to establish valid "mastery" levels for Navajo students grades 3 – 8 and 10 [Section (1111)(b)(3)(C)(vii)]. A recent grant from the BIE will help create a secure data warehouse. With a secure warehouse, Utah, New Mexico and Arizona Departments of Education have agreed to share performance data about Navajo students. A similar agreement is being negotiated with the Bureau of Indian Education. The compilation of these data be used to establish valid and reliable master levels specific to the Navajo Accountability state.
- Rules of 34 C.F.R. §30.104(3)(b) states that "...tribal governing bodies may seek a waiver that may include developing their own definition of AYP, or adopting or modifying an existing definition of AYP that has been accepted by the Department of Education (also see §30.105 and §30.106)." As noted in the introduction to this Workbook, the Navajo Nation will develop its own AYP plan, but such an effort will take time to complete. In the interim, the Navajo Nation wishes to use a modified Arizona plan for all 34 tribally-controlled schools, regardless of the state in which they are located.
- Arizona's four levels of student performance (described as Mastery levels in this Workbook), have been reviewed, accepted and applied to the AYP decisions of schools (including tribally-controlled schools) for the last 8 years. The Navajo Nation Accountability "state" will adopt these standards and apply them to all tribally-controlled schools operating within the boundaries of the Navajo Nation.
- The for mastery levels are defined as follows:

Exceeds the Standard: This level denotes demonstration of superior academic performance evidenced by achievement substantially beyond the expected goal of all students.

Meets the Standard: This level denotes demonstration of solid academic performance on challenging subject matter reflected by the content standards. This includes knowledge of subject matter, application of such knowledge to real-world

situations, and content relevant analytical skills. Attainment of at least this level is the expectation for all Arizona students.

Approaches the Standard: This level denotes understanding of the knowledge and application of the skills that are fundamental for proficiency in the standards.

Falls Far Below the Standard: This level denotes sufficient evidence that the prerequisite knowledge and skills needed to approach the standard have not been met. Students who perform at this level have serious gaps in knowledge in skills related to Arizona's Academic Standards.

1.4) How does the Navajo Nation provide accountability and adequate yearly progress decisions and information in a timely manner?

- The Navajo Nation DoDE will make the preliminary AYP decisions available to teachers and school administrators by August 15th, which gives school administrators two weeks to analyze and challenge decisions if there is just cause §1116(b)(2)(A-C).
- The Department of Diné Education will share final Performance Profiles for each of the 34 tribally-controlled schools by August 1st of each year. The August 1st deadline provides the necessary time to validate all relevant calculations and to conduct the necessary analyses (34 CFR Section § 200.41 School improvement plan).
- Section 200.44(a)(2) (public school choice) makes clear that an LEA must offer, through the 14-day notice required under §200.37, the option to transfer a child the year following a school's identification for improvement, corrective action, or restructuring. The Navajo Nation will make the AYP decisions available to the public by August. The Navajo Nation will make these notifications of AYP and any corrective action available to schools via a formal letter. Additionally, the AYP reports will be available on a secure web site, so school administrators can have access to them at any time.
- Some Navajo citizens live in remote and isolated regions of the reservations, and many households do not have computers. Distribution of reports via the PTA, churches, Chapter centers and schools is a viable means by which to inform parents of their children's school performance.
- The LEA is also responsible for informing parents of students with limited English proficiency and disabilities with information under Section 1111 in a format and, to the extent practicable, in a language such parents understand [Sec. 1118(f) Parental Involvement.]. The Navajo Nation will assist these schools with the development of materials that ensure all parents are informed of their options relative to school improvement and choice, including providing the information in the Navajo language where appropriate.
-

A time line of milestone events frames the organization of a timely reporting strategy:

- Student Pre-Print Data (early April) - Preprint student data is submitted to DoDE, which includes student demographic, school, grade and identification number data. DoDE will aggregate and summarize reports to be sent back to the schools for their

review, correction and/or approval. This individual information is used to pre-print Aims answer sheets.

- AIMS Scanning & Scoring (early June) - Math and Language arts, math and science tests are scanned and scored
- Clearinghouse "End of Year" data submission (by July 1st): tribally-controlled schools will be required to submit a final file of student level data including background characteristics, grade level data, enrollment date, exit date, graduation status, and attendance. These data are incorporated into the DoDE Data Warehouse for integration with the other data systems.
- Teacher and Course Data submission (by July 1st) - Teacher and course level data is maintained by DoDE but updated throughout the school year by the schools. Schools are required to have all changes into the system finalized by July 1st.
- Preliminary AYP Calculations (July 15th) - DoDE data warehouse merges various data systems needed for AYP calculations. A Navajo student identifier is used to merge student data and track student performance over time.
- Final AYP Calculations and distribution of reports (by August 1st).

1.5) Does the Navajo Nation Accountability System produce an annual Navajo Nation Report Card?

- The Navajo Nation is developing an Accountability State Report Card that compares the actual achievement levels of each student subgroup with the state's annual measurable objectives [except when the number of students is insufficient to yield statistically reliable information or would reveal identifiable information about individual student, NCLB Sec. 1111(h)(1)(C)].
- Participation rates will be included in the report as well as a 2-year trend in student achievement in each subject area, and for each grade level
- Aggregate information on attendance for elementary school and graduation rates for secondary school students will be disaggregated by student subgroups.
- Progress on Navajo Standards will be compiled and reported by school and grade level.
- Safe harbor as required under section 1111(b)(2)(C)(vii) will be calculated and reported but not disaggregated by "other" indicators for determining AYP [§200.20(a)(1)(ii) (meeting the State's annual measurable objectives)].
- Information on the performance of local educational agencies in the State regarding making adequate yearly progress, including the number and names of each school identified for school improvement under section 1116.
- Professional qualifications of teachers, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the State not taught by highly qualified teachers will be reported.
- A parent report card will be developed and distributed through the web as well as through PTA and Chapter organizations.
- Illustrations of the proposal report card are included in Appendix B.

1.6) How does the Navajo Nation Accountability System include rewards and sanctions for participating tribally-controlled schools and LEAs?

