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To: District Superintendents, Superintendents of Focus Districts, and Principals of Priority/Focus Charter Schools

From: Ira Schwartz, Assistant Commissioner *Ira Schwartz*

Subject: Accountability Status for 2015-16 and 2016-17

Date: January 2016

This memo is to inform you of the preliminary accountability status of your district and its schools or your charter school for the 2015-16 and 2016-17 school years. Your district has been preliminarily identified as Focus, pursuant to Commissioner's Regulations Section 100.18. This preliminary identification information is currently embargoed and is being provided to you now so that you may review the data used to determine the accountability status of your district and its schools or your charter school. The New York State Education Department (NYSED or "the Department") plans to make public the lists of Focus Districts, Focus Schools, and Priority Schools approximately four weeks from the date of this memo. The information on where to find the data used to determine the accountability status of a district/school's accountability status and the process to appeal a preliminary designation is contained within this memo.

As a result of your district's preliminary identification as a Focus District, please take the following steps:

- Review the accountability status of the district and each of its schools. Although your district remains a Focus District, the reasons for identification and the specific accountability status for your schools may have changed. This information can be found within the following files in the Information and Reporting Services (IRS) portal at <http://portal.nysed.gov/portal/page/pref/PortalApp>:

File Name	Posted
FocusDistrictIdentification.xls	Yes
FocusSchoolIdentification.xls	Yes
PrioritySchoolIdentification.xls	Yes
AccountabilityStatusFeb2016.xls	Yes
District&SchoolMGP.xls	Yes
DataDictionary.xls	Yes

- Contact the person in your district most knowledgeable about the state accountability system and student achievement data and request that they download and review the accountability files that are being provided to you within the IRS portal. Delegate a person to attend the February 1, 2016 Focus District Webinar for information regarding identification, appeals, requirements and interventions. The Webinar will be held from 9:30 am – 11:00 am and may be accessed at:

<https://meetny.webex.com/meetny/onstage/g.php?MTID=ea40b14e96dd7b504478a3c99ab3bf8c0>. The Event Password is NYSED2016.

- Determine whether you wish to appeal the designation of the district or any of its schools and prepare an appeal if you wish to do so. Appeals regarding the preliminary status of districts/schools must be submitted using the attached appeal form (see Attachment H).
- Review the requirements for Focus Districts, so that you can be prepared to act if the district's designation remains if an appeal is attempted and unsuccessful. These requirements are described in Attachments E,F, and G. Schools that were identified as Priority or Focus Schools under the State's approved ESEA Waiver in 2012 and are re-identified as Priority or Focus Schools under the ESEA Waiver are subject to a more rigorous level of intervention (see Attachment G).
- Please Note: Re-identified Priority Schools that are also identified as Persistently Struggling or Struggling remain subject to the requirements of Receivership under Commissioner's Regulations §100.19. Persistently Struggling and Struggling Schools that are removed from Priority status must remain identified under Receivership until the end of the 2015-16 school year. These schools must continue to implement their Department-approved intervention plan for the full three-year period required under the regulation. No new Persistently Struggling or Struggling schools will be identified based upon 2014-15 school year results. Under separate cover, the Office Innovation and School Reform will provide further information regarding the implications of a Struggling or Persistently Struggling School either being re-identified as a Priority School or being removed from Priority School status.

The Department is committed to ensuring that preliminarily identified Focus Districts are aware of the next steps in the identification and intervention process. To that end, there are several key dates that should be noted:

- **February 1, 2016** - Webinar for Focus Districts Regarding Identification, Appeals, Requirements and Interventions.
- **February 8, 2016** - Accountability Status Appeals must be sent via e-mail to accountinfo@nysed.gov (using the form provided in Attachment H).
- **February 23, 2016** - Districts will be notified of the final status of their district and schools.
- **February 25, 2016** – Public release of the lists of Focus Districts, Focus Schools, and Priority Schools.
- **March 25, 2016** – District must notify the general public, the local board of education, and parents of students attending identified school regarding the accountability status of the district and its schools within 30 days of receipt of the commissioner's designation.
- **February 2016** – NYSED will reach out to Re-identified Focus Districts to determine what type of District-led review each of the Priority and Focus Schools in the district will receive.

- **July 31, 2016** – Focus Districts are required to submit a District Comprehensive Improvement Plan, inclusive of School Comprehensive Education Plans for each identified Focus and Priority School. More information on this requirement can be found in Attachment F.
- **July/August 2016** - All Title I schools designated as Priority or Focus Schools, except for public charter schools, are required to offer Public School Choice (PSC). Districts must provide all enrolled students in these schools with the option to transfer to another public school within the district that is not a Priority or Focus School. Parents must be notified of the PSC options available no later than 14 days before the start of the 2016-17 school year.

For your reference, attached are the following:

- Background information on Commissioner’s Regulations and the state’s approved Elementary and Secondary Education Act Flexibility Waiver – Attachment A.
- A summary of the criteria for the identification of Priority Schools – Attachment B.
- A summary of the criteria for the identification of Focus Districts and Focus Schools, and the Focus District and Focus School cut points – Attachments C and D.
- Information on the Diagnostic Tool for School and District Effectiveness (DTSDE) Reviews and Requirements – Attachment E.
- Information on requirements for the development of the District Comprehensive Improvement Plans and School Comprehensive Education Plans for the 2016-17 school year – Attachment F.
- Requirements for interventions in newly identified Priority Schools and Focus Schools – Attachment G.
- The form to appeal an accountability designation – Attachment H.

The Department will inform districts/charter schools regarding schools that are identified as Local Assistance Plan (LAP) Schools or Reward Schools in the spring of 2016. Schools that were identified as LAP in August 2015 and had a Diagnostic Self-Assessment must continue to implement the 2015-16 plans. Please Note: A school not identified as Priority or Focus can be identified as a LAP School by the Department for the 2016-17 school year if the school meets the LAP criteria. For details on how LAP Schools are identified, please read the archived “2015-16 Local Assistance Plan School Identification Technical Documentation” posted at:

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

Questions concerning the information contained in this memo should be directed to: accountinfo@nysed.gov.

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ATTACHMENT A

Background: Commissioner's Regulations, Elementary and Secondary Education Act Flexibility Waiver, Every Student Succeeds Act

On June 23, 2015, the United States Department of Education (USDE) approved New York's Elementary Secondary Education Act (ESEA) Flexibility Waiver Renewal application for the 2015-16 through the 2018-19 school years. The approved Flexibility Waiver application can be found at <http://www.p12.nysed.gov/accountability/documents/nyrenewalreq2015.pdf>. At the October 2015 meeting, The Board of Regents approved permanent adoption of Regulations that conform to the flexibility that New York received. The permanent regulations can be found at: <http://www.regents.nysed.gov/common/regents/files/meetings/Oct%202015/1015brca5.pdf>.

New York State is required by its ESEA Waiver to identify new Priority Schools, Focus Districts and Focus Schools on or about March 1, 2016. Schools with a 2014-15 performance that places them among the lowest performing in the state and that are not improving will be identified as Priority Schools. Schools in Focus Districts and charter schools that are among the lowest performing in the state for an accountability subgroup and that are not improving will be identified as Focus Schools. All districts with a Priority or Focus School will be identified as Focus Districts.

Focus District designation is a result of at least one of the following:

- one or more schools in your district being preliminarily identified as a Priority School based on criteria described in Attachment A; and/or
- one or more accountability groups in your district, excluding the all students accountability group, being preliminarily identified based on 2014-15 school year data as among the lowest performing in the state for the English language arts (ELA) and mathematics Performance Index (PI) results combined; and/or
- one or more accountability groups in your district, excluding the all students accountability group, being preliminarily identified for the 2010 graduation-rate total cohort as of August 31, 2014 as among the lowest performing in the state; and
- the accountability group(s) for which the district has been preliminarily identified have not met any of the progress filters listed in the methodology documents (see Attachment A and B).

Under Commissioner's Regulations §100.18, the Department will identify all schools within a Focus District that perform below the Focus District cut points, have not made progress as determined by the Commissioner, and do not successfully appeal their designation as Focus Schools. An identified Focus District without schools that performs below the Focus District cut points will not be required to identify Focus Schools, but will be subject to the requirements for Focus Districts. A district identified as a Focus District solely due to the presence of a Priority school will not be required to identify Focus Schools.

On December 10, 2015, President Obama signed the Every Student Succeeds Act (ESSA), which reauthorizes ESEA. The accountability provisions within New York State's Flexibility Waiver will continue through the 2016-17 school year. For the 2016-17 school year, districts and schools are required to comply with the accountability requirements described within the State's approved ESEA Flexibility Waiver and Commissioner's Regulations §100.18 and §100.19. As soon as it is available, the Department will provide districts with information regarding the development of the new accountability plan, and its impact on schools and districts for the 2017-18 school year.

ATTACHMENT B
Criteria for Identification of Priority Schools

The Department identified Priority Schools based on the following factors, as defined in the Elementary and Secondary Education Act (ESEA) waiver guidance:

- Schools based on the achievement of the all students group in terms of proficiency on the statewide assessments that are part of the state's differentiated recognition, accountability and support system and are not making progress as defined by New York's progress filters. The school also has shown a lack of progress for the all students group over a number of years.
- Secondary schools with a Graduation Rate less than 60 percent for a number of years and not making progress, as defined by New York's progress filters.

The Department has preliminarily identified as Priority Schools a minimum of five percent of the State's Title I schools as well as non-Title I schools that meet the Priority School criteria.

The methodology used to identify Priority Schools is described below:

1. Secondary schools that had a 4-year cohort Graduation Rate less than 60 percent for the 2008, 2009 and 2010 cohorts are selected.
2. For all schools the simple average of 2014-15 Performance Index (PI) for ELA and mathematics for the elementary-middle (EM) and secondary levels are determined separately. If a school did not have a 2013-14 or 2014-15 PI, then the school is removed from identification as a Priority School based on PI. The school could still be identified for Graduation Rate as outlined in step 1.

Example:

- School A had an elementary-middle ELA PI of 30 and mathematics PI of 40. The average PI for school A will be $(30+40)/2$ is 35.
 - School B had a secondary level ELA PI of 120 and mathematics PI of 100. The average PI for school B will be $(120+100)/2$ is 110.
3. The average 2014-15 PI is sorted in descending order. The average 2013-14 PI is subtracted from the average 2014-15 PI. This is done for elementary-middle and secondary grade levels separately.
 4. For the elementary-middle level PI, schools are selected from the bottom that have an average 2014-15 PI less than or equal to 52.5 and a PI gain less than or equal to 10 points.
 5. For the secondary level PI, schools are selected from the bottom that have an average 2014-15 PI less than or equal to 96 and a PI gain less than or equal to 10 points.
 6. For a school with both elementary-middle and secondary school grade levels, the school is selected if either of the grade levels met steps 4 or 5 respectively.
 7. The state preliminarily identified all schools (including non-Title I schools) that met the criteria in steps 1, 4, 5 or 6.

