



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,  
NY 12234

**TO:** P-12 Education Committee  
**FROM:** John B. King, Jr.  
**SUBJECT:** Joint Regents Report on Accountability  
**DATE:** March 1, 2011  
**STRATEGIC GOAL:** Goals 1 and 2  
**AUTHORIZATION(S):**

### **SUMMARY**

#### Issue for Discussion

Staff will provide the Regents with an update on the Office of Accountability and the Office of Innovative School Models efforts to support schools and districts.

#### Reason(s) for Consideration

For information.

#### Proposed Handling

This item will come before the P-12 Education Committee for discussion at its March 2011 meeting.

#### Background Information

Last year, the Board of Regents approved a reorganization of the Office of P-12 Education that included the creation of the Office of Accountability and the Office of Innovative School Models (OISM). In August 2010, the United States Department of Education (USDE) awarded New York State a Race to the Top (RTTT) grant. In accordance with a plan approved by the Regents in December 2009 and the State's RTTT Round Two application, these two offices jointly share responsibility for implementation of the Department's efforts for turning around low-performing schools.

## Accountability Implications of Raising the Standards for Student Academic Proficiency

In August 2010, the Board of Regents made the decision to raise New York's ELA and mathematics achievement standards for Grades 3-8. Proficiency will now mean that a student is on track to meet high school exit examination requirements and pass first year college courses in ELA and mathematics without the need for remediation.

These new, higher achievement standards mean that fewer students are now proficient in elementary and middle level ELA and mathematics. Consequently, New York needs to change the trajectory it has established for the percentage of students expected to be proficient each year between now and 2013-14 for purposes of making AYP determinations. The Department has received permission from USDE to amend New York's approved accountability workbook to reset the Annual Measurable Objective (AMO) for Grades 3-8 ELA and mathematics to reflect the new, higher Grades 3-8 ELA and math achievement standards. The amendment allows New York to reset the AMO from a Performance Index of 167 to 122 for Grades 3-8 ELA and from 151 to 137 for Grades 3-8 mathematics for 2010-11, with annual equal increments up to 200 by 2013-14. (Under New York's Performance Index, a school or district receives 1 point for each percent of students who are Level 2 and 2 points for each percent of students who are Levels 3 and 4. Thus, if all the students in the school are Level 1, the school's performance index is 0; if all students are Levels 3 and 4, the school's Performance Index is 200.) Department staff has prepared for discussion in March by the Board of Regents an amendment to Commissioner's regulations to conform them to New York's approved NCLB accountability workbook.

Despite the revision of New York's AMOs for Grades 3-8 ELA and mathematics, the increased rigor of New York State's revised proficiency standards will cause a decline in the percentage of schools and districts that staff project will make AYP. In particular, the new standards make it likely that the majority of schools will not demonstrate AYP with their students with disabilities and English language learner subgroups in Grades 3-8 ELA. Staff project that the percentage of schools failing to make AYP in Grades 3-8 will increase from 36 percent to 45 percent in ELA and from 5 percent to 37 percent in mathematics. **This will likely mean that several hundred additional schools will be newly identified for School Improvement, and it is possible that the total list of Schools In Need of Improvement, which currently contains 532 schools, could more than double in size next year.**

To address this situation, Department staff had discussions with USDE staff regarding options for developing a growth model that would allow significantly more schools and districts to make AYP by demonstrating that their students are making high growth when compared to other schools and districts. However, USDE indicated that its policies regarding growth models remains unchanged and that any approved model must be based on the principle of students demonstrating "growth to proficiency" within a specified number of years. Since only one model approved by USDE using this compensatory standard has led to a large increase in the percentage of schools and districts making AYP, and the typical model that USDE has approved changes AYP

determinations by no more than a small percent, SED is not planning to submit a growth model to USDE for use with 2010-11 school year data. Instead, SED is working on models for the 2011-12 school year, when it is hoped that either ESEA reauthorization or changes in USDE growth model policy and/or regulations will allow for institutional accountability models to be approved that will have more impact on AYP determinations.

