



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

Q&A for Differentiated Accountability

I. GENERAL

a. What is Differentiated Accountability (DA)?

Differentiated Accountability is a pilot program of the United States Department of Education designed to provide states with additional flexibility to help them achieve the No Child Left Behind (NCLB) goal of having every student at or above the proficiency level in reading and math by 2014. In January 2009, the United States Department of Education (USDE) approved New York's proposal to participate in the DA pilot. In May 2009, the Board of Regents voted to amend Commissioner's Regulations to allow for DA to be implemented beginning in the 2009-2010 school year.

DA allows states to vary the intensity and type of interventions to match the academic reasons that resulted in a school's identification for improvement. Differentiated Accountability permits states and districts to target resources and interventions to those schools most in need of intensive interventions and significant reform.

DA also allows states to create a more nuanced system of distinguishing between schools in need of dramatic intervention, and those that are closer to meeting goals. This flexibility will help the state, districts, and schools do what is necessary to enable all students to reach or exceed the proficiency level in reading and math by 2014 in a more effective and efficient manner.

To participate in the pilot, states must also commit to: build their capacity for school reform; take the most significant actions for the lowest-performing schools; and use data to determine the method of differentiation and categories of intervention.

b. What will Differentiated Accountability permit NYS to do?

DA will permit NYS to do the following:

- Create a simplified three phase process for supporting and intervening in low-performing schools.
- Merge Title I and non-Title I streams of improvement, integrating federal and State accountability systems.
- Strengthen the capacity of districts to play the central role in providing support to, intervening in, and monitoring the performance of schools.
- Allow for differentiation in the improvement process, permitting schools and districts to prepare and implement school improvement plans that best match a school's designation.

- Maximize the State's limited resources to target the lowest performing schools while providing more latitude and responsibility for districts to work with schools requiring less intervention.
- Use the resources that are available throughout the University of the State of New York (USNY) to assist districts.
- Increase combined participation in Public School Choice (PSC) and/or Supplemental Educational Services (SES) by inverting the order in which the programs are offered to students.
- Target schools that fail to successfully implement restructuring with phase out or closure.
- Make the system more transparent and easy for the public to understand.

c. How is DA different for schools that receive and don't receive Title I funds?

The key difference between Title I and non-Title I schools is that Title I Schools in Improvement (year 1), Corrective Action and Restructuring must offer Supplemental Educational Services (SES) to eligible students and Title I Schools in Improvement (year 2), Corrective Action and Restructuring must offer Public School Choice (PSC) to all enrolled students while non-Title I schools are not required to provide either SES or PSC. Under DA, a school that is receiving Title I funds in the current school year is considered a Title I school and must offer SES and PSC as described above.

d. How is DA different than the current accountability system? What are the major changes?

- Districts and schools will have greater flexibility to develop and implement school improvement plans.
- State and federal accountability designations have been merged at the school level. Schools will now have a single accountability status rather than separate State and federal accountability statuses.
- Corrective Action is now a two year phase, with Planning for Restructuring being merged with Restructuring (year 1) rather than occurring during the second year of Corrective Action.
- The timelines for SURR schools to demonstrate progress and to be designated for Restructuring have been accelerated.
- The order in which PSC and SES are offered in Title I schools has been inverted.
- School Quality Reviews (SQRs) will be conducted in all schools newly designated as Improvement and curriculum audits will be conducted in all schools newly designated as Corrective Action.
- Joint Intervention Teams (JITs), which may include a Distinguished Educator (DE), will be assigned to certain schools designated as Restructuring.

e. Why is the New York State Education Department (SED) implementing DA? What research supports DA?

- Data SED have collected shows that in recent years a large majority of schools in New York that are newly identified as Schools In Need of Improvement or as Schools Requiring Academic Progress because of the performance of a single accountability group on a single accountability measure will, once identified, take the actions necessary to improve student performance and make adequate yearly progress (AYP). However, the longer a school remains identified and the more groups and measures for which the school is identified, the less likely that the

- Research on school improvement, effective schools, student achievement, turning around low-performing schools and the role for districts and states supports the core concepts of Differentiated Accountability.

f. What is the goal of DA?

The primary goal of DA in New York State is to increase the percentage of schools designated for Improvement that are able to make adequate yearly progress for two consecutive years and be returned to Good Standing.

g. How will SED help schools and districts, parents and the general public understand and implement DA?

