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To: Superintendents of Schools
Charter Schools Administrators
Title I Coordinators

From: Ira Schwartz, Assistant Commissioner for Accountability

Date: September 2010

Subject: School and District Accountability Updates

This memorandum is to inform districts and charter schools of the following changes and updates pertaining to school and district accountability:

- Calculation of 2009–10 Performance Index (PI) for Grades 3-8 English Language Arts (ELA) and Mathematics
- Calculation of 2010–11 Safe Harbor Targets for Grades 3-8 ELA and Mathematics
- Inclusion of former students with disabilities in the students with disabilities subgroup for determining Adequate Yearly Progress (AYP)
- Expiration of 34-point rule for determination of AYP for the students with disabilities subgroup

Calculation of 2009–10 Performance Index for Grades 3-8 English Language Arts and Mathematics

In July 2010, the Board of Regents made the decision to raise Grades 3-8 ELA and mathematics achievement standards so that academic proficiency in New York State will now mean that a student is on track to meet high school exit examination requirements and pass first year college courses in ELA and mathematics without the need for remediation. In revising academic achievement standards, the Regents recognized that in many schools and districts there will be a significant decline in the percentage of students who will demonstrate proficiency on the Grades 3-8 ELA and mathematics assessments.

In order to ensure a smooth transition to these new standards, the State Education Department (SED) has begun to report school and district performance using these new proficiency standards with the 2009–10 school

year results. However, SED will apply the existing standards when making AYP determinations based on 2009–10 assessments. This strategy avoids retroactively imposing new standards upon schools and districts, while also informing them of the dimensions of the challenges they must address going forward to ensure that sufficient percentages of students are meeting the new proficiency standards in order to make AYP.

Because the Grades 3-8 ELA and mathematics assessments were administered later in the school year in 2009-10 than in previous years, SED has established time adjusted cut scores for the 2009-10 assessments based on the 2008-09 academic achievement standards. This means that SED will be applying the 2008–09 time adjusted cut scores as shown in Attachment 1 to the 2009–10 assessment results for Grades 3-8 ELA and mathematics to determine new performance levels for calculating modified 2009–10 Performance Indices.

The 2009–10 Safe Harbor Targets for Grades 3-8 ELA and mathematics will be calculated using the 2008–09 PIs based on 2008–09 assessment data and 2008–09 cut scores. These Safe Harbor Targets are currently available in the 2008–09 School Report Cards on nySTART.

Preview Accountability and Overview Reports (preAORs) containing elementary/middle- and secondary-level 2009–10 AYP determinations for schools and districts based on data in the Student Information Repository System (SIRS) as of August 27, 2010, and showing these revised 2009–10 PIs and Safe Harbor Targets will be available on nySTART on September 9, 2010 at 4:00 p.m.

Calculation of Safe Harbor Targets for 2010–11 School Year Results

The 2010–11 Safe Harbor Targets will be calculated using PIs based on the new academic achievement standards recently adopted by the Board of Regents as applied to the 2009–10 Grades 3-8 ELA and mathematics assessment results. The cut scores for the new standards and an example of how to compute 2010–11 Grades 3-8 ELA Safe Harbor Targets can be found in Attachment 2. The 2010–11 Safe Harbor Targets will also be available in the preAORs on nySTART beginning September 16, 2010.

Inclusion of Former Students with Disabilities in the Students with Disabilities Subgroup for AYP

In June 2010, Commissioner’s Regulations were amended so that students who had previously been identified as students with disabilities in at least one of the previous two school years are now included in the students with disabilities subgroup if the group contains 30 or more students in the current school year for purposes of determining performance for calculating AYP. This amendment provides a more accurate representation, commencing with the 2009–10 school year results, of the academic progress that schools and districts are making with students with disabilities and makes the accountability rules for

former students with disabilities consistent with rules currently applied to former limited English proficient students.

Expiration of 34-Point Rule for Determination of AYP for the Students with Disabilities Group

In past years, a school or district could be given credit for making AYP if the only group that failed to make AYP was the Students with Disabilities group, the Students with Disabilities group met the 95 percent participation requirement, and the addition of 34 points to the PI resulted in the group's PI meeting or exceeding the Annual Measurable Objective (AMO). The United States Department of Education is no longer permitting states to make this type of statistical adjustment and, therefore, New York has not been granted permission to continue to apply this rule to 2009–10 assessment results. Therefore, schools and districts that would have made AYP through application of the “34 point rule” in previous years will be deemed to have not made AYP based on 2009–10 school year results.

Note that all of the changes and updates outlined in this memorandum are for accountability determinations only. Performance levels for scores on these 2009–10 assessments as reported in Guided Analysis, Individual Student Reports, and Summary Reports on nySTART are based on the new academic achievement standards recently adopted by the Board of Regents.

Should you have any questions, please contact Dr. Lisa Long at (718) 722-2796 or llong@mail.nysed.gov.

We look forward to collaborating with you as you work to ensure that all students are all able to demonstrate proficiency on these new academic achievement standards.

cc: David Steiner
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Attachment 1

Grades 3-8 English Language Arts and Mathematics 2008–09 Time Adjusted Cut Scores Used To Determine Performance Levels for Calculating Modified 2009–10 PIs

NYS ELA Cut Scores

Grade	2008–09 Cut Scores			2008–09 Time Adjusted Cut Scores Used To Determine Performance Levels for Calculating Modified 2009–10 PIs		
	Level II	Level III	Level IV	Level II	Level III	Level IV
3	616	650	720	623	657	694
4	612	650	716	616	654	720
5	608	650	711	612	654	700
6	598	650	696	600	652	694
7	600	650	705	602	652	698
8	602	650	715	604	652	699

NYS Mathematics Cut Scores

Grade	2008–09 Cut Scores			2008–09 Time Adjusted Cut Scores Used To Determine Performance Levels for Calculating Modified 2009–10 PIs		
	Level II	Level III	Level IV	Level II	Level III	Level IV
3	624	650	703	630	656	707
4	622	650	702	627	655	707
5	619	650	699	622	653	702
6	616	650	696	619	653	699
7	611	650	693	612	651	694
8	616	650	701	617	651	702

Example

Student Y is in 3rd grade and scores a 654 on the 2009–10 Grade 3 ELA examination. Because of the adjustment made to cut scores for 2009-10 to reflect the later time at which these assessments were administered to students, Student Y needed to score at least at 657 to achieve proficiency (Level 3). However, because he scored 654, he is included in the computation of the PI as a Level 2 student.

Attachment 2

NYS Grades 3-8 ELA and Mathematics 2009–10 Cut Scores

Grade	ELA Cut Scores		
	Level II	Level III	Level IV
3	643	662	694
4	637	668	720
5	647	666	700
6	644	662	694
7	642	664	698
8	627	658	699

Grade	Mathematics Cut Scores		
	Level II	Level III	Level IV
3	661	684	707
4	636	676	707
5	640	674	702
6	640	674	699
7	639	670	694
8	639	673	702

Example of Calculation of 2010–11 Grades 3-8 ELA Safe Harbor Targets

The table below shows the 2009–10 scale score for each student in a school, the level that was assigned to the student to compute the school's 2009–10 PI for 2009–10 AYP determinations based on 2008–09 time adjusted cut scores, and the level assigned to each student to compute the school's 2009–10 PI used to determine 2010–11 Safe Harbor Targets.

Grade	Student	2009–10 Scale Score ¹	Level Used to Compute 2009–10 PIs for 2009–10 AYP Determinations	Level Used to Compute 2009–10 PIs for 2010–11 Safe Harbor Targets
3	1	630	2	1
	2	632	2	1
	3	640	2	1
	4	643	2	2
	5	644	2	2
	6	645	2	2
	7	649	2	2
	8	657	3	2
	9	659	3	2
	10	660	3	2
	11	661	3	2
	12	664	3	3
	13	721	4	4
	14	722	4	4
	15	725	4	4

¹ Some of these scores are not actually possible and are for illustrative purposes only.

4	1	600	1	1
	2	610	1	1
	3	637	2	2
	4	638	2	2
	5	656	3	2
	6	658	3	2
	7	664	3	2
	8	665	3	2
	9	670	3	3
	10	671	3	3
	11	682	3	3
	12	690	3	3
	13	700	3	3
	14	720	4	4
	15	720	4	4
Performance Index			156.7 = 157	120

The school had a PI of 157 for purposes of determining whether the school made AYP in 2009–10. The school had a PI of 120 for purposes of determining 2010–11 Safe Harbor Target. The school’s 2010–11 Safe Harbor Target would be calculated as follows:

Safe Harbor Target = [(200 – 2009-10 PI based on new academic achievement standards) X 0.1] + 2009-10 PI based on new academic achievement standards

Safe Harbor Target = [(200 – 120) X 0.1] + 120 = 128

The school will be credited with making AYP for this group in 2010–11 if the group meets the 95 percent participation criterion, the group’s 2010–11 PI equals or exceeds the 2010–11 Safe Harbor Target (128), and the group qualifies for Safe Harbor using the third academic indicator.

For this group, for example, if the group’s participation rate exceeds 95 percent; its 2010–11 PI = 132; its Safe Harbor Target = 128; and it qualifies for Safe Harbor in science, the group would be given credit for making AYP in Grades 3-8 ELA.