SED staff are currently developing plans for how to address the anticipated large increase in the number of schools that will be identified for improvement next year. This plan will need to address the possibility that the size of Title I Improvement grants given to schools to implement the recommendations of School Quality Review reports will be reduced and the intensity and nature of Department support for schools that have been identified for improvement may need to be modified.

### Identification of High Performing/Rapidly Improving Schools

The annual list of High Performing/Rapidly Improving schools and districts was released on January 26, 2011. This year, there are 1,602 high performing schools, 172 high performing districts and 37 high performing charter schools. There are six rapidly improving districts, 173 rapidly improving schools and 14 rapidly improving charter schools. The number of districts recognized as "high performing/gap closing" decreased by 210 compared to last year. The number of high performing schools decreased by 781 and the number of charters decreased by 23. The decrease was expected due to the following reasons:

- The State standard increased by 5 index points, from 165 to 170 for 3-8 ELA and mathematics, and from 175 to 180 for high school ELA and mathematics.
- The time adjusted Grades 3-8 achievement standards for ELA and mathematics implemented in 2009-10 and the new process by which the test forms were equated meant that fewer schools made AYP.
- The expiration of the 34-point statistical adjustment for the SWD group led to many schools failing to make AYP for this group.

Not every school/district was eligible for recognition. The focus of the "high performing/gap closing" list is on schools/districts that are meeting and/or exceeding State standards and have made AYP for two consecutive years, while serving diverse populations. Only schools/districts that were held accountable for at least two disaggregated accountability groups (Asian, Black, Hispanic, Native American, White, mixed race, low-income, SWD, or limited English proficient students) were eligible for recognition. Seventeen percent of schools in the State were not eligible for recognition.

Because the new higher achievement standards for ELA and mathematics will be used for accountability purposes beginning in the 2010-11 school year, it is expected that more schools will fail to make AYP. These higher achievement standards will likely result in a lower number of High Performing schools and districts in 2011-12 school year and beyond.

## State School Turnaround Office Launch

As part of New York State's Race to the Top grant, the State School Turnaround Office (SSTO) was officially launched in January, 2011. The SSTO is charged with delivering the outcomes identified in RTTT, Section E – "Turning around the lowest achieving schools." General responsibilities of the SSTO include:

- providing direction and oversight to a comprehensive external technical assistance network of turnaround partners identified to provide supports and services to persistently lowest-achieving (PLA) schools and districts
- building the capacity and sustainability of a statewide turnaround infrastructure
- serving as the information and communication hub for the turnaround partner network
- connecting PLA schools and their districts with available turnaround partner supports and services
- constructing a community of practice for professional and organizational development in NYS around school-turnaround actions

### **Staffing of SSTO**

The SSTO has a staff of six professionals; one Project Coordinator, four Project Assistants, and one Support Staff. The Project Coordinator and one Project Assistant are internal hires; the other four positions are external hires. Collectively, staff possesses a range of complementary skills and capabilities that will ensure RTTT performance outcomes are met. Newly hired staff includes:

*Owen Donovan, Project Coordinator (internal hire).* Owen comes from the Offices of District Services, where he was coordinating the work of the Student Support Services Office. He brings skills and expertise in the design and oversight of statewide technical assistance networks, directing statewide federal funding projects, and building action-oriented state and local partnerships to enhance school and student outcomes. He recently served on the Race to the Top launch team and has been deeply involved in the development of local education agency Scope of Work plans and the architecture of the RTTT Network Team structures and functions.

*LoriAnn Curtin, Project Assistant (internal hire).* LoriAnn brings skills and extensive experience as a teacher, assessment developer, and curriculum coordinator across a range of high-needs, urban and public charter schools in New York State. With NYSED, she has both depth and breadth of experience with school review and improvement, and work with schools in accountability status including PLA schools.

*Mary Kiernan, Project Support Staff.* Mary comes to the SSTO from the VESID office in Gloversville, New York. She brings experience with data entry, reporting, correspondence, and record management. Mary's excellent organizational and communication skills will be an essential element of office operations.