8. For any school that has elementary-middle grade level, the 2013-14 and 2014-15 combined ELA and mathematics Mean Student Growth Percentile (MGP) for the all students group is determined. If the MGP is greater than the 50th percentile, the school is removed from identification as a Priority School for PI for elementary-middle level. The school could still be identified for the secondary level PI and for Graduation Rate.

Example:

- School C had a 2013-14 and 2014-15 ELA and mathematics combined MGP of 54. The school's MGP of 54 percentile is higher than 50; therefore the school is removed from consideration for identification as a Priority School for elementary-middle level PI.
9. Any school that had a majority of its accountability subgroups' 2014-15 ELA and mathematics combined MGP greater than the state average were removed from consideration for identification as a Priority School for PI for elementary-middle level. The school could still be identified for the secondary level PI and for Graduation Rate.

Example:

- School D had three subgroups for which it is accountable – Students with disabilities (SWD), Black, and Economically Disadvantaged (ED).
 - The 2014-15 combined ELA and mathematics SWD MGP is 51.14, Black MGP is 49.25, and the ED MGP is 49.10. The 2014-15 combined ELA and mathematics state average for the subgroups are 49.76, 48.95 and 50.95, respectively.
 - School D had majority of subgroups (two out of three subgroups, or 67 percent) with an MGP greater than state average. The school is removed from consideration for identification as a Priority School for elementary-middle PI.
10. Schools that made Adequate Yearly Progress (AYP) in ELA and mathematics using both 2013-14 and 2014-15 school year data for the all students group for a grade level were not considered for identification for that grade level.
 11. Schools that had a 10 percent gap reduction in average ELA and mathematics PI for the all students group from 2013-14 were removed from consideration for identification for PI for that grade level. The school could still be identified for Graduation Rate as outlined in step 1.
 12. Schools that had a 10-point gain in average ELA and mathematics PI for the all students group from 2013-14 were removed from consideration for identification for PI for that grade level. The school could still be identified for Graduation Rate, as outlined in step 1.
 13. Schools that had the 2011 4-year or 2009 5-year all students group Graduation Rate at or above 70 were removed from consideration for identification as a Priority School for both PI and Graduation Rate.
 14. Schools that had the 2011 4-year all students group Graduation Rate at or above 60 were removed from consideration for identification as a Priority School for Graduation Rate. The school could still be identified for PI.

15. Schools that had a 10-point increase in Graduation Rate for the all students group from 2009 5-year to 2010 5-year cohort were removed from consideration for identification for Graduation Rate. The school could still be identified for PI.
16. Schools that had a 10-point increase in Graduation Rate for the all students group from 2008 4-year to 2010 4-year cohort were removed from consideration for identification for Graduation Rate. The school could still be identified for PI.
17. Schools that had a 10-point increase in Graduation Rate for the all students group from 2009 4-year to 2010 4-year cohort were removed from consideration for identification for Graduation Rate. The school could still be identified for PI.
18. Schools that had a 10 percent gap reduction in Graduation Rate for the all students group from 2009 4-year to 2010 4-year cohort were removed from consideration for identification for Graduation Rate. The school could still be identified for PI.
19. Special Act School Districts and schools that are closing are subject to special rules. Transfer schools that are preliminarily identified may subsequently be removed after a case by case review.

ATTACHMENT C

Criteria for Identification of Focus Districts & Focus Schools & Focus Charter Schools

The Department identified Focus Schools based on the following factors, as defined in the Elementary and Secondary Education Act (ESEA) waiver guidance:

- Schools with the lowest achievement of subgroups in terms of proficiency on the statewide assessments that are part of the state's differentiated recognition, accountability and support system and are not making progress as defined by New York's progress filters.
- High schools with the lowest Graduation Rate for subgroups that are not making progress as defined by New York's progress filters.

The Department identified Focus Schools using a two-stage process. NYSED first identified Focus Districts and Focus Charter Schools with the lowest achieving subgroups for Performance Index (PI) and Graduation Rate that were not demonstrating progress. NYSED then identified the lowest performing Title I schools statewide within the identified Focus Districts. Non-Title I schools within the Focus Districts and Charter Schools that met the Focus District cut points were also identified as Focus Schools.

The methodology used to identify the Focus Districts, Focus Charter Schools and Focus Schools is described below:

A. District Identification Based on PI

1. For each district, the average 2014-15 Performance Index (PI) of ELA and mathematics for each accountable subgroup is determined for the elementary-middle grade level and for the secondary grade level separately.

Example:

- District A had an elementary-middle Hispanic subgroup ELA PI of 80 and mathematics PI of 90. The average elementary-middle level Hispanic subgroup PI for District A will be $(80+90)/2$ is 85.
 - District A had a secondary level White subgroup ELA PI of 120 and mathematics PI of 100. The average secondary level White subgroup PI for District A will be $(120+100)/2$ is 110.
2. The subgroup's combined 2013-14 and 2014-15 ELA and mathematics Mean Student Growth Percentile (MGP) is determined. If the MGP is above the state average then for the elementary-middle level the subgroup is removed from those for which the district can be identified as a Focus District.

Example:

- District B is accountable for Black, Hispanic and Economically Disadvantaged (ED) subgroups. The combined 2013-14 and 2014-15 ELA and mathematics MGP for Black students is 48.50, for Hispanic students it is 49.34, and for ED students it is 50.91. The state average MGP is 49.22, 51.10, and 50.89 respectively.
- The ED subgroup's MGP is above the state average; therefore at the elementary-middle level the subgroup's PI will be removed for those for which the District can be

identified. District B can now be identified only for the Black and Hispanic subgroups for PI at the elementary-middle level.