- Section 1116(b)(2) indicates that rewards may be distributed to schools that exceed AYP requirements for 2 or more consecutive years. Section 1116(b)(3) states that schools that fail to make AYP for 2 or more consecutive years shall be sanctioned and are subject to school improvement efforts. Schools to review and challenge AYP judgments (§1116(b)(4) and (5)]. Parents will be notified of any schools that fails to meet AYP requirements 2 or more consecutive years (§1116(b)(6)].
- The Navajo Nation will use sanctions referenced in No Child Left Behind excluding those that BIE-funded schools are exempted from: school choice [Section 1116(g)(2)].
- The sanctions are outlined in the table below. Schools that fail to make AYP are subject to program improvement status.

Program Improvement Status	
AYP Alert	1st year of not making AYP
School Improvement 1 (SI-1)	2nd year of not making AYP
School Improvement 2 (SI-2)	3rd year of not making AYP
Corrective Action 1 (CA-1)	4th year of not making AYP
Corrective Action 2, Planning for Restructuring (CA-2)	5th year of not making AYP
Restructuring (RST)	6th year of not making AYP

- State Sanctions, For Title I schools failing to make AYP:
 - School Year 1 – No AYP
 - Warning issued by Superintendents: Local education agencies are encouraged to take immediate action to assist toward improvement.
- Year 2 – No AYP, Title I Improvement Year 1
 - Designation.
 - Parental notification of school's designation.
 - DoDE provides educators with student level and aggregated assessment data.
 - School identifies a school support team (SST) that will make school improvement recommendations to the school leadership team.
 - School leadership team develops a two-year improvement plan to be approved by LEA within three months of improvement designation.

- School shares improvement plan with Navajo Nation school board and with Title I school improvement funding request for approval.
- DoDE and/or qualified others provide technical assistance.
- Technical assistance must include at least six elements: Scientifically based research; analysis of data; parental involvement; sustained, aligned, and focused professional development; instructional strategies; and focused budget and resources.

- **Year 3 – No AYP, Title I Improvement Year 2**
 - Designation
 - Parent notification
 - Technical assistance
 - LEA arranges provision for supplemental service to all eligible students. LEA provides annual notice of eligibility for supplemental services.

- **Year 4 – No AYP, Title I Improvement Year 3 (Corrective Action)**
 - Designation of corrective action.
 - Parent notification of corrective action.
 - DoDE works closely with the school to determine membership of the school support team.
 - The school support team (SST) will reappraise its school improvement plan.
 - The school leadership team will revise the school improvement plan based in accordance with Title I requirements.
 - LEA shares corrective action plan with local school board and sends plan with Title I school improvement funding request to DoDE for approval.
 - Schools in corrective action may apply for SEA support for instructional coaching and leadership training, when eligible.
 - Supplemental educational services provided through DoDE's After-School Program.

- **Year 5 – No AYP, Title I Improvement Year 4 (Planning for Restructuring)**
 - Designation.
 - Parent notification of plan to restructure
 - Technical assistance from DoDE
 - Supplemental educational services provided through DoDE's After-School Program.
 - DoDE provides technical assistance to LEA in planning for restructuring.
 - Schools may continue to receive DoDE support for instructional coaching and leadership training, when eligible.
 - LEA works with the school community to develops a plan for alternative governance provisions, in accordance with Title I requirements, and submits its plan for restructuring to the local school board.
 - LEA sends restructuring plan to Navajo Nation School Board for approval.

- DoDE approves the LEA plan for restructuring requests and advises Navajo School Board of designation.
- Year 6 – No AYP Title I Improvement Year 5 (Restructuring)
 - Designation
 - Parent Notification
 - LEA must implement plan for alternative governance provisions with DoDE and the Navajo Nation School Board.

REWARDS

- The Navajo Nation will institute a series of rewards for schools making AYP or improving toward that goal. Rewards and recognition will be distributed to students, teachers, principals and the schools as a whole.
- The Navajo Nation will use a series of school indicators to track, over time, a school's academic and attendance status and progress. These will be shared publicly and schools making progress will receive public recognition.
- Schools making AYP will be recognized in a special ceremony that includes representatives of the Navajo School Board, Tribal Council, and Executive Branch, as well as representatives from the community and its business leaders.
- Schools that achieve a High Performing or Excelling status will receive a special grant and recognition from the Navajo Government supporting school activities.
- Teachers will be able to compete for merit/performance pay. These plans, funded by BIE school improvement money, will be divided into individual and team awards. Using the Navajo Nations growth (value added) data, teachers that can demonstrate statistically valid evidence (analyzed and reported by Navajo Nation statisticians) will receive a bonus. This bonus will increase incrementally for each additionally year the teacher maintains that “value added” status.
- Performance pay will also be allocated to teams of teachers whose efforts result in significant value added analyses generated from Navajo Nation growth model.

2) PRINCIPLE 2: ALL STUDENTS

2.1) How does the Navajo Nation Accountability System include all students in the State?

- The Navajo Nation Accountability AYP report will account for all students enrolled, at any time during the school year, in a tribally controlled school.
- The Navajo Education Information System (NEIS) has an enrollment roster that tracks student registration at a school or from one school to another. This system will be used to identify the student population accountable to the Navajo Nation AYP plan.
- The Navajo Performance Profile, by which a school's AYP status is reported, will include elementary students in grades 3-8 and high school students grades 10.

- Student subgroups included in the report are:
- Special education students
- English language learners
- All major racial and ethnic groups (Native American, White, African American, Hispanic, Asian/Pacific Islander)
- Economically disadvantaged students will be identified by their eligibility for free or reduced lunch, a required data element in the NEIS database.
- While the Navajo Nation Alternative AYP proposal recognize all nine subgroups in its AYP accountability analyses and report, it is significant to note that the BIE Accountability Workbook identifies all students attending BIE grant schools as economically disadvantaged, Native American, and eligible for ELL status. Where the facts differ from the definitions, comparisons between BIE school progress and Navajo Tribally controlled school progress would be problematic.

2.2) How does the Navajo Nation define “full academic year” for identifying students in AYP decisions?

- The Navajo Nation defines a full academic year as 160 days of contiguous enrollment at the school in which a student is tested. Thus, any student identified as enrolled within the first two weeks of instruction at a tribally controlled school and continuously enrolled at that school until the first day of the Navajo accountability assessments shall be counted as part of the schools AYP calculation.
- Students who are not continuously enrolled at a single school during a school year will be accounted for in the LEA level AYP report.