*Jennifer Span, Project Assistant.* Jennifer comes to NYSED as a skilled school administrator, working in urban school districts in New York State. Her experience spans the elementary, middle, and high-school levels. Additionally, she brings skills in comprehensive education planning, and facilitation of school improvement teams. Jen has passion for urban education and is currently working on her Doctorate in Educational Leadership at Sage College.

*Patrick Roche, Project Assistant.* Patrick comes to NYSED with experience in project management at the Office of Children and Family Services (OCFS). Specifically, he brings skills and experiences in program development for alternative and special education, needs assessment, staff training, and performance enhancement management. Additionally, Patrick brings experiences teaching in low-performing urban and rural school settings.

*Alice Roberson, Project Assistant.* Alice comes to NYSED from the New York State Higher Education Services Corporation, where she provided direct oversight and management of the federal “GEAR UP” grant program. Her skills and experiences include program oversight, evaluation, and conference planning. Additionally, she brings skills in educational database design and management.

### **Immediate Action Steps**

In accordance with New York State’s approved Race to the Top application, which was adopted by the Board of Regents in May 2010, essential short-term work-plan actions for the SSTO include:

- Organizing, identifying, and analyzing gaps in currently available turnaround services.
- Developing RFPs for External Technical Assistance for Innovation and Turnaround (ETACIT) services, the Secondary School Innovation Fund, and Full-service School Models. (See pages 353, 419 and 423 of New York’s approved RTTT application.)
- Partnering with Mass Insight to build statewide conversations and action-capacity for school turnaround (see pages 21, 47-48, 268-270, 276, 341, and 346-347 of New York’s approved RTTT application for New York’s commitment to partner with Mass Insight).

### **Visits to Persistently Lowest Achieving Schools Implementing School Improvement Grant Intervention Models**

The Office of Innovative School Models is currently monitoring the State’s Persistently Lowest Achieving schools statewide.

Fifty-seven PLA schools (2009-10) with enrollments of 75,774 students in seven districts were eligible for 2010-11 federal School Improvement Grants (1003(g)). So far this year, thirty-four schools, enrolling 34,719 students have been approved to receive

either 1003 (g) grants (twenty-eight schools) or smaller 1003(a) grants (six schools) that can be used to create the necessary conditions to implement one of the four federally approved intervention models using 1003(g) funds. NYSED has approved School Improvement Grants to implement either a transformation, or turnaround model using School Improvement grants for eleven schools in New York City, eight schools in Rochester CSD, four schools in Buffalo CSD, three schools in Syracuse CSD, and two schools in Yonkers CSD. 1003(a) grants have been approved for three schools in Buffalo, one school in Rochester CSD, one school in Albany CSD, and one school in Roosevelt UFSD. 1003(a) grants for 23 schools in New York City, representing 41,055 students, are currently under review.

### **Program Evaluation Purpose and Update**

This fall, a site-visit protocol was developed by the Office of Innovative School Models and disseminated to PLA districts and schools. The purpose of the program evaluation visits has been to gather qualitative and quantitative evidence specifically related to the school improvement implementation plans and fiscal statements delineated in the School Improvement Grant (SIG) application of each school.

Program evaluation visits include school and classroom observations, review of school and district documents, and focus group interviews with school leaders, teacher, parents, students, and contributing partners such as business or community partners. Technical assistance or advice is not offered during these on-site visits. Site visit teams consist of three to five NYSED staff members from the Office of Innovative School Models, and staff from the Office of Accountability.

All twenty-eight schools receiving federal 1003(g) implementation funds have received initial one-day on-site visits. Follow-up visits will be completed by the end of April 2011.

All six schools receiving federal 1003(a) funds have or will have received initial one-day on-site visits by the end of March 2011. These six schools have been scheduled for second or third visits, due to be concluded by the end of May 2011.

Finalized site visit reports, based on evidence gathered during the site-visit process, are posted on the Office of Innovative School Models' website.

