



Ira Schwartz, Assistant Commissioner
Office of Accountability
55 Hanson Place, Room 400
Brooklyn, New York 11217
Tel: (718) 722-2796 / Fax: (718) 722-4559

To: District Superintendents, Superintendents of Public Schools, and Principals of Charter Schools

From: Ira Schwartz 

Subject: Preliminary Identification of Local Assistance Plan (LAP) Schools for the 2013 – 14 School Year

Date: June 2013

Pursuant to Commissioner's Regulations 100.18, the New York State Education Department (SED or "the Department") is required to identify Local Assistance Plan (LAP) schools annually. The purpose of this memo is to inform you that SED has preliminarily identified LAP schools for the 2013-14 school year.

A school may be identified as LAP if it meets one of the following criteria:

1. School failed to make Adequate Yearly Progress (AYP) for an accountability group for three consecutive years on the same measure (2009-10, 2010-11 and 2011-12); or
2. School whose largest gap between the subgroup and the non subgroup students for any of the accountability groups is 100 or more points for the 2011-12 Performance Index (PI) or 50 percent or more for the 2007 4-Year graduation rate and whose largest gap is greater for an accountability group in 2011-12 than it was for an accountability group in 2010-11; or
3. School in a district that is not identified as a Focus District and has a 2011-12 combined English language arts (ELA) and math PI or a 2007 4-Year graduation rate at or below the cut points established on an accountability measure for subgroups in Focus Districts.

Note: Schools will not be identified as LAP for any subgroup in which the 2010-11 and 2011-12 combined Student Growth Percentile (SGP) or the 2007 4-Year or 2006 5-Year Graduation Rate is above the state average for that subgroup.

SED has posted the 2013-14 LAP school(s) list to the respective district's IRS portal at <http://portal.nysed.gov/portal/page/pref/PortalApp>. The 2011-12 assessment data used to make this determination is available within the New York State Report Card available at: <https://reportcards.nysed.gov/>. Please see Attachment A for more details on the LAP identification methodology.

This preliminary data is currently embargoed. However, it is being provided now so that districts may review the data and determine whether to appeal the preliminary identification of LAP schools in their district. Appeals regarding the preliminary LAP status of schools must be submitted no later than **July 12, 2013** via e-mail to accountinfo@mail.nysed.gov using the attached appeal form

(see Attachment B). The LAP appeal form can also be found online at: <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>.

Next Steps

In accordance with Commissioner's Regulations, a district in Good Standing that has LAP schools will be required to work with the identified school(s) to complete the Diagnostic Self-Review Document and Report Template for each identified LAP school. A Focus District with LAP schools will also need to work with identified school(s) to complete the applicable sections of the Self-Review Document and Report Template, and incorporate the supports and interventions for the identified schools into its District Comprehensive Improvement Plan (DCIP). Within the DCIP template, the district will be required to clearly identify the supports and interventions that are to be implemented in the identified LAP schools. These supports and interventions do not count towards satisfying the improvement set-aside or parent engagement set-aside requirements. SED will host webinars during the summer to assist districts with conducting the Diagnostic Self-Review and completing the Report Template. The Diagnostic Self-Review Document and Report Template can be found online at:

<http://www.p12.nysed.gov/accountability/ESEAMaterials.html>.

The Diagnostic Self-Review Document and Report Template will fill the regulatory requirement for LAP schools to develop a plan that specifies the following:

- a) the process by which the plan was developed and how school leadership, staff, parents, and students, if appropriate, were given meaningful opportunities to participate in the development of the plan;
- b) the additional resources and professional development that will be provided to LAP schools to support implementation of the plan; and
- c) the actions to improve the performance of the subgroup(s) for which the school was identified and the timeline for implementation of the actions.

In addition to the aforementioned regulatory requirements, the submission of the DCIP will fulfill the regulatory requirements for Focus Districts with LAP schools.

The Self-Review Document and Report Template must be approved by the local board of education for the district (or Chancellor in New York City) and posted to the districts' website by November 22, 2013, unless a district clearly specifies an alternative way by which the plan will be made widely available through public means. More information on the LAP designations can be found at the following website:

<http://www.p12.nysed.gov/accountability/ESEAFlexibilityWaiver.html>.

SED plans to release the final list of Local Assistance Plan schools to the public by August 2013. If you have any questions regarding the identification methodology, the appeal process, or the process for completing the Self-Review Document and Report Template, please contact Dr. Lisa Long at accountinfo@mail.nysed.gov.

Attachments (2)

cc: John B. King, Jr.
Ken Slentz
Sally Bachofer
Pat Geary
Lisa Long

ATTACHMENT A

Methodology used to identify Local Assistance Plan Schools (LAP)

Schools are identified as LAPs either for failing to make AYP for a subgroup for multiple years, having increasing gaps in performance between the subgroup and students not in the subgroup or having a subgroup performance at or below the Focus District cut point. Existing Priority and Focus Schools are excluded from identification.