3. If the subgroup's 2010 4-year or 2009 5-year cohort Graduation Rate is above the state average, then for the elementary-middle and secondary levels the subgroup's PI is removed from those for which the district can be identified as a Focus District.

Example:

- District C's 2010 4-year Graduation Rate for Black students is 69, for Asian students is 72 and for White students is 67. The state average is 67, 85, and 89, respectively. The Black subgroup's Graduation Rate is above the state average and therefore at the elementary-middle and secondary levels the subgroup's PI will be removed for the subgroups for which the district can be identified. District C can now be identified only for the White and Asian subgroups, if the PI's for these subgroups are below the cut points for preliminary identification.
4. If the subgroup made a 10 percent gap reduction in average ELA and mathematics PI from 2013-14, then the subgroup was removed from consideration for identification for that grade level.
 5. If the subgroup made a 10 point gain in average ELA and mathematics PI from 2013-14, then the subgroup was removed from consideration for identification for that grade level.
 6. If the subgroup made the 2013-14 and 2014-15 Adequate Yearly Progress (AYP) both for ELA and mathematics, then the subgroup was removed from consideration for identification for that grade level.

Example:

- District D had been preliminarily identified for the performance of the ED subgroup for the secondary level. The district made AYP (both ELA and mathematics) for the ED subgroup at the secondary level for 2013-14 and 2014-15; therefore the district was not identified for the ED subgroup for the secondary level.
7. For the elementary-middle and for the secondary levels the lowest performing racial/ethnic subgroup (American Indian, Asian, Black, Hispanic, White, and multi-racial) will be used in the computation of the PI cut point for the preliminary identification of racial/ethnic subgroups.

Example:

- District E had elementary-middle 2014-15 combined ELA and mathematics Asian PI of 50, Black PI of 70, Hispanic PI of 80, and White PI of 60. The elementary-middle level race/ethnicity PI for District A will be 50 (minimum PI amongst all the racial/ethnic subgroups) for the purposes of establishing the PI cut point for preliminary identification of racial/ethnic subgroups.
8. For the elementary-middle and secondary levels separately, the number of districts that have accountability subgroups with PI for the Students with Disabilities (SWD), limited English proficient (LEP), ED, and a race/ethnicity subgroup were determined. The counts are based

on the total number of accountable subgroups statewide – without removing any subgroup for reasons stated in steps 2 to 6. Then six percent of the counts for elementary-middle and secondary level accountable subgroups, and five percent of the counts for Graduation Rate accountability subgroups were determined.

Example:

- There are a total of 604 districts with an accountable SWD subgroup for the elementary-middle level in the state. Six percent of 604 is 36.2. The count of low-achieving districts that will be identified for elementary-middle level PI for the SWD subgroup is 36.
9. For the SWD subgroup the elementary-middle PI is sorted in descending order. Districts that have met one of the progress filters outlined in steps 2 to 6 are removed. From the bottom the required 36 districts are counted. The PI associated with the 36th district from the bottom is the cut point for the SWD subgroup.

Example:

- The Department selects the bottom 36 districts for the SWD subgroup (based on 604 districts that are accountable for students with disabilities at this grade level) after removing those that have met one or more of the “progress filters” in steps 2 to 6. These 36 districts are identified for their SWD subgroup. If more than one district has the same PI (rounded to the nearest decimal point) that has been established as the cut point, then all districts at the cut point are identified such that the number of identified districts shall be 36 or more.
10. Step 9 is repeated for the LEP, ED and race/ethnicity subgroups for the elementary-middle and secondary levels separately. The districts with PI in this list will not include any district that has met one of the progress filters for the respective subgroups in the respective grade levels outlined in steps 2 to 6.
11. If any of the subgroups American Indian, Asian, Black, Hispanic, White, or multi-racial has a PI equal to or less than the cut point for race/ethnicity subgroup (see Step 7), then that subgroup is identified. This is done separately for the elementary-middle and secondary levels.

Example:

- Statewide there are 703 districts with an accountable race/ethnicity subgroup for the elementary-middle level. Six percent of 703 is 42.2. The race/ethnicity PI is sorted in descending order and the bottom 42 districts are selected. The race/ethnicity minimum PI for the district with the highest PI in the selection is the cut point for the racial/ethnic subgroups.
- Any district that has a race or ethnicity subgroup at the elementary-middle level with a PI at or below that cut point will be identified for that subgroup.

B. District identification based on Graduation Rate

1. All the districts with their 2010 4-year Graduation Rate for each accountable subgroup are listed. The subgroup(s) where the Graduation Rate is above the state average is removed for identification as a Focus District for Graduation Rate.

Example:

- District F had a 2010 4-year SWD Graduation Rate of 55, Hispanic Graduation Rate of 67 and LEP Graduation Rate of 38. The state average is 54, 66, and 45, respectively.
 - The SWD and Hispanic Graduation Rates are above the state average and therefore the subgroups will be removed from those for which the district can be considered for identification. The district can still be considered for identification for the LEP subgroup.
2. If the subgroup's 2010 4-year or 2009 5-year Graduation Rate is above the state average, then the subgroup is removed from those for which the district can be identified for Graduation Rate.

Example:

- District G is accountable for the Black, LEP and ED subgroups.
 - The Black subgroup's 2009 5-year Graduation Rate is above the state average and therefore the subgroup is removed from those for which the district can be considered for identification for Graduation Rate. The district may now be identified only for the LEP and ED subgroups for Graduation Rate.
3. If the subgroup's gain in Graduation Rate from the 2008 4-year graduation rate cohort to 2010 4-year graduation rate cohort is 10 percent or more, then the subgroup will be removed from those for which the district can be identified for Graduation Rate.

