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

From: Ira Schwartz, Assistant Commissioner *Ira Schwartz*

Subject: Preliminary Identification of Local Assistance Plan (LAP) Schools for the 2015 – 16 School Year

Date: July 2015

Pursuant to Commissioner's Regulations §100.18, the New York State Education Department (NYSED or "the Department") is required to identify Local Assistance Plan (LAP) Schools annually. The purpose of this memo is to inform you that NYSED has preliminarily identified LAP Schools for the 2015-16 school year based on 2013-14 school year results.

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 subgroup for the same accountability measure for the 2011-12, 2012-13 and 2013-14 school year results; or
2. School had a gap between the subgroup and the non-subgroup students for any of the accountability subgroups of 100 or more points for the 2013-14 Performance Index (PI) or 50 percent or more for the 2009 4-Year graduation rate and the gap for the same subgroup increased from the 2012-13 PI or the 2008 4-Year graduation rate; or
3. School is located in a district that is not identified as a Focus District and has a 2013-14 combined English language arts (ELA) and mathematics PI or a 2009 4-Year graduation rate at or below the cut points established on an accountability measure for a subgroup in a Focus District.

Note: A school will not be identified as LAP for any subgroup, if the school meets one of the progress filters listed in the attached LAP methodology document. Please see Attachment A for more details.

NYSED has posted the 2015-16 LAP School(s) list to the respective district's Information and Report Services (IRS) portal at <http://portal.nysed.gov/portal/page/pref/PortalApp>. The 2013-14 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, this information 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 **Friday, July 31, 2015** via e-mail to accountinfo@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 schools to complete the Diagnostic Self-Review Document and Report Template. A Focus District with LAP Schools will also need to work with the identified schools to complete the applicable sections of the Self-Review Document and Report Template and may request permission to incorporate the supports and interventions for the identified school 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. NYSED will host webinars to assist districts with conducting the Diagnostic Self-Review and completing the Report Template. The 2015-16 Diagnostic Self-Review Document and Report template will be posted in August on the following webpage: <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, a Focus District may request permission to include LAP plans in DCIP to fulfill the regulatory requirements for Focus Districts with LAP Schools. The Department will make available to districts with Title I LAP Schools, a grant of \$20,000 per school to support implementation of LAP plans. Districts will receive further information in August 2015 about these grants.

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 district's website by **Friday, November 20, 2015**. More information on the LAP designations can be found at the following website: <http://www.p12.nysed.gov/accountability/ESEAFlexibilityWaiver.html>.

NYSED plans to release the final list of Local Assistance Plan Schools to the public on or around **August 14, 2015**. 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@nysed.gov.

cc: MaryEllen Elia Maxine Meadows-Shufford
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ATTACHMENT A

Methodology Used to Identify Local Assistance Plan (LAP) Schools Based on 2013-14 School Year Results

Schools are identified as LAP either for failing to make AYP for a subgroup for multiple years; having large and increasing gaps in performance between the subgroup and students not in the subgroup; or for schools not in Focus Districts, having a subgroup perform at or below the cut point that would have resulted in a district being designated as Focus for the performance of that subgroup on an accountability measure. Existing Priority and Focus Schools are excluded from identification as a LAP. However, a school that is removed from Priority or Focus status will be identified as a LAP, if it meets the criteria for LAP identification in the year in which it is removed from Priority or Focus identification. Schools can avoid LAP identification if all subgroup(s) on the accountability measure(s) for which the school has been preliminarily identified achieve a progress filter benchmark as described below.

Schools that meet one of the following criteria are preliminarily identified as LAP:

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 based on 2011-12, 2012-13 and 2013-14 school year results.

- a) Accountability measures are elementary and middle level English language arts (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 gap on an accountability measure between subgroup and non-subgroup students within a measure is 100 or more points for the 2013-14 Performance Index (PI) or 50 percent or more for the 2009 4-Year graduation rate and the gap is greater than the gap between the same subgroup and non-subgroup of students for the same accountability measure in 2012-13.

- a) For all schools, the PI gap between each subgroup and students who are not part of that subgroup was calculated for all subgroups in 2012-13 and 2013-14.

Example: For 2013-14, School A has students with disabilities and Hispanic accountability subgroups with a PI of 50 and 80 respectively. The PI for the non-students with disabilities subgroup is 160 and the non-Hispanic subgroup is 140. The gaps for the students with disabilities subgroup is 110 (i.e., $160 - 50$) and for the Hispanic subgroup is 60 (i.e., $140 - 80$).