Schools that meet one of the following criteria are identified:

Category 1: Failure to make AYP:

Schools that have failed to make Adequate Yearly Progress (AYP) for the same subgroup(s) for the same accountability measure for the years 2009-10, 2010-11 and 2011-12 are preliminarily identified.

- a) Accountability measures are elementary and middle level ELA, elementary and middle level mathematics, grades 4 and 8 Science, High School ELA, High School mathematics, and graduation rate

Category 2: Large Gaps In Performance Between subgroup and non subgroup students:

Schools whose largest gap between the subgroup and the non subgroup students for any of the accountability groups within a measure is 100 or more points for the 2011-12 Performance Index (PI) or 50 percent or more for the 2007 4-Year graduation rate, and it increased from the largest gap any accountability group had in 2010-11.

- a) For all schools, the performance index gap between each subgroup and students who are not part of that subgroup was calculated using a student-weighted formula for all subgroups in 2010-11 and 2011-12.

Example: For 2011-12, School A has students with disabilities and Hispanic accountability groups with a PI of 50 and 80 respectively. The PI for the non students with disabilities group is 160 and the non Hispanic group is 140. The gaps for the students with disabilities group is 110 (i.e., $160 - 50$) and for the Hispanic group is 60 (i.e., $140 - 80$).

For 2010-11, School A has Hispanic and Black accountability groups with PI's of 60 and 70 respectively. The PI for the non Hispanic group is 150 and the non Black group is 130. The gaps for the Hispanic group is 90 (i.e., $150 - 60$) and for the Black group is 60 (i.e., $130 - 70$).

- b) The largest subgroup gap for both years is calculated.

Example: The largest gap in 2011-12 for School A is for the students with disabilities group (110 points). The largest gap in 2010-11 is for the Hispanic group (90 points).

- c) The difference in the maximum gap was calculated next to determine if any gaps had grown between the two years.

Example: For School A the largest gap grew from 90 to 110 points. Since the gap between students with disabilities and non students with disabilities is at least 100 points and the greatest gaps between groups (i.e., 110 points in 2011-12 for students

with disabilities vs. 90 points for Hispanic students in 2010-11) is larger in 2011-12 than in 2010-11, the school will be preliminarily identified as a LAP unless the students with disabilities group has a SGP or graduation rate in 2011-12 that is at or above the State median for these students.

- d) Gaps in subgroup performance index were considered across all levels for which the school was accountable, i.e., gaps were not considered only at the elementary or only at the high school level.

Example: For 2011-12, School B had a largest gap of 80 points for its Grades 3-8 ELA students with disabilities group and 105 points for its High School ELA English Language Learner group. The largest gap in 2011-12 for School B will be 105 points.

- i. Schools that did not have 30 or more students in both the subgroup and the non subgroup in both the 2010-11 and 2011-12 school years were not preliminarily identified as LAP for a subgroup using this criterion.

Example: School C has 40 tested students, of which 20 are Black, 15 are Asian and 18 are English language learners. Since there are fewer than 30 students for any of the groups, the school will not be preliminarily identified for any subgroup.

School D has 200 tested students and 180 of them are Hispanic. Since there are fewer than 30 students for the non Hispanic group the Hispanic subgroup will not be preliminarily identified.

A similar process is used to determine whether a school will be identified as a LAP because of gaps in graduation rate.

Category 3: Schools in non Focus Districts with low-performing accountability groups

Schools in non Focus Districts that have accountability groups with a 2011-12 combined ELA and math Performance Index or a 2007 4-Year graduation rate at or below the cut points given in the chart below.

Group	Cut Points for LAP Identification in Non Focus Districts	
	2011-12 Combined ELA & math PI (at or below)	2007 4 Yr Grad Rate (at or below)
Am. Indian	112	54
Asian	112	54
Black	112	54
Hispanic	112	54
White	112	54
Multiracial	112	54
Students with Disabilities	70	26
English Language Learners	77	28
Economically Disadvantaged	122	56

Progress filters applicable to schools in all the categories

Schools in Category 1, 2, and/or 3 that meet one of the following progress filters will not be identified as LAP for an accountability group if the:

- a) 2010-11 and 2011-12 combined ELA and math SGP is above the state average for the accountability group.
- b) 2007 4-Year or the 2006 5-Year graduation rate is above the State average for the accountability group.
- c) change in graduation rate from 2005 to 2007 is 10 points or more for the accountability group
 - i. This filter is applicable to schools that could be identified for the performance of an accountability group for graduation rate only, not to schools identified for ELA and mathematics performance.