Example:

- District H is accountable only for the Black subgroup. The subgroup's 2008 4-year Graduation Rate was 40 percent and the 2010 4-year Graduation Rate is 55 percent.
 - The subgroup made a 15 percent gain and the district is now not identifiable for any subgroups for Graduation Rate.
4. If the subgroup's gain in Graduation Rate from the 2009 4-year graduation rate cohort to 2010 4- year graduation rate cohort is 10 percent or more, then the subgroup will be removed from those for which the district can be identified for Graduation Rate.
 5. If the subgroup's gain in Graduation Rate from the 2008 5-year graduation rate cohort to 2009 5- year graduation rate cohort is 10 percent or more, then the subgroup will be removed from those for which the district can be identified for Graduation Rate.
 6. If the subgroup makes a 10 percent or more gap reduction from the 2009 4-year graduation rate cohort to 2010 4- year graduation rate cohort, then the subgroup will be removed from those for which the district can be identified for Graduation Rate.

7. Districts that have made the 2013-14 and 2014-15 AYP for the preliminarily identified subgroup(s) in Graduation Rate will not be considered for identification as a Focus District for Graduation Rate for those subgroup(s).

Example:

- District I is accountable for the Asian, LEP and ED subgroups for Graduation Rate.
 - The LEP subgroup made AYP in 2013-14 and 2014-15; therefore the district will not be considered for identification for the LEP subgroup. The district can now be identified only for the Asian and ED subgroups for Graduation Rate.
8. For each district, the minimum 2010 4-year Graduation Rate for the race/ethnicity subgroup is determined using the process described in Step 7 under the section “District Identification Based on PI.”
 9. The number of districts that have accountability subgroups with the 2010 4-year Graduation Rate for the Students with Disabilities (SWD), limited English proficient (LEP), ED, and a race/ethnicity subgroup are determined. Then five percent of the counts of districts are determined for each subgroup. The counts are based on the total number of accountable subgroups statewide – without removing any subgroup for reasons stated in steps 2 to 7 above.

Example:

- There are a total of 242 districts with an accountable SWD subgroup for Graduation Rate in the state. Five percent of 242 is 12. This is the count of low achieving districts that are required to be identified for the SWD subgroup for Graduation Rate. If more than one district has the same Graduation Rate that has been established as the cut point, then all districts at the cut point are identified such that the number of identified districts shall be 12 or more.
10. After applying the progress filters listed in steps 2 to 7, the SWD subgroup Graduation Rate is sorted in descending order. From the bottom the required 12 districts are selected.
 11. Repeat step 8 for the LEP, ED and race/ethnicity subgroups.
 12. If any of the subgroups American Indian, Asian, Black, Hispanic, White, or multi-racial has a Graduation Rate equal to or less than the cut point for race/ethnicity subgroup, then that subgroup will be identified.

Example:

- Statewide there are 652 districts with an accountable race/ethnicity subgroup with Graduation Rate. Five percent of 652 is 32.6. The race/ethnicity Graduation Rate is sorted in descending order and the bottom 33 districts are selected. The race/ethnicity minimum Graduation Rate for the district with the highest Graduation Rate in the selection is the cut point for the racial/ethnic subgroups.
- Any district that has a race or ethnicity subgroup with a Graduation Rate at or below the cut point will be identified for that subgroup.

13. Districts are identified as Focus Districts if any subgroup is identified either through the PI or Graduation Rate methodology.
14. Special Act Districts are identified only if they have Priority Schools.
15. Districts with Priority Schools automatically become Focus Districts.

C. Focus School Identification

1. All schools in the Focus Districts are considered for preliminary identification as Focus Schools. Priority Schools, Special Act and closed schools are then removed from the list.
2. Within a Focus District, any school that has any subgroup(s) with average 2014-15 PI of ELA and mathematics or 2010 4-year Graduation Rate at or below the cut points established for Focus Districts will be preliminarily identified as a Focus School. The subgroup identified in the Focus School could be the same subgroup the district was identified for or the subgroup could be different.
3. For elementary and middle schools the combined 2013-14 and 2014-15 Mean Student Growth Percentile (MGP) is determined. If the MGP for the subgroup(s) is greater than the state average that subgroup(s) is removed from consideration for identification of the school.
4. If the subgroup made a 10 percent gap reduction in average 2014-15 PI from 2013-14 then the subgroup is removed from consideration for identification on PI for that grade level (i.e., elementary-middle or secondary).
5. If the subgroup made a 10 point gain in average 2014-15 PI from 2013-14 then the subgroup is removed from consideration for identification on PI for that grade level.
6. If the subgroup's 2010 4-year or 2009 5-year Graduation Rate is above the state average, then that subgroup is removed from consideration for identification. This applies to the subgroups identified for elementary-middle level PI, secondary level PI or for Graduation Rate.
7. If the subgroup's gain in Graduation Rate from the 2008 4-year graduation rate cohort to 2010 4- year graduation rate cohort is 10 percent or more, then that subgroup is removed from consideration for identification on Graduation Rate.
8. If the subgroup's gain in Graduation Rate from the 2009 4-year graduation rate cohort to 2010 4-year graduation rate cohort is 10 percent or more, then that subgroup is removed from consideration for identification on Graduation Rate.
9. If the subgroup makes a 10 percent or more gap reduction from the 2009 4-year graduation rate cohort to 2010 4- year graduation rate cohort, then that subgroup is removed from consideration for identification on Graduation Rate.

10. If the subgroup's gain in Graduation Rate from the 2008 5-year graduation rate cohort to 2009 5-year graduation rate cohort is 10 percent or more, then that subgroup is removed from consideration for identification on Graduation Rate.
11. Schools that made the 2013-14 and 2014-15 AYP (ELA and mathematics) for the preliminarily identified subgroup(s) in PI for a grade level were not identified for the subgroup(s) at that grade level. Similarly schools that have made the 2013-14 and 2014-15 AYP for the preliminarily identified subgroup(s) in Graduation Rate were not identified for the subgroup(s) in Graduation Rate.
12. Districts may also choose to identify schools that are at or below the cut point (but not on the selected list due to the schools meeting one of the progress filters), with the permission of the Commissioner, as substitutes for or in addition to schools on the selected list.
13. A Focus District with no Focus or Priority School will not be required to identify a Focus School.

D. Focus Charter Identification

1. Charter schools that had an accountable subgroup(s) with average 2014-15 PI of ELA and mathematics or 2010 4-year Graduation Rate at or below the cut points established for Focus Districts and were not removed because of the "progress filters" listed in steps 3 to 11 listed under the section "Focus School Identification" were identified as Focus Schools.

ATTACHMENT D

Focus District/Focus School Cut Points and Progress Filters

Subgroup	Cut Points for Identification		
	Average 2014-15 Elementary-middle level ELA & Math PI	Average 2014-15 Secondary level ELA & Math PI	2010 4-Year Graduation Rate
	(at or below)	(at or below)	(at or below)
Students With Disabilities	29	56.5	33
Am. Indian	61	124.5	61
Asian	61	124.5	61
Black	61	124.5	61
Hispanic	61	124.5	61
White	61	124.5	61
Limited English Proficient	27.5	54	25
Econ. Disadvantaged	64	116.5	62
Mixed Race	61	124.5	61

Progress Filters for Focus Districts/Focus Schools

Subgroup	2013-14 & 2014-15 EM Combined ELA & Math MGP State Average	2010 4-year Graduation Rate State Average	2009 5-year Graduation Rate State Average
Students With Disabilities	49.54	54	59
Am. Indian	50.10	65	69
Asian	56.17	85	87
Black	49.22	67	71
Hispanic	51.10	66	71
White	50.58	89	90
Limited English Proficient	53.74	45	54
Econ. Disadvantaged	50.89	71	75
Mixed Race	49.95	80	80

ATTACHMENT E

Information on the Diagnostic Tool for School and District Effectiveness (DTSDE) Reviews and Requirements for Re-Identified Focus Districts

Commissioner's Regulations 100.18 require that all Priority and Focus Schools participate in a diagnostic review of quality indicators in a format and using the content prescribed by the Commissioner. The reviews are expected to inform subsequent School Comprehensive Education Plans (SCEPs) and District Comprehensive Improvement Plans (DCIPs). The Diagnostic Tool for School and District Effectiveness (DTSDE) review evaluates school and district performance in relation to six tenets: district leadership and capacity; school leader practices and decisions; curriculum development and support; teacher practices and decisions; student social and emotional developmental health; and family and community engagement. For more information on the DTSDE rubric and process, please visit <http://www.p12.nysed.gov/accountability/diagnostic-tool-institute/DTSDEInstitute.html>.

The New York State Education Department (NYSED) will organize an Integrated Intervention Team (IIT) to conduct DTSDE reviews at a select number of Priority and Focus Schools during a given year. The IIT reviews fulfill the requirement of receiving an annual diagnostic review. All schools not visited by the IIT are expected to receive DTSDE reviews overseen by the District. The expectations for districts in specific situations are stated below.

DTSDE Reviews

Districts that were identified as Focus District as of the beginning of the 2015-16 school year were informed in Fall 2015 of the dates of any IIT reviews in their district. Focus Districts were also informed of the expectation that all Focus and Priority Schools on the new (January 2016) Focus District list that do not receive IIT reviews will be expected to receive District-led DTSDE Reviews or School reviews with District Oversight by the end of the year.

Re-identified Focus or Priority Schools

All schools that were previously identified as Focus or Priority Schools as of September 1, 2015 and have been re-identified as either a Focus or a Priority School MUST receive a DTSDE review during the 2015-2016 school year. This requirement can be fulfilled one of four ways:

1. A NYSED-led IIT review
2. A NYSED-led Receivership review in select Re-identified Persistently Struggling or Struggling Schools. More information regarding this review can be found later in this memo.
3. A District-led DTSDE review of three or more tenets*
4. A District-supervised School Review with District Oversight*

Anyone responsible for leading two or more district-led or district-supervised reviews in re-identified districts must receive the DTSDE District Lead Credential.

Newly Identified Schools in Re-identified Districts

All schools in Re-identified Focus Districts that have been identified as a Focus or a Priority school for the first time on the new list MUST receive a DTSDE review during the 2015-2016 school year. This requirement can be fulfilled one of three ways:

1. A District-led DTSDE review of three or more tenets*

2. A District-supervised School Review with District Oversight*
3. A District-supervised completed DTSDE School Self-Reflection

Anyone responsible for leading two or more district-led or district-supervised reviews in re-identified districts must receive the DTSDE District Lead Credential.