SED will post materials on its website at http://www.emsc.nysed.gov/nyc/APA/Differentiated_Accountability/DA_home.html and will use a variety of methods such as workshops and webinars to provide technical assistance to the field and the public.

h. How will the Commissioner determine the accountability status of schools for 2009-2010?

For each public school that was in operation during the 2008-2009 school year and for each charter school that was in operation and received Title I funds during the 2008-2009 school year, the Commissioner shall designate the school's accountability phase and category for the 2009-2010 school year, based upon the school's (1) accountability status for the 2008-2009 school year and (2) AYP status for the 2007-2008 and 2008-2009 school years. For more information on the 2009-2010 prospective accountability of schools in the state, please see: http://www.emsc.nysed.gov/nyc/APA/Differentiated_Accountability/DA_home.html

II. IDENTIFICATION

a. When will SED notify schools and districts of the accountability status of schools?

In July 2009, schools and districts received information on the 2009-2010 prospective status of their schools. Preview Accountability and Overview Reports (preAORs), which show AYP determinations for districts and schools based on data in the Student Information Repository System, will be provided on www.nySTART.gov in July 2009. Schools can use the preAORs, the prospective status reports, and "Using Verification Reports To Calculate Accountability Participation and Performance" (available at <http://www.emsc.nysed.gov/irts/nystart/reportguides.html>) to determine their differentiated accountability status for 2009–2010. Final accountability status determinations based on data frozen on July 31, 2009, will be available in August 2009.

b. How are schools designated to a phase and category?

PHASE: Three distinct phases of intervention are based on the number of years a school fails to make AYP: Improvement, Corrective Action and Restructuring.

IMPROVEMENT

- A school that fails to make AYP for two consecutive years on the same accountability measure (elementary-middle English language arts, elementary-middle mathematics, high school English language arts, high school mathematics, elementary-middle science, or high school graduation rate) will be designated in the next school year as a school in Improvement (year 1) for that accountability measure.
- An Improvement (year 1) school that fails to make AYP on the same accountability measure for which it has been identified will then be designated as a school in Improvement (year 2) for that accountability measure.

CORRECTIVE ACTION

- An Improvement (year 2) school that fails to make AYP on the same accountability measure for which it has been identified will then be designated as a school in Corrective Action (year 1) for that accountability measure.
- A Corrective Action (year 1) school that fails to make AYP on the same accountability measure for which it has been identified will then be designated as a school in Corrective Action (year 2) for that accountability measure.

RESTRUCTURING

- A Corrective Action (year 2) school that fails to make AYP on the same accountability measure for which it has been identified will then be designated as a school in Restructuring (year 1) for that accountability measure.
- A Restructuring (year 1) school that fails to make AYP on the same accountability measure for which it has been identified will then be designated as a school in Restructuring (year 2) for that accountability measure.
- A Restructuring (year 2) school that fails to make AYP on the same accountability measure for which it has been identified will then be designated as a school in Restructuring (Advanced) for that accountability measure.

CATEGORY: The three phases are further differentiated into one of **three categories:** Basic, for the Improvement phase only; Focused; and Comprehensive. A school is assigned a **category** based on the number of accountability measures for which the school is identified and the type and number student groups not making AYP on the measure(s) for which the school is identified. Schools upon entry into a phase are assigned to categories as follows:

BASIC

- An Improvement school that fails to make AYP for one accountability group that is not the all students group on the one ELA or math accountability measure for which the school is identified; or an Improvement school that is identified solely for elementary-middle science or high school graduation rate.

FOCUSED

- An Improvement school that fails to make AYP for more than one accountability group but makes AYP with all students group, and at least one other group, if there are more than one, on the single measure for which it is identified; or an

- A Corrective Action or Restructuring school that is identified for the elementary-middle science or the high school graduation rate measure, but is not identified for an ELA or math accountability measure; or a Corrective Action or Restructuring school that is identified only for ELA and/or math measures and has made AYP with the all students group, and at least one other group, if there is more than one, for each ELA and math measure for which the school is identified.

COMPREHENSIVE

- An Improvement, Corrective Action or Restructuring school that fails to make AYP for the all students group on an ELA or math accountability measure for which the school is identified; or an Improvement, Corrective Action, or Restructuring school that fails to make AYP for every accountability group other than the all students group, of which there are at least two, on an ELA or math accountability measure for which the school is identified; or an Improvement, Corrective Action or Restructuring school that is identified for an ELA or math accountability measure and for the elementary-middle science or high school graduation rate measure.

OVERALL PHