



July 2011

To: Chancellor, New York City Department of Education
District Superintendents of Boards of Cooperative Educational Services
Superintendents of Public Schools
Principals of Public and Charter Schools
Directors of Special Education
Regional Special Education Technical Assistance Support Centers

From: Rebecca H. Cort 
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Subject: Alignment of New York State's Accountability Systems under the Individuals with Disabilities Education Act (IDEA) and the No Child Left Behind Act (NCLB)

The New York State Education Department's Office of P-12 Education's Offices of Special Education and Accountability have taken steps to align their respective accountability systems when identification of a school and/or district is a result of poor performance of the subgroup of students with disabilities. This action will result in greater continuity of the assessment of needs of these schools/districts and the resulting school improvement plans and activities.

To accomplish this, the Office of Special Education has revised its performance criteria for determination of school districts under IDEA as "Needs Assistance" or "Needs Intervention" to be based primarily on whether a school district has one or more schools not making Adequate Yearly Progress (AYP) for the subgroup of students with disabilities. As a result, the Office of Special Education will be directing its technical assistance resources to the same lowest performing schools/districts identified for the subgroup of students with disabilities as are identified under the State's Differentiated Accountability system in order to provide these schools and districts with technical assistance to improve results for the subgroup of students with disabilities.

State Criteria for IDEA Determinations of School Districts in Need of Assistance or Intervention

In late August, the Department anticipates it will issue its list of schools/districts in Improvement, Corrective Action and Restructuring. At the same time, a corresponding list of school districts that have been determined to "Need Assistance" or "Need Intervention"

under IDEA will also be released. As noted above, the criteria the State will use for its IDEA determinations of districts will be based in first part on whether a school district has one or more schools in improvement, corrective action or restructuring phases based on its results for the subgroup of students with disabilities. However, in accordance with IDEA requirements, the State will also consider the school district's compliance with IDEA, which may affect a district's annual IDEA determination. The complete criteria the State will use for its IDEA determinations can be found at:

<http://www.p12.nysed.gov/specialed/spp/2011annualcriteria.htm>.

Resulting Actions

Upon release of the list of school districts identified under IDEA as "Needs Assistance" or "Needs Intervention," the Coordinators from the Regional Special Education Technical Assistance Support Centers (RSE-TASC) will engage in regional planning with the respective Offices of Special Education Quality Assistance (SEQA) and District Superintendents to determine how best to allocate its Special Education School Improvement Specialists (SEIS), other regional specialists and SEQA Regional Associates in each region of the State to assist the identified school districts. It is expected that, to the extent resources are available, a SEIS will participate as the Subgroup Specialist for the students with disabilities subgroup for each intervention that the school/district is required to undertake as a result of its Differentiated Accountability designation (i.e., School Quality Review, External School Curriculum Audit and Joint Intervention Team (JIT)) and the SEQA Regional Associates will team with liaisons from the Office of School Accountability as members of the JIT review teams. Based on the number of schools and districts identified within each region, the extent of the participation of the SEIS and Regional Associate in these reviews will be determined through a regional planning process.

Upon completion of such reviews, a determination will be made as to which school(s) in the district the SEIS will work with through its "Quality Improvement Process" that will lead to systemic instructional improvements particularly in the areas of literacy instruction, behavioral supports and/or the provision of specially designed instruction for students with disabilities. For further information on RSE-TASC, see <http://www.p12.nysed.gov/specialed/techassist/rsetasc/>.

Over the next few months, additional information on this aligned accountability approach will be posted on the Office of Accountability website at <http://www.p12.nysed.gov/accountability/>. Questions regarding this memorandum may be directed to either the Office of Special Education at (518) 473-2878, e-mail to speced@nysed.gov; or the Office of Accountability (718) 722-2796, e-mail to accountinfo@mail.nysed.gov.

To ensure dissemination to appropriate individuals within a school district, we ask Superintendents to please share this memorandum with individuals such as Building Principals, Title I Directors, School Psychologists, Committee on Special Education and Committee on Preschool Special Education Chairpersons, Guidance Counselors and Directors of Pupil Personnel and Parent Teacher Associations.