2.3) How does the Navajo Nation Accountability System determine which students have attended the same participating tribally controlled school and/or LEA for a full academic year?

- The Navajo Education Information System has an enrollment and attendance database by which records of student attendance are tracked over the course of the school year.
- The NEIS has a unique student identifier that enables DoDE to track students if they transfer from one school to another.
- The NEIS has a system of feedback records that check student enrollments at a schools with school administrators.
- DoDE will provide training and support for school secretaries and other personnel responsible for entering and managing enrollment and attendance data.
- The Navajo Nation is negotiating with the BIE to share attendance records, so as to minimize duplication of such records to both the BIE and DoDE.
- These procedures will allow DoDE to verify student enrollment for a full academic year and will also provide a method for auditing schools and districts for student enrollment.

3) PRINCIPLE 3: STATE DEFINITION OF AYP IS BASED ON EXPECTATIONS FOR GROWTH IN STUDENT ACHIEVEMENT THAT IS CONTINUOUS AND SUBSTANTIAL, SUCH THAT ALL STUDENTS ARE PROFICIENT IN READING/LANGUAGE ARTS AND MATHEMATICS NO LATER THAN 2013-2014.

3.1) How does DoDE's definition of adequate yearly progress require all students to be proficient in reading/language arts and mathematics by the 2013-2014 academic year?

- The Navajo Nation's accountability plan uses a conjunctive model to determine AYP, which means that a school has to meet all of the criteria for such a determination.
- The Navajo Nation seeks a waiver from NCLB Sec. 1111(b)(2)(F), the 2013-14 target for 100% proficiency of all students grades 3-8 and grade 10.
- The Navajo Nation is clearly aware that no state or program has been granted a waiver of the proficiency timeline, a point discussed in The U.S. Department Of Education's Report To Congress On Waivers Granted Under Section 9401 (2008, April).
- However, as section 1116 (g) (1) (B) of the NCLB Act states, Indian tribes have the opportunity to waive the existing definition of AYP and propose an alternative definition that takes into account the unique needs and circumstances of the schools and students involved. The creation of a new accountability system that begins with a new governance and accountability system is a "unique need and circumstance." Additionally, this waiver is consistent with the principles of self-determination, as outlined in the Navajo Nation's Sovereignty in Education Act of 2005.
- The current timeline requires all students and schools to be proficient in all subject matter by the 2013-14 school year. This plan starts a new timeline beginning with the 2012-13 school year, completing the 12 year accountability timeline with the 2023-24 school year. We are aware that there is no authorization of this, but the request for waiver is for the creation of such authorization.
- This timeline will incorporate annual measurable objectives and intermediate goals to facilitate the calculation of the Navajo Nation's definition of adequate yearly progress (AYP). Starting points, annual measurable objectives and intermediate goals are set separately for reading and mathematics for grades three through eight and ten to better facilitate the incorporation of additional assessments into the accountability system. Depending on school configuration, assessed grades/subject combinations are aggregated at the school level. Assessment data is also aggregated at the district level and state level. The AYP determination is based on a conjunctive model.

3.2) How does the Navajo Nation's Accountability System determine whether each student subgroup, public school and LEA makes AYP?

- The Navajo Nation's accountability plan uses four criteria to determine whether students, schools and LEAs meet Adequate Yearly Progress (AYP): participation rate, academic standards relevant to each grade level, Navajo standards relevant to each grade level, and the additional indicator (attendance or graduation rate) relevant to schools in question.
- The initial step for whether each student subgroup, public school, and LEA makes AYP is to identify those students who been enrolled at one school for a full academic year (FAY). Those that meet the criteria for FAY (see section 2.3 for detailed definition) are included in their respective school's accountability calculations. Accommodations for special education and English language learners (ELL) are provided as required. Students who are not enrolled at a single school for a full academic year are assigned to the LEA's (that is DoDE) enrollment list for accountability purposes.
- STEP 1: Participation in assessment data are analyze and if 93% of the school's students participated in reading (and or language arts) and/or mathematics respectively, then note that school "**Met participation criteria**" and move on to Step 2.
 - If the school failed to meet participation requirement for either reading or mathematics then note "Failed to meet participation requirement for reading and/or mathematics" and school is moved up one step on the program improvement scheme. Move to Step 2.
- STEP 2: Assessment data are analyzed for reading and/or language arts and if the school's results meet the AMOs for that year (both for aggregated and disaggregated subgroups) then note the school as "**Meets AYP Reading Status**" and move to Step 3.
 - If the school's assessment results for reading do not meet the AMOs for that year (for either aggregated or disaggregated subgroups) then proceed to the safe harbor option in Step 6.
- STEP 3: Assessment data are analyzed for mathematics and if the school's results meet the AMOs for that year (both for aggregated and disaggregated subgroups) then the school's assessment status is give as: "**Meets AYP Math Status**" and move to Step 4.
 - If the school's assessment results for mathematics do not meet the AMOs for that year (for either aggregated or disaggregated subgroups) then proceed to the safe harbor option in Step 6.
- STEP 4: Assessment data are analyzed for Navajo content curriculum and if the school's results meet the AMOs for that year (both for aggregated and disaggregated subgroups) then the school's assessment status is give as: "**Meets AYP Navajo Content Curriculum Status**" and move to Step 5.
 - If the school's assessment results for Navajo content curriculum does not meet the AMOs for that year (for either aggregated or disaggregated subgroups) then proceed to the safe harbor option in Step 6.
- STEP 5: Analyze "**Other Indicators**" (enrollment data for elementary schools and graduation data for high school) and assess whether each school's data meet the requirements, if so then note "Meets AYP Other Indicators (enrollment or Graduation) Status." Move to Step 6.
 - If the school failed to meet "Other Indicator" requirement then note "Failed to meet "Other Indicator" requirement" and if school has not been moved up one step on the program improvement scheme, then do so. For example a school in SI-1 would become identified as a school in SI-2. Move to Step 6.