Persistently Struggling and Struggling Schools (Receivership Schools)

All schools classified as Persistently Struggling or Struggling that are re-identified as Focus or Priority Schools must receive a DTSDE Review during the 2015-16 school year. This requirement can be fulfilled one of three ways:

1. A NYSED-led Receivership review for those schools that indicated a DTSDE Tenet as one of their measures of Demonstrable Improvement
2. A District-led DTSDE review of three or more tenets*
3. A District-supervised School Review with District Oversight*

Anyone responsible for leading two or more district-led or district-supervised reviews in re-identified districts must receive the DTSDE District Lead Credential.

Previously Identified Schools that have not been Re-identified

Previously Identified Focus and Priority Schools that have not been Re-identified do not need to receive a DTSDE review during the 2015-16 school year.

DTSDE Training Expectations

The Focus District Institute scheduled for March 10-11 in Albany, NY will be dedicated to training DTSDE reviewers from Newly Identified Focus Districts. Registration will be limited to those from districts that have not previously been identified. Additional information regarding training for Re-identified Districts will be shared with districts this Spring.

Summary

Should you have any questions about the DTSDE review expectations, please do not hesitate to contact the School and District Review Team at DTSDereviews@mail.nysed.gov and a designated staff will respond to the query as expeditiously as possible. We look forward to our work together to support the Priority and Focus Schools in your district.

ATTACHMENT F

Requirements for the Development of the District Comprehensive Improvement Plans and School Comprehensive Education Plans for the 2016-17 School Year

Focus Districts are required to develop a District Comprehensive Improvement Plan (DCIP) that articulates how the district will use the full range of its resources, which may include Title I, Title II, and/or Title III funding, to support improvement efforts in identified schools. In order to ensure that schools and districts are targeting the areas of greatest need and applying the appropriate interventions, Focus Districts must utilize the Diagnostic Tool for School and District Effectiveness (DTSDE) and the DTSDE school visit review process as tools for development of the DCIP.

Each identified Priority or Focus School is required to annually participate in DTSDE Review. The results of these reviews must inform the development of the 2016-17 school year SCEP.

DCIPs and SCEPs must:

- Specifically address the areas of need identified through the use of the diagnostic tool of quality indicators (DTSDE).
- Be updated annually as approved by the Board of Education (in New York City the Chancellor or her designee) and implemented no later than the first day of school when students are in attendance.
- Be developed in consultation with parents, school staff, and others pursuant to Commissioner's Regulations §100.11.
- Include an analysis of achievement of prior year goals.
- Be made widely available through public means, such as posting on the Internet or distribution through public agencies.

DCIP and SCEPs for the 2016-17 school year are due to the Department by **Friday, July 31, 2016**. Additional information on the completion of the DCIP and SCEPs can be accessed by viewing the archived webinars located on the Office of Accountability website at: <http://www.p12.nysed.gov/accountability/Webinars.html>. In addition, the Department anticipates posting new technical assistance webinars regarding the DCIP in spring 2016. If your district requires assistance in developing a DCIP or SCEP, please contact Ms. Erica Meaker, Associate in Education Improvement Services at (518) 473-0295 or via e-mail at conappta@nysed.gov.

ATTACHMENT G

Focus District, Focus School, and Priority School Intervention Requirements

Charter Focus or Priority Schools

Identified Focus Charter Schools and Priority Charter Schools must take such actions as are required by their charter authorizer pursuant to Article 56 of the Education Law, consistent with the charter agreement that each charter school has with its charter authorizer and as determined by the charter school's board of trustees in consultation with the charter school's authorizer. Charter Focus and Priority Schools must submit the Charter School District Comprehensive Improvement Plan (DCIP) Equivalency form via e-mail to accountinfo@nysed.gov by Friday, July 31, 2016. An updated 2016-17 DCIP Equivalency Form will be posted to the Department's website at: <http://www.p12.nysed.gov/accountability/documents>. Title I public charter schools are not required to offer Public School Choice (PSC).

Funding to Support Required Interventions

Each identified Title I Focus District will receive an allocation of \$25,000 to implement required interventions in its Title I schools that were previously in Good Standing or identified as Local Assistance Plan Schools that are now identified as Priority or Focus Schools. Required interventions include participation in DTSDE training and implementation of DTSDE reviews, including required surveys; participation in training for and development of the District Comprehensive Improvement Plan (DCIP) and School Comprehensive Education Plans (SCEPs); review of Qualifications of Priority and Focus School Leaders; funding to support DTSDE recommendations; and funding to support implementation of the DCIP and SCEPs.

Subject to the requirements of the Every Student Succeeds Act (ESSA), schools that have been removed from Priority or Focus status may be eligible for transitional grants to support continuance of certain interventions. The Department will provide information to the field regarding these grants when information becomes available from the United States Department of Education (USDE).

Focus Districts without Priority and/or Focus Schools

All Focus Districts are required to participate in the Diagnostic Tool for School and District Effectiveness (DTSDE) review process. For more information on this process, please review Attachment E.

Focus Districts with Priority and/or Focus Schools

Focus Districts with Priority and/or Focus Schools must create a District Comprehensive Improvement Plan (DCIP) that provides a description of the actions the district will take in support of improvement in identified schools, and that addresses findings from the DTSDE review process. Please see Attachment F for an explanation of this requirement.

According to Commissioner's Regulations, once a school is identified as Focus or Priority, the district must inform parents of students enrolled in the school of the school's designation. Additionally, all Title I schools designated as Priority or Focus Schools, except for public charter schools, are required to offer Public School Choice (PSC). Districts must provide all enrolled students in these schools with the option to transfer to another public school within the district that

is not a Priority or Focus School. Parents must be notified of the PSC options available no later than 14 days before the start of the 2016-17 school year.