For 2012-13, School A has students with disabilities and Hispanic accountability subgroups with PI's of 60 and 70 respectively. The PI for the non-students with disabilities subgroup is 150 and the non-Hispanic subgroup is 130. The gaps for the students with disabilities subgroup is 90 (i.e., $150 - 60$) and for the Hispanic subgroup is 60 (i.e., $130 - 70$).

- b) For all subgroups with a gap of 100 or more points in 2013-14, the change in gap from 2012-13 is calculated to determine if the gap has increased from 2012-13.

Example: For School A, the students with disabilities subgroup gap grew from 90 to 110 points. Since the gap between the students with disabilities and non-students with disabilities in 2013-14 is at least 100 points and the gap for that subgroup increased from 90 to 110, the school will be preliminarily identified as a LAP, unless the students with disabilities subgroup meets one of the progress filters described below.

- c) 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 2013-14, School B had a gap of 80 points for its Grades 3-8 ELA students with disabilities subgroup and 105 points for its High School ELA English Language Learner subgroup. The gap in 2013-14 for School B of 105 points for the High School ELA English Language Learner subgroup could cause the school to be identified.

- a. Schools that did not have 30 or more students in both the subgroup and the non-subgroup in both the 2012-13 and 2013-14 school years were not preliminarily identified as LAP for a subgroup using this criterion.

Example: School C has 40 tested students, of whom 20 are Black, 15 are Asian and 18 are English language learners. Since there are fewer than 30 students for any of the subgroups, 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 subgroup, the Hispanic subgroup will not be preliminarily identified based on this category.

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 Subgroups

Schools in non-Focus Districts that have accountability subgroups with a 2013-14 combined ELA and mathematics Performance Index or a 2009 4-Year graduation rate at or below the cut points given in the chart below.

For a school that has both the elementary-middle and secondary levels, if any subgroup's PI in either of the levels is at or below the cut points given below, the school is preliminarily identified as a LAP School.

Subgroup	Cut Points for LAP Identification in Non Focus Districts		
	2013-14 EM Combined ELA & math PI (at or below)	2013-14 HS Combined ELA & math PI (at or below)	2009 4 Yr Grad Rate (at or below)
Am. Indian	46	112	54
Asian	46	112	54
Black	46	112	54
Hispanic	46	112	54
White	46	112	54
Multiracial	46	112	54
Students with Disabilities	15	70	26
English Language Learners	18	77	28
Economically Disadvantaged	55	122	56

Progress Filters

A. Applicable to schools identified 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 subgroup if:

- a) for a subgroup identified for ELA or Math PI at the elementary-middle level, the 2012-13 and 2013-14 combined ELA and math SGP is above the state average for the accountability subgroup,
- b) for a subgroup identified for elementary-middle/secondary level PI or graduation rate, the 2009 4-Year or the 2008 5-Year graduation rate is above the State average for the accountability subgroup,
- c) for a subgroup identified for PI, the subgroup makes a 10 point or greater gain in PI from 2012-13,
- d) for a subgroup identified for PI, the subgroup makes a 10 percent or greater gap reduction in PI from 2012-13,
- e) for a subgroup identified for graduation rate, the subgroup makes a 10 point or greater gain in 4-Year graduation rate from the 2008 4-Year cohort,
- f) for a subgroup identified for graduation rate, the subgroup makes a 10 point or greater gain in 4-Year graduation rate from the 2007 4-Year cohort,
- g) for a subgroup identified for graduation rate, the subgroup makes a 10 percent or greater gap reduction in graduation rate from the 2008 4-Year cohort.

B. Applicable to Category 1: Schools identified for failing to make AYP for three years

Additionally, schools in Category 1 will not be identified as LAP for an accountability subgroup if:

- a) for a subgroup identified for PI at the elementary-middle or secondary level, the subgroup's 4-Year or 5-Year graduation rate is at or above 80 percent.

Example: School F is preliminarily identified as LAP for failing to make AYP for 2011-12, 2012-13 and 2013-14 for the High School ELA Hispanic subgroup. The school's 2008 5-Year graduation rate is 81 percent. The school is removed from LAP identification.