- Growth Model. The Navajo Nation will develop the growth model of the Accountability plan which generally follows these principles: For each subgroup the Navajo Nation will calculate the percentage of students meeting individual growth targets for reading and math. If this percentage is greater than or equal to the annual measurable objectives for the subject/grade, the subgroup will be deemed to have met AYP. If all student subgroups meet their annual measurable objectives the school is considered to have met AYP.
- STEP 6: If schools failed to meet AYP requirements for either reading and/or mathematics and if school meet participation and "other indicator" requirements, then analyze performance data using the "Safe Harbor" provisions of the accountability plan. If school meets AYP requirements with "Safe Harbor," then replace the note indicating that the school failed to meet AYP reading and/or mathematics status with a note that the school did meet AYP status using Safe Harbor. Move to Step 7.
 - If the school failed to meet "Safe Harbor" requirement then note "Failed to meet AYP requirements using Safe Harbor" and if school has not been moved up one step on the program improvement scheme, then do so. For example a school in SI-1 would become identified as a school in SI-2. Move to Step 7.
- STEP 7: Summarize the compilation of results in the AYP Report Card and make a overall determination of a school's AYP Status.
- STEP 8: Following the Report Card timeline, share results with their respective school's teachers and administrators, as well as parents and community members.

3.2a) What is the Navajo Nation's starting point for calculating Adequate Yearly Progress?

- Starting points were determined using the 20th percentile method, as defined in NCLB: Section 1111(b)(2)(E). The lowest performing subgroup method was also modeled and revealed scores lower than those calculated using the 20th percentile method. By law the higher of the two methods must be used for determining the starting points for calculating Adequate Yearly Progress.
- In order to compute the starting points for all subjects and grades, all Tribally controlled and BIE schools for which student level math and reading proficiency scores were available were included in the analysis. Schools were ranked in descending order according to the percentage of students in each grade and subject combination that met or exceeded their respective state standard on the State's standards-based assessment. The starting points were set, using the 2008-09 school year data, at the 20th percentile for student enrollment.
- The table, below, breaks-out starting point scores by grade level and subject year. No data is available for the Navajo studies curriculum because this area is under development and review.

Starting Point for Tribally Controlled Schools: Grades 3 - 10, 2008-09 performance data					
Grade	Reading	Math	Navajo Studies	Numb Schls	Numb Students
3	13	14	TBD	17	324
4	13	11	TBD	18	376
5	14	10	TBD	19	387
6	13	8	TBD	21	340
7	15	11	TBD	18	369
8	14	9	TBD	18	372
9	13	7	TBD	6	54
10	7	6	TBD	9	245

3.2b) What are the Navajo Nation's annual measurable objectives for determining adequate yearly progress?

- The Navajo Nation has calculated its Annual Measurable Objectives using the starting points reported in Critical Question 3.2a. A linear model for determining improvement in is used to calculate AMOs; the difference between the goal of 100% proficiency and the starting point was divided by 11 years and added incrementally to determine the AMO for each subsequent year.
- The Navajo Nation established separate reading and mathematics AMOs for grades three through ten. These AMOs will be applied to all of the tribally-controlled schools included in the Navajo Nation Accountability plan, as well as the school and LEA evaluations.
- AMOs were calculated separately for mathematics and reading. No data is yet available to calculate AMOs for either science or Navajo studies. AMOs were calculated for each grade level.

Reading AMOs

Grade	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
3	13	20.9	28.8	36.7	44.6	52.5	60.5	68.4	76.3	84.2	92.1	100.0
4	13	20.9	28.8	36.7	44.6	52.5	60.5	68.4	76.3	84.2	92.1	100.0
5	14	21.8	29.6	37.5	45.3	53.1	60.9	68.7	76.5	84.4	92.2	100.0
6	13	20.9	28.8	36.7	44.6	52.5	60.5	68.4	76.3	84.2	92.1	100.0
7	15	22.7	30.5	38.2	45.9	53.6	61.4	69.1	76.8	84.5	92.3	100.0
8	14	21.8	29.6	37.5	45.3	53.1	60.9	68.7	76.5	84.4	92.2	100.0
9	13	20.9	28.8	36.7	44.6	52.5	60.5	68.4	76.3	84.2	92.1	100.0
10	7	15.5	23.9	32.4	40.8	49.3	57.7	66.2	74.6	83.1	91.5	100.0

Mathematics AMOs

Grade	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
3	14	21.8	29.6	37.5	45.3	53.1	60.9	68.7	76.5	84.4	92.2	100.0
4	11	19.1	27.2	35.3	43.4	51.5	59.5	67.6	75.7	83.8	91.9	100.0
5	10	18.2	26.4	34.5	42.7	50.9	59.1	67.3	75.5	83.6	91.8	100.0
6	8	16.4	24.7	33.1	41.5	49.8	58.2	66.5	74.9	83.3	91.6	100.0
7	11	19.1	27.2	35.3	43.4	51.5	59.5	67.6	75.7	83.8	91.9	100.0
8	9	17.3	25.5	33.8	42.1	50.4	58.6	66.9	75.2	83.5	91.7	100.0
9	7	15.5	23.9	32.4	40.8	49.3	57.7	66.2	74.6	83.1	91.5	100.0
10	6	14.5	23.1	31.6	40.2	48.7	57.3	65.8	74.4	82.9	91.5	100.0

No subgroup analysis was done for these critical elements of the workbook because the student population for tribally-controlled schools is virtually 100 % Native American.

3.2c) What are the Navajo Nation's intermediate goals for determining adequate yearly progress?

- The goal of the Navajo Nation accountability plan is 100% proficiency by the year 2021-22. Intermediate proficiency goals are set in the account of AMOs for both mathematics and reading. Intermediate goals increase in equal increments relative to the starting point for each grade level and subject matter.
- Other intermediate goals include:
- Memorandums of Agreements with each of the State Offices of Education which promotes shared data about the performances of Navajo students at public schools but 2013-14.
- Expansions and refinement of Navajo Education Information System (NEIS), including teacher identification numbers linked with enrolled students by 2013-14.
- Development of Standards for the Navajo studies content areas by 2012-13.
- Development of articulated standards-based assessments for Navajo students content areas for school year 2014-15.
- Develop and refine Navajo Studies curriculum through 2017-18 as needed.
- Develop school improvement teams for Reading/Language Arts and Navajo studies like those available through the Office of Diné Science, Technology and Math.
- Develop the capacity to generate evaluation reports and research projects for Navajo tribally-controlled schools, 2012 and on.