All Priority Schools

Under current Commissioner's Regulations §100.18, newly identified Priority Schools are required to implement a whole school reform model by no later than the 2018-19 school year. Districts may meet this requirement through implementation of a 1003(g) School Improvement Grant intervention model, a School Innovation Fund model, or through implementation of a Whole School Reform Model aligned to the United States Department of Education's (USDE) Turnaround Principles. More information regarding the requirements of these models can be found on the Office of School Innovation and Reform's website at <http://www.p12.nysed.gov/oisr/>. Priority Schools that are also identified as Persistently Struggling or Struggling are meeting this requirement through implementation of the Department-approved plan required under Commissioner's Regulations §100.19.

Re-identified Priority Schools

Re-identified Priority Schools are subject to the requirements of Receivership, as detailed in Commissioner's Regulations §100.19. In April 2015, Subpart E of Part EE of Chapter 56 of the Laws of 2015 created a new section of State Education Law (§211-f) pertaining to School Receivership. Based on §211-f, the Regents adopted §100.19 of the Commissioner's Regulations and the Commissioner has designated current Priority Schools that have been in the most severe accountability status since the 2006-07 school year as "Persistently Struggling Schools." Schools that have been Priority Schools for the past three years have been identified as "Struggling Schools." In addition, the superintendent of a district containing a "Persistently Struggling School" or a "Struggling School", upon the Commissioner's approval of the superintendent's plan for the school, has been vested with the powers of an Independent Receiver for that school. No new Persistently Struggling or Struggling schools will be identified based on 2014-15 school year results. For more information on Receivership, please visit: <http://www.p12.nysed.gov/oisr/Receivership.html>.

Focus Schools

Focus Districts will be required to develop a District Comprehensive Education plan based on the results from the Diagnostic Tool for School and District Effectiveness reviews to address the performance of subgroups on the accountability measures for which the district has been identified in those schools that have been designated as Focus Schools.

Newly identified schools must create their 2016-17 SCEP to focus on the needs identified through their most recent Integrated Intervention Team (IIT) or district-led DTSDE reviews. Implementation of the 2016-17 SCEP must begin no later than September 2016.

Re-identified Focus Schools

Focus Schools that are re-identified on the 2016 list provided to the USDE must implement more rigorous interventions. Prior to the beginning of the 2016-17 school year, Re-identified Focus Schools must revise their SCEP to focus on the needs identified through their most recent Integrated Intervention Team (IIT) or district-led DTSDE reviews. Schools also must begin immediately planning for intensive implementation of at least one ESEA Flexibility Turnaround Principle (e.g., redesign the school day, week, or year; modify the instructional program to ensure it is research-based, rigorous, and aligned with State academic content standards; provide time for

collaboration on the use of data) beginning no later than the 2016-17 school year. Districts must complete a school leader checklist for the re-identified Focus School, if the principal has been leader of school for more than two full academic years, in order to determine whether the school leader should be provided additional professional development and/or mentoring or replaced.

Schools Removed from Priority or Focus Status

Priority Schools that have been removed from Priority School status and subsequently identified as Focus Schools or as schools in Good Standing for the 2016-17 school year are required to complete implementation of their whole school reform models, as required under Commissioner's Regulation 100.18. Schools that have been removed from Priority Status that are also identified as Persistently Struggling or Struggling will no longer be identified as Persistently Struggling or Struggling as of June 30, 2016 and will not be subject to actions taken based upon previously determined Demonstrable Improvement indicators. Persistently Struggling Schools must implement such actions as specified by the Department in order to continue to receive Persistently Struggling School grant funds for the 2016-17 school year. Under separate cover, the Office of Innovation and School Reform (OISR) will provide additional information regarding Persistently Struggling and Struggling schools that have been removed from Priority School status.

Schools that have been removed from Focus status and are now in Good Standing must continue to implement their School Comprehensive Education Plans (SCEP) through the end of the 2015-16 school year.

A DTSDE visit is not required to be conducted in schools that have been removed from Priority or Focus status and that are designated as in Good Standing.

Title I schools that have been removed from Priority or Focus status need not offer Public School Choice (PSC) and or submit an SCEP for the 2016-17 school year. However, schools that receive 1003(g) School Improvement Grant (SIG) funds or Persistently Struggling Schools funds may be required to submit updated plans in order to continue to receive funding in 2016-17.

Please note: Schools that have been removed from Priority or Focus status can be later identified as LAP schools. The Department will notify districts regarding the identification of LAP schools in the Summer of 2016.



ATTACHMENT H

2016–17 Appeal Form for School and District Accountability Status

District Name:	
District BEDS Code:	

Please provide the school information and check the accountability status and the reason(s) for your 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.

School Name:	
BEDS Code:	<input type="checkbox"/> Title I <input type="checkbox"/> Non-Title I
2016-17 Accountability Status	Reason for Appeal
<input type="checkbox"/> Focus School	<input type="checkbox"/> 2010 4 Year Graduation Rate is 60% or above (for Priority high schools identified for graduation rate only) <input type="checkbox"/> Extenuating or Extraordinary Circumstances <input type="checkbox"/> Data Issue <input type="checkbox"/> Other (e.g., school closure) Please note that a district that is closing a school or changing the configuration of a school's grades, must adhere to the School Registration process and deadline which is further outlined at: http://www.p12.nysed.gov/irs/newschool/ .
<input type="checkbox"/> Priority School	
<input type="checkbox"/> Focus District (check if the appeal is regarding the District's status)	
Please explain briefly 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 Name			
Superintendent's Signature		Date:	