- b) the subgroup's PI is greater than or equal to the Effective Annual Measurable Objective (EAMO) for the all students subgroup for the school.

C. Applicable to Category 2: Large gaps in performance between subgroup and non-subgroup students:

Additionally, schools in Category 2 will not be identified as LAP for an accountability subgroup if:

- a) for a subgroup identified for PI or graduation rate, the subgroup makes AYP in 2012-13 and 2013-14 for the same accountability subgroup,

Example: School G is preliminarily identified as LAP for having a gap of 105 points between Hispanic and non-Hispanic students for 2013-14 grades 3-8 ELA. The Hispanic subgroup made AYP for grades 3-8 ELA in 2012-13 and 2013-14 to meet the progress filter. The school is removed from LAP identification.

- b) for a subgroup identified for PI, the subgroup's 2013-14 PI is in the top 25th percentile in the State,
- c) for a subgroup identified for graduation rate, the subgroup's 2009 4-Year graduation rate is in the top 25th percentile in the State.

Top 25th Percentile Performance in the State

Subgroup	3-8 ELA PI	3-8 Math PI	4 & 8 Sci PI	HS ELA PI	HS Math PI	2009 4 Year Grad. Rate
Am. Indian	93	113	-	-	-	-
Asian	162	180	197	191	188	98
Black	92	97	180	148	120	84
Hispanic	101	115	180	154	132	84
White	134	150	197	180	168	96
Multiracial	-	-	-	-	-	-
Students with Disabilities	55	72	159	120	105	81
English Language Learners	58	85	155	100	110	52
Economically Disadvantaged	94	110	184	154	134	85

D. Applicable to Category 3: Schools in non-Focus Districts with low-performing accountability subgroups:

Additionally, schools in Category 3 will not be identified as LAP for an accountability subgroup if:

- a) for a subgroup identified for PI or graduation rate, the subgroup makes AYP in 2012-13 and 2013-14 for the same accountability subgroup.

Example: School H is preliminarily identified as LAP for having its 2013-14 grades 3-8 combined ELA and mathematics Asian subgroup PI below the cut point of 46. The Asian subgroup made AYP both for grades 3-8 ELA and grades 3-8 mathematics in 2012-13 and 2013-14 to meet the progress filter. The school is removed from LAP identification.

Progress Filters for Local Assistance Plan Schools

Subgroup	2012-13 & 2013-14 EM Combined ELA & Math SGP State Average	2009 4-Year Cohort Graduation Rate State Average	2008 5-Year Cohort Graduation Rate State Average
Am. Indian	50.01	65	67
Asian	58.98	84	87
Black	49.10	64	69
Hispanic	50.81	64	68
White	52.35	88	89
Multiracial	51.26	76	79
Students with Disabilities	48.27	53	55
English Language Learners	53.15	45	55
Economically Disadvantaged	50.88	69	73

ATTACHMENT B

Instructions for Completing the 2015-16 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, by the Chancellor). The attached form can also be downloaded at: <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>.

To appeal a LAP accountability determination for the 2015-16 school year, districts must submit a completed, signed, and dated 2015-16 Appeal Form for LAP School Accountability Status, with all required supporting evidence. Districts must submit the appeal by **Friday, July 31, 2015**, requesting that the 2015-16 status be adjusted. Appeals may be granted if the district can prove to the satisfaction of the Department that its identification was based on inaccurate computations applied to data in the Student Information Repository System (SIRS) as of the 2013-14 reporting deadline, September 12, 2014.

Resource Documents on Status Identification and Data Verification

More details on the data elements used for LAP identification is available in the file "LocalAssistancePlanSchools.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. Check the corresponding box next to the appropriate reason for the appeal.
3. 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.
4. Protect personal identification information. Documents submitted to NYSED should not include social security numbers (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) via secure ground mail, or (2) electronically over the internet via secure file transfer protocol (SFTP). Data sent via e-mail 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.
5. The superintendent (for New York City, the Chancellor) must certify the document and submit it via e-mail to accountinfo@nysed.gov by **Friday, July 31, 2015**.



2015–16 Appeal Form for LAP School Accountability Status

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

Please provide the school details and the reason(s) for appeal. If the appeal is for multiple schools, please use a separate form for each school. Attach any data and/or supporting material to this form.

Reason for LAP Appeal

- Data Issue
- Extenuating or Extraordinary Circumstances
- 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:	