4) PRINCIPLE 4: STATE MAKES ANNUAL DECISIONS ABOUT THE ACHIEVEMENT OF ALL PUBLIC SCHOOLS AND LEAS.

4.1) How does the Navajo Accountability System make an annual determination of whether each public school and LEA in the State made AYP?

- Annual decisions for making AYP are referenced in SEC. 1111. (b)(2)(I) of NCLB. These rules require that all students and subgroups meet the AMOs for mathematics and reading. The Navajo Nation accountability plan will include these subject areas, as well as Navajo studies.
- AYP decisions are made annually for each LEA and school. AYP determination is based on:
 - Percent of students proficient or the reduction of students not proficient relative to Federal academic subjects (math and reading),
 - Participation rate,
 - Percent of students proficient in Navajo Studies area, and
 - Achievement of the additional academic indicators (attendance for elementary schools; graduation rates for high schools).
- Reading and mathematics are examined separately for each of the aforementioned criteria for AYP. Annual measurable objectives for academic achievement are based on the most recent intermediate goal.
- The Navajo Nation accountability plan will use the Uniform Averaging Procedure [SEC. 1111. (b) (2) (J)] to calculate AYP for tribally-controlled schools. This method increases the stability (reliability) of the reported school scores by grade level, which are often very small for the tribally-controlled schools. It also enhances the probability that all students and subgroups will be included in the accountability plan (improving the validity of the system).

5) PRINCIPLE 5: ALL PUBLIC SCHOOLS AND LEAS ARE HELD ACCOUNTABLE FOR THE ACHIEVEMENT OF INDIVIDUAL SUBGROUPS.

5.1) How does the definition of adequate yearly progress include all the required student subgroups?

- The definition of Adequately Yearly Progress (AYP) requires that all students enrolled at the time of testing, in grades 3-8 and grade 10, to be held accountable to academic performance standards assessed by an end of year criterion reference test. The required student subgroups include: Special Education, English Language Learners, all required racial/ethnic groups (Native American, African American, Hispanic, White, and Asian/Pacific Islander), as well as economically disadvantage (as defined by eligibility for Free & Reduce Lunch).
- As part of the accountability definition all tribally-controlled schools have to submit demographic and programmatic data about each student enrolled at their school. The

school enrollment and attendance rosters developed for the Navajo Education Information System (NEIS) provide the means by which student enrollments and attendance data can be aggregated, even if the student moves from school to school. The NEIS creates a unique student identification number for each student registered in its student level database. Training for the operation and maintenance of the student level database as well as the enrollment and attendance databases is provided to staff of the DODE Office of Diné Educational Research and Statistics. The student information system also identifies students by grade level. Together these sources of information enable the Navajo Nation to develop lists of all students who are either included in a school accountability reports (those students enrolled for a full academic year), or in a LEA accountability report.

- The definition of AYP and the mechanisms by which student level data are collected and managed, enable the Navajo Accountability plan to identify all students an included them in an appropriate accountability report.

5.2) How are tribally-controlled schools and the Navajo Nation held accountable for the progress of student subgroups in the determination of adequate yearly progress?

- The Navajo Nation accountability plan will hold all students and all subgroups accountable to its AYP criteria and AMO goals. All student subgroups will be included in a school's accountability report. Mobile students will be accounted for in the local education agency accountability report.
- The Navajo Nation's NEIS database will include demographic and programmatic information that allows the disaggregation of data to complete AYP calculations. The Navajo Nation's Department of Diné Education will serve as technical assistants working with the tribally-controlled schools to update and manage its student information data. Schools will be given periodic reports of their student enrollment and demographic reports (by student). Errors will be corrected and information will be updated. This process will also provide data which can be used to audit schools and districts regarding accountability for all students in each subgroup. The infrastructure for these capacities are built into the NEIS databases, the administrative structure to govern and operationalize these plans will be developed once the Navajo Nation's Alternative AYP plan is approved.
- As noted in Section 1.5, the Navajo Nation will produce and distribute Performance Report Cards for each of the tribally-controlled schools operating under this accountability plan. The sanctions (and reward) imposed on schools that fail to meet the Navajo Nation's AMO goals are outlined in Section 1.6 of this report and includes school improvement, corrective action and restructuring.

5.3) How are students with disabilities included in the Navajo Nation's definition of adequate yearly progress?

- The Navajo Nation accountability plan will rely on the Arizona accountability plan for the testing of students in mathematics, science and reading. These tests are used for students with disabilities. Where appropriate students with disabilities may either:

- • Receive accommodations (i.e., presentation format), or
- • Use an Alternate Test Form (i.e., AIMS Form A)
- The Navajo Nation accountability plan requires that all students with disabilities enrolled in tribally-controlled schools be included in the accountability tests and assessments. Data records will be kept that properly identify and track students by disability.
- Accommodations for testing students with disabilities must be a recognized part of the student's IEP; such accommodations must be related to the student's year long accommodations for education in general.
- Arizona's AIMS Form A alternate assessment can only be administered to those students with the severe cognitive disabilities. AIMS A measures the performance of students based on an alternative set of state standards. These standards represent functional level skills linked to general curriculum standards. Like AIMS, AIMS A has four associated achievement levels (please refer to attached document titled "Alternate State Achievement Test (ASAT), Student Report Form 9, Standards Status Report Form 2"). The scores for students with disabilities who take the alternate assessment will be included in the assessment data in the accountability system.
- In order to comply with the requirements of Federal and Navajo Nation laws, the following procedures/guidelines apply:
 - The Navajo Nation is responsible for determining the appropriate assessments and/or appropriate test accommodations from the checklist to be utilized for testing of students with disabilities.
 - The Navajo Nation is responsible for maintaining documentation and records that account for the number of students receiving accommodations.
 - The Navajo Nation is responsible for maintain documentation and records that account for the number of students receiving accommodations as well as the kind of accommodations used for individual students.
 - Each school must appoint knowledgeable school personnel to ensure that its testing procedures comply with Federal and Navajo Nation requirements.
 - The accommodations provided should be familiar to the student from his/her classroom experience. The test situation should not be the first time the student has utilized the specific accommodation(s). Students should already have sufficient experience in the use and application of the accommodation being considered.
 - The Navajo Nation accountability plan will not allow out-of-level testing for special education students; a student in one grade level cannot be tested with a lower grade-level test.
 - The Navajo Nation accountability plan will use both the 2% rule to provide alternative assessments for special education students when needed.