### **General Trends**

- In general terms, districts have worked diligently towards implementing their plans in a timely fashion. District-specific obstacles have been noted in the site-visit reports. Examples of obstacles include the timing of grant approvals and the appropriation of funds, staffing availability, and the acquisition of services and equipment.
- Recommendations based on the Joint Intervention Team (JIT) reports have been taken into consideration and incorporated into school improvement plans where possible. At the request of New York City Department of Education, JIT reviews were scheduled for PLA schools in the Fall rather than the Spring and thus the

- All districts are actively pursuing discussions with local unions regarding collective bargaining with respect to teacher evaluations and student growth. However, If Commissioner's regulations are not developed in a timely manner, collective bargaining issues may remain unresolved, which could prevent districts from implementation of their teacher and evaluation systems, leading to a potential loss of future SIG funding.
- Most teachers are aware of State Education Law 3012(c) and have been included in discussions pertaining to new evaluation systems.
- There is limited evidence of districts identifying staff for rewards or remediation.
- Districts and schools statewide are offering extended learning time for their students, typically in the form of afterschool and Saturday learning opportunities.
- Professional development has been based upon needs assessments and JIT recommendations. In general, limited evidence exists relating to the monitoring and analysis of professional development efforts.
- Evidence regarding the use and effectiveness of data analysis has varied greatly across the schools visited.
- In general, the rigor and relevance of instruction has varied greatly from district to district and school to school, with a tendency towards lower levels of student engagement and limited intellectual dialogue.
- All districts have initiated school turnaround offices to attend to the needs of PLA schools. These offices vary in the size of their staff and the level of their on-site involvement.
- Districts and schools are actively seeking and developing partnerships with external providers, depending on their specific needs.
- The degree to which districts are providing operational flexibility to their schools varies, but the majority of schools indicate that they are able to affect their professional development, staffing and schedules.

### **Specific Trends**

- SED site visit teams collected qualitative and quantitative evidence with regards to the effort and innovation put forth by Buffalo Public Schools, Rochester City School District, Syracuse City School District and Yonkers City School District. District and school staffs are working collaboratively amongst themselves and with SED to address the needs of their PLA schools.
- New York City Department of Education advanced monies for the first half of the school year to schools to cover the funding necessary to hire the staff that is called for in their transformation plans. The release of NYCDOE's School Improvement Grant funds were delayed, in part, due to the additional set of budgetary controls implemented by the New York City Office of Management and Budget (OMB). SED awarded NYCDOE SIG funds in the middle of December 2010, but the district did not have access to these funds until after OMB completed its review at the end of January 2011. In addition, NYCDOE is reconfiguring the staff positions supporting its school improvement and turnaround office work. Hiring for these positions is almost complete.

- The Albany City School District will need to do significant additional planning and preparation if it is going to be able to successfully apply for School Improvement Funds to implement intervention models in the 2011-12 school year.
- A four-member team conducted a site visit to Roosevelt Union Free School District on January 19 and 20, 2011.

### School Improvement Grants under Section 1003(g)

In November 2010, the USDE released the School Improvement Grant (SIG) application, guidance and final requirements for the 2010-11 funding cycle. As required by USDE, New York submitted its application on December 3, 2010. This year, USDE is allowing states to use Section 1003(g) SIG funds to support pre-implementation for those schools that have approved 2010 SIG applications. This means that a local education agency (LEA) can begin setting the conditions in 2010-11 for complete implementation of the models in 2011-12, as soon as the Department has approved their application. The Department anticipates approval of New York's 2010-11 SIG application in March. Once the application is approved by USDE, the Department will release the LEA SIG application to the ten districts that have schools eligible for new SIG grants. In total, 67 schools are eligible to be newly funded for up to \$2 million per year for a period of up to three years to implement one of the four USDE approved intervention models beginning in 2011-12. In addition, 28 schools in the Large Five City School Districts are eligible to apply for a second year of SIG funding. The Department will accept LEA applications on a rolling basis from March 1 through April 30. USDE has informed states that they are expected to issue grant awards no later than July 31, 2011 for 2011-12 school year implementation. This time line reinforces the need for promulgation of Commissioner's Regulations pertaining to implementation of teacher and principal evaluation systems, as LEAs will need prior to the July 31 deadline to submit to the Department for approval a supplement to their applications regarding their plans for implementation of the regulations.