Example: For School E the Economically Disadvantaged group's 2007 4-Year graduation rate is 55, which is below the cut point for identification. The school is not identified for any subgroup for High School ELA or mathematics. The school's 2005 4-Year Economically Disadvantaged group graduation rate was 44. Since the accountability group made more than 10 points gain, the school will not be identified for that accountability group.

Progress Filters for Local Assistance Plan Schools

Group	2010-11 & 2011-12 Combined SGP State Average	2007 4-Year cohort graduation rate State average	2006 5-Year cohort graduation rate State average
Am. Indian	47.8	62.9	64.8
Asian	59.8	85.6	88.7
Black	46.3	63.3	68.2
Hispanic	48.8	62.9	67.8
White	51.8	86.7	87.5
Multiracial	51	80.4	83.3
Students with Disabilities	44.5	48.7	51.6
English Language Learners	51	49.5	58.5
Economically Disadvantaged	48.8	68.1	73.8

ATTACHMENT B

Instructions for Completing the 2013-14 Appeal Form for LAP School Accountability Status

Districts may appeal the LAP designation for their schools if there is a valid reason to believe the data used to make the determination is incorrect, or there are extenuating circumstances that affected the school's performance or the school is closing. Districts can also appeal to have additional schools identified as LAP schools. This form must be completed and certified by the Superintendent (for New York City, the Chancellor). It must be submitted via e-mail to accountinfo@mail.nysed.gov by July 12, 2013. The form can also be downloaded at:

<http://www.p12.nysed.gov/accountability/ESEAMaterials.html>.

To appeal a LAP accountability determination for the 2013-14 school year, districts must submit a completed, signed, and dated 2013-14 Appeal Form for LAP School Accountability Status, with all required supporting evidence. Districts must submit the appeal by July 12, 2013, requesting that the 2013-14 status be adjusted. Appeals may be granted if the district can prove to the satisfaction of NYSED that its identification was based on inaccurate computations applied to data in the Student Information Repository System (SIRS) as of the 2011-12 reporting deadline, August 24, 2012.

Resource Documents on Status Identification and Data Verification

More details on the data elements used for LAP identification is available in the file "LocalAssistancePlanSchoolsfor2013-14.xls" posted at the Information and Reporting Services (IRS) Portal at <http://portal.nysed.gov/portal/page/pref/PortalApp>.

Districts seeking an appeal for more than one individual school within the district must submit one form per school being appealed. The district must identify the BEDS codes and the reason for the appeal requests, and provide evidence to support the appeal.

Completing the Appeal Form for School and District Accountability Status:

1. Within the designated fields, provide the School's Name, School's BEDS Code, District's Name and BEDS Code.
2. Provide Title I Status. Indicate the Title I status for 2013-14.
3. Check the corresponding box next to the appropriate reason for the appeal.
4. Provide a narrative rationale for why the designation should be changed. The rationale should be brief and based on facts related to the submitted evidence. **Note:** Excessive details are unnecessary. Please eliminate information that is unrelated to the evidence submitted.
5. Protect personal identification information. Documents submitted to NYSED should not include social security number(s) (except the last 4 digits), date of birth, race/ethnicity, disability status, or other non-directory information. Protecting this information from unauthorized access is a legal requirement and is an important priority for NYSED. To ensure the security, if the supporting evidence for your appeal includes any of the sensitive and protected information listed above, please send this evidence to NYSED either (1) in an enclosed envelope via secure ground mail, or (2) electronically over the internet via secure file transfer protocol (SFTP). Data sent via email and standard FTP (including FTP sites with password protection) are unencrypted and therefore not secure. Consequently, these methods must not be used to transmit sensitive and protected data.
6. The superintendent (for New York City, the Chancellor) must certify the document and submit it via e-mail to accountinfo@mail.nysed.gov by Friday, July 12, 2013.



2013–14 Appeal Form for LAP School Accountability Status

School Name:	
School BEDS Code:	
District Name:	
District BEDS Code:	

<input type="checkbox"/> Title I <input type="checkbox"/> Non-Title I
Reason for LAP Appeal
<input type="checkbox"/> Data Issue <input type="checkbox"/> Extenuating or Extraordinary Circumstances <input type="checkbox"/> Other (e.g., school closure)

Please briefly explain the rationale for this appeal (use additional sheets if necessary)

I certify that the information provided above and in the attached documents is true and accurate to the best of my knowledge. In the event the appeal is denied, I understand that the accountability status determination reported in the Information Reporting Services (IRS) portal will be official and that the district and its school must meet all federal and State requirements pertaining to such accountability status.

Superintendent's/Charter School Principal's Name:			
Superintendent's/Charter School Principal's Signature		Date:	