5.4) How are students with limited English proficiency included in the Navajo Nation's definition of adequate yearly progress?

- The Navajo Nation will require all LEP students to take all accountability tests for all subject matter included in the accountability plan. The LEP subgroup for a school or LEA is required to meet the participation requirement and the annual measurable objectives for the entity to make AYP.

- For AMO determinations, reclassified LEP students, those who have become proficient, are included in the English language learner subgroup for two additional years. However, reclassified LEP students are not included in the LEP subgroup when determining if the number of LEP students is sufficient to yield statistically reliable information.
- In order to comply with the requirements of Federal and Navajo Nation laws, the following procedures/guidelines apply:
 - The Navajo Nation will work with the BIE to identify and maintain student records in the NEIS system.
 - The Navajo Nation will identify appropriate assessments for testing a student's English and Navajo proficiency. DODE staff will help train school staff in the use of the assessment as well as the maintenance of the data in the NEIS system.
 - The Navajo Nation will assist the tribally-controlled schools with the task of tracking LEP students and their testing accommodations, as well as changes in proficiency status.
 - Decisions about using accommodations must be based on an annual review of a student's English proficiency level as well as age and grade level.
 - The accommodations provided should be familiar to the student from his/her classroom experience. The test situation should not be the first time the student has utilized the specific accommodation(s).
 - Oral translation of test directions or questions may be translated into student's home language if feasible.
 - The Navajo Nation accountability plan does not allow out-of-level testing for LEP students: a student in one grade level cannot be tested with a lower grade-level test.

5.5) What is the Navajo Nation's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?

- The Navajo Nation's accountability plan defines the minimum number of students in a subgroup required for reporting purposes as the following:
 - 25 for determining AYP,
 - 10 for reporting purposes, and
 - 40 for determining participation rates.
- All schools will use a uniform averaging procedure for calculating AYP. Averaging will be defined as a two year average. These numbers should provide the Navajo Nation's tribally-controlled schools with large enough sample sizes (of students) to make appropriate AYP decisions about schools and local education agencies.

5.6) How does the Navajo Nation Accountability System protect the privacy of students when reporting results and when determining AYP?

- Minimum number of students (n) necessary to ensure privacy concerns while reporting will be 10; numbers below 10 are not reported in at a school level.

6) PRINCIPLE 6: STATE DEFINITION OF AYP IS BASED PRIMARILY ON THE STATE'S ACADEMIC ASSESSMENTS.

6.1) How is the Navajo Nation's accountability system based primarily on academic assessments?

- The Navajo Nation accountability plan will be primarily based on academic assessments. The Navajo Nation accountability plan will use the Arizona AIMS assessments for math, reading and science. Assessments for the Navajo studies subject matter will be developed.
- The Navajo Nation accountability plan will rely on three types of assessments to assess student progress and school effectiveness. The first is a set of criterion reference tests for all accountability subject matter. The second is a set of bench mark testing, so as to track performance over the year. These might even be developed as a computer based assessment system. The third is a set of performance based assessments to assist students and teachers with instruction and learning during the school year.
- Both bench mark and performance based assessments can be incorporated in the instruction and lessons that teacher would normally include in their teaching. The inclusion of these assessments in the Navajo accountability plan ensures a more standardized set of assessments and ensures that they are systematically provided to all students in all schools.
- The performance based assessments will be developed as part of the Sec. 6111 funding the Navajo Nation will request from the BIE. We will work with assessment experts to ensure that there is both reliability and validity in the assessments. Additionally, we will work with educators and parents to ensure that there is both cultural meaning and utility in these assessments.

7) PRINCIPLE 7: STATE DEFINITION OF AYP INCLUDES GRADUATION RATES FOR PUBLIC HIGH SCHOOLS AND AN ADDITIONAL INDICATOR SELECTED BY THE STATE FOR PUBLIC MIDDLE AND PUBLIC ELEMENTARY SCHOOLS (SUCH AS ATTENDANCE RATES).

7.1) What is the Navajo Nations definition for high school graduation rates?

- Graduation rate is required for the secondary school level indicator (see section 1111(b)(2)(C)(vi)). Graduation rate is defined in section 1111(b)(2)(C)(vi) of the NCLB Act as, "the percentage of students who graduate from secondary school with a regular diploma in the standard number of years." The USDE's proposed regulations add that the definition does not include students earning GEDs (§ 200.19(a)(1)(i)).
- The Navajo Nation accountability plan borrows the definition of graduation rate from the Arizona accountability workbook. Arizona defines the graduation rate as a four-year, longitudinal measure of how many students graduate from high school. Any student who receives a traditional high school diploma within the first four years of starting high school is considered a four year graduate. A four year rate is derived

from dividing the sum of all four year graduates in each year by the sum of those who should have graduated and did not transfer to another qualified educational facility or die.

- By examining a cohort of students who began high school at the same time, the graduation rate assesses how many students actually complete high school within a four-year period. Students who receive a diploma in the summer after their fourth year are included as part of the graduating cohort. The graduation rate does not include dropouts as transfer students or those who obtain a Graduate Equivalent Diploma (GED).

7.2) Accountability system includes additional academic indicators for all schools and grade levels.

- The Navajo Nation accountability plan includes attendance records and calculations for grades 3-8;

7.3) Are the State's academic indicators valid and reliable?

- School attendance is the classic additional AYP indicator for accountability plan. The logic is straight forward: a student can't learn if they don't attend school. While most accountability plans apply this indicator only to elementary and middle schools, the Navajo accountability plan includes elementary, middle and high schools.
- Attendance is a necessary condition for high school students to graduate. It is also a necessary condition for achieving a strong academic and social school climate, a well known indicator of effective schools. Finally, it certainly has to be an indicator of parent satisfaction with schools and high schools in particular. In other words, if a high school has a good academic program that both students and parents see positively, then attendance ought not be much of a problem.
- AMOs have been calculated for each of these indicators such that given a start point each of these indicators is expected to improve (grow) incrementally year by year until the goal of 95% attendance, 95% of the students describe the school's climate as good or very good, and 95% of the parents are satisfied or very satisfied with the school and its academic program.
- Each of these indicators will be judged using a 95% confidence interval. This provision ensures that the measurement errors do not confound judgment about a school's performance. However, the general rule is that if a student is ill or having trouble with transportation the school must respond in a way that enables that student to attend frequently. Failure to respond to the students needs with a strong academic plan is likely to weaken a parent's view of the school, as well as a student's sense of the academic climate.
- These indicators work together to provide both behavioral and perceptual indicators of school's academic support for students.