### Implementation of New York's Differentiated Accountability Program

Pursuant to Section 1116 of the federal No Child Left Behind Act, a total of 532 schools statewide have been identified for Improvement for the 2010-11 school year. Of these schools, ninety-nine (99) were newly identified this year. Under New York's federally approved Differentiated Accountability system, three distinct phases of improvement, *Improvement*, *Corrective Action* and *Restructuring* were created based on the number of years a school fails to make adequate yearly progress (AYP). Within each phase a school utilizes the findings of a specific diagnostic and/or support (School Quality Review, Curriculum Audit, and Assignment of a Joint Intervention Team) to create and implement a school improvement plan. A school moves from one phase to the next phase when it fails to achieve AYP for two years. The rigor of the interventions as well as the intensity of district and SED oversight increases as a school moves from one phase to the next.

This year the Office of Accountability will conduct 28 School Quality Portfolio Reviews, 18 on-site School Quality Reviews, 94 External School Curriculum Audits, and 125 Joint Intervention Team reviews. A summary of each type of review follows:

## **School Quality Review (SQR)**

The School Quality Review (SQR) is a school improvement support and intervention strategy for low performing schools in New York State. SQR involves the development of a culture of review and ongoing improvement. A research-based, reflective process is utilized to provide high-need schools and districts with guidance on key factors that affect school success. The SQR process enables staff to participate in shared decision-making for the purpose of improving student achievement. A portfolio of evidence review is conducted for *Basic* schools (those identified because a single accountability subgroup has failed to make AYP) while an on-site review is conducted in *Focused* and *Comprehensive* schools. During the on-site review, which last two to three days, the SQR Team members conduct building tours and classroom visits, interview administrators and staff, and review relevant school or district documentation.

The Basic SQRs, which do not require an on-site visit, are being conducted by Districts and overseen by BOCES District Superintendents outside of New York City and the New York City Department of Education (NYCDOE) for New York City schools. SED staff lead the SQR on-site reviews.

## **External School Curriculum Audit (ESCA)**

The External School Curriculum Audit is a school-based improvement intervention that is used in the Corrective Action phase. The Audit examines the written, taught, and tested curriculum at a school and identifies how schools have aligned, articulated, implemented, and assessed the New York State Learning Standards for those subjects and with those student groups that have failed to make Adequate Yearly Progress (AYP). The audits examine curriculum, academic intervention, professional development and staffing practices through the multiple lenses of data collection and analysis.

Each audit will be completed by May 2011 by a vendor selected by the District and approved by the Department. The District must submit the Audit Report to SED by June 2011. The curriculum audit recommendations and subsequent action plan must be included in each school's Comprehensive Educational Plan (CEP) that is due to SED by August 31, 2011. This year, per an approved variance, schools newly identified for improvement in New York City will participate in an External School Curriculum Audit rather than an SQR.

## **Joint Intervention Team (JIT)**

Newly identified Schools in Restructuring (year 1 and Advanced) and Persistently Lowest-Achieving (PLA) schools receive a Joint Intervention Team review that assesses the school's educational program and makes recommendations that will inform the development (or modification) of a school Restructuring Plan. The JIT Review Team is composed of an Outside Educational Expert (OEE) with proven experience in school turnaround, a State Education Department (SED) representative, a district representative and appropriate content area specialist(s). For PLA schools, JIT reports

are a critical component of the district's decision regarding whether a school should remain open or be closed or phased out and which of the four Federal intervention models the school should implement in order to meet Commissioner's regulations and access SIG funding.

In October and November 2010, JIT Reviews were conducted in 20 New York City schools that were identified as PLA in school year 2009-10. Visits to other schools began in December and will continue through May. Beginning this year, SQR, ESCA, and JIT reports will be made public and posted to the SED's Website to promote transparency and encourage greater collaboration among districts and potential intervention partners.