8) PRINCIPLE 8: SEPARATE DECISIONS FOR READING/LANGUAGE ARTS AND MATHEMATICS

NCLB 1111 (b) (2) (G) (i)

8.1) Accountability system holds students, schools and districts separately accountable for reading/language arts and mathematics.

- The Navajo Nation Accountability system will hold students, schools and districts (DODE will serve as the proxy district in this plan) accountable for reading, mathematics, science, Navajo standards (language, culture, history, governance and character). Separate AYP scores will be calculated for each of the academic subjects and a fourth score will be aggregated for the Navajo standards. A school that fails to meet proficiency standards in any of these for subject areas will fail to make AYP for that school year.

9) PRINCIPLE 9: STATE ACCOUNTABILITY SYSTEM IS STATISTICALLY VALID AND RELIABLE.

9.1) Accountability system produces reliable decisions.

- The Navajo Nation will use three different assessment strategies to ensure that judgments about schools and students are based on a multiple and substantive criteria related to academic performance. These assessments include criterion reference tests, a series of bench mark tests, and performance based assessments. The reliability of the performance based assessments can be established and maintained with proper training and technical assistance. A review process of teacher scores can be used to determine a reliability measure for the performance base assessments.

9.2) Accountability system produces valid decisions.

- The assessments of the Navajo Studies subjects will be developed in conjunction with the Navajo Nation's Department of Dine Education, academics from the Dine College, and tribal elders with expertise in these subject areas. Tribal leaders have done a lot of work developing and defining the content, standards, and performance benchmarks for the subject matter in the Navajo Studies area. These sources of expertise will promote a high degree of construct and content validity in this area.
- The assessments for mathematics, science and reading have been developed and tested by a national vender with years of experience in these matters. Additionally the Arizona AIMS test, which the Navajo Nation plans on using to assess mathematics, science and reading, have been reviewed and accepted by the U.S. Department of Education's peer review process. We submit that these are strong indicators of the validity of the tests and their purposes.

9.3) Navajo Nation has a plan for addressing changes in assessment and student population.

- The Navajo Nation plans to conduct periodic reviews of its assessment system. Some of these plans include an analysis of the relationship between the Navajo standards and increases or improvement in student achievement. In other words, we would test the hypothesis that the full implementation of the Navajo studies standards in schools is positively associated with increases in student achievement. The collection of student and family demographic information would allow for statistical controls for changes in the student population of schools overtime.
- The development of DODE technical support teams for instruction and leadership provides the opportunity to adjust the assessment plans, in particular the theory of action (improvement) as circumstances in the school systems change.

10) PRINCIPLE 10: IN ORDER FOR A PUBLIC SCHOOL OR LEA TO MAKE AYP, THE STATE ENSURES THAT IT ASSESSED AT LEAST 95% OF THE STUDENTS ENROLLED IN EACH SUBGROUP.

10.1) Accountability system has a means for calculating the rate of participation in the statewide assessment.

- The Navajo Nations NEIS database has the means to track student enrollment and attendance over the course of the school year. These data are sufficient for calculating rates of participation for the tribally controlled contract and grant schools on the Navajo reservation.
- Accountability system has a means for applying the 95% assessment criteria to student subgroups and small schools.
- The Navajo Nation's NEIS database includes the variables necessary to break the analysis of participation down by subgroups (demographic, special ed, LEP, race/ethnicity, title 1 and so on).

10.2) Accountability system has a means for calculating the rate of participation in the statewide assessment.

- Participation will be calculated for any district, school, or subgroup consisting of 40 or more students.

11) APPENDICES

11.1) Appendix A: List of tribally-controlled schools

Table 2: List of tribally-controlled schools

State	SchlName	Navajo Schl_ID	Grade span	Total 2008-09
AZ	Black Mesa Community	103_1004	KG08	35
	Chichinbeto Community	120_1089	KG08	115
	Dilcon Community School	109_1043	KG08	200
	Greasewood Springs Community	109_1044	KG08	157
	Greyhills Academy High	120_1091	912	447
	Jeehdeeza Academy	103_1007	KG05	281
	Kin Dah Lich` I Olta	109_1046	KG06	169
	Leupp Schools, Inc.	120_1096	KG12	266
	Little Singer Community	120_1098	KG06	70
	Lukachukai Community	103_1009	KG08	276
	Nazlini Community	103_1011	KG06	108
	Pinon Community	103_1012	KG	58
	Shonto Preparatory Elementary	120_1101	KG08	458
	Tse Nitsaa Deez`Ahi Dine Bi Olta	103_1013	KG12	414
	Wide Ruins Community	109_1050	KG06	166
	Chinle Boarding School		KG08	297
	Rough Rock Community School		KG12	394
AZ Total				3911
NM	Alamo Navajo	205_2035	KG12	278
	Ch` Ooshgai Community	109_2074	KG08	493
	Dibe Yazhi Habitiin Olta Inc	205_2039	KG08	158
	DzilthNaODithHle Community	205_2041	KG08	218
	Hanaa`Dlii Community	205_2042	KG2	17
	Na`Neelzhiin Ji` Olta Community	205_2045	KG08	164
	Navajo Preparatory High	212_2121	912	186
	Ramah Elementary & High	209_2092	K06 712	332
	Atsa`Biya`a`zh Community School		KG8	287
	Shiprock Northwest High	212_2126	712	239
	To`Hajiilee He	205_2049	KG12	324
	Wingate High	205_2052	912	528
	Wingate Elementary		KG8	689
NM Total				3913
UT	Naa Tsis` Ana Community	302_3012	KG08	117
UT Total				117

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11.2) Appendix: Report of School AYP Reports by Year

Agency	School Name	Tribally Controlled School	SY_07-08	SY_06-07	SY_05-06	SY_04-05
Central Navajo (Chinle)	Black Mesa Community School	Tribally Controlled	0	0	0	0
Central Navajo (Chinle)	Jeehdeez'a Academy (Low Mountain)	Tribally Controlled	0	0	0	0
Central Navajo (Chinle)	Lukachukai Community School	Tribally Controlled	1	1	0	0
Central Navajo (Chinle)	Nazlini Boarding School	Tribally Controlled	0	0	0	0
Central Navajo (Chinle)	Pinon Community School	Tribally Controlled	1	1		0
Central Navajo (Chinle)	Rock Point Community School	Tribally Controlled	0	0	0	0
Central Navajo (Chinle)	Rough Rock Community School	Tribally Controlled	0	0	0	0
Central Navajo (Chinle)	Chinle Boarding School	BIE	0	0	0	0
Central Navajo (Chinle)	Cottonwood Day School	BIE	0	0	0	0
Central Navajo (Chinle)	Many Farms High School	BIE	1	1	1	0
Eastern Navajo	Alamo Navajo School	Tribally Controlled	0	0	0	0
Eastern Navajo	Chi-Chi'il'tah (Jones Ranch Comm School)	Tribally Controlled	0	0	0	0
Eastern Navajo	Dibe Yazhi Habltin Olta, Inc. (Borrego Pass)	Tribally Controlled	0	0	0	0
Eastern Navajo	Dzilth-Na-O-Dith-Hle Community School	Tribally Controlled	0	0	0	0
Eastern Navajo	Hanaa'dill Community School (Huerfano)	Tribally Controlled	1	1	1	0
Eastern Navajo	Na'Neelzhiin Ji Olta (Torreon)	Tribally Controlled	0	0	0	0
Eastern Navajo	To'hajilee (Canoncito)	Tribally Controlled	0	0	0	0
Eastern Navajo	Wingate High School	Tribally Controlled	0	0	0	0
Eastern Navajo	Baca Community School	BIE	0	0	0	0
Eastern Navajo	Bread Springs Day School	BIE	1	1	1	1
Eastern Navajo	Lake Valley Navajo School	BIE	0	0	0	0
Eastern Navajo	Mariano Lake Community School	BIE	0	0	0	0
Eastern Navajo	Ojo Encino Day School	BIE	0	0	0	0
Eastern Navajo	Pueblo Pintado Community School	BIE	0	0	0	0
Eastern Navajo	T'iists'ozhi'bi'ol'ta (Crowpoint)	BIE	0	0	0	0
Eastern Navajo	Tse'ii'ahi' Community School (Standing Rock)	BIE	1	1	0	0
Eastern Navajo	Wingate Elementary School	BIE	0	0	0	0
Ft. Defiance	Ch'ooshgai Community School (Chuska)	Tribally Controlled	0	0	0	0
Ft. Defiance	Dilcon Community School	Tribally Controlled	0	0	0	0
Ft. Defiance	Greasewood Springs Community School	Tribally Controlled	0	1	0	0
Ft. Defiance	Kin Dah Lichi'i Olta	Tribally Controlled	0	0	0	0
Ft. Defiance	Wide Ruins Community School	Tribally Controlled	0	0	0	0
Ft. Defiance	Crystal Boarding School	BIE	0	0	0	0
Ft. Defiance	Holbrook Dormitory	BIE	n/a	n/a	n/a	n/a
Ft. Defiance	Hunters Point Boarding School	BIE	0	0	0	0
Ft. Defiance	Pine Springs Day School	BIE	0	0	0	0
Ft. Defiance	Seba Dalkai Boarding School	BIE	0	1	1	0
Ft. Defiance	Winslow Residential Hall	Dorm	n/a	n/a	n/a	n/a
New Mexico Navajo South	Pine Hill Schools		0	0	0	
Northern Navajo (Shiprock)	Navajo Preparatory School	Tribally Controlled	1	1	1	1
Northern Navajo (Shiprock)	Shiprock Northwest High School	Tribally Controlled	0	0	0	n/a
Northern Navajo (Shiprock)	Aneth Community School	BIE	0	1	1	0
Northern Navajo (Shiprock)	Atsa' Biya' a'zh Community School	BIE	0	1	1	0
Northern Navajo (Shiprock)	Beclabito Day School	BIE	0	1	1	1
Northern Navajo (Shiprock)	Cove Day School	BIE	0	0	0	0
Northern Navajo (Shiprock)	Nenahnezad Community School	BIE	0	0	0	0
Northern Navajo (Shiprock)	Red Rock Day School	BIE	0	0	0	1
Northern Navajo (Shiprock)	Sanostee Day School	BIE	0	0	1	0
Northern Navajo (Shiprock)	T'iis Nazbas Community School (Teecnospos)	BIE	0	0	0	0
Northern Navajo (Shiprock)	Tohaali' Community School (Toadlena)	BIE	0	0	0	0
Northern Navajo (Shiprock)	Aztec Dormitory	Dorm	n/a	n/a	n/a	n/a
Northern Navajo (Shiprock)	Shiprock Alternative Dormitory	Dorm	n/a	n/a	n/a	n/a
Western Navajo	Chilchinbeto Community School	Tribally Controlled	0	0	1	0
Western Navajo	Greyhills Academy High School	Tribally Controlled	1	1	1	1
Western Navajo	Leupp School, Inc.	Tribally Controlled	1	0	0	0
Western Navajo	Little Singer Community School	Tribally Controlled	0	0	0	0
Western Navajo	Naa Tsis 'Ana Comm School (Navajo Mountain)	Tribally Controlled	0	1	1	1
Western Navajo	Shonto Preparatory School	Tribally Controlled	0	0	0	0
Western Navajo	Dennehotso Boarding School	BIE	0	0	0	0
Western Navajo	Kaibeto Boarding School	BIE	0	0	0	0
Western Navajo	Kayenta Community School	BIE	0	1	0	0
Western Navajo	Rocky Ridge Boarding School	BIE	0	0	0	1
Western Navajo	Tonalea Day School (Red Lake)	BIE	0	0	0	0
Western Navajo	Tuba City Boarding School	BIE	1	1	1	0
Western Navajo	KinLani Bordertown (Flagstaff) Dormitory	Dorm	n/a	n/a	n/a	n/a
Western Navajo	Richfield Residential Hall	Dorm	n/a	n/a	n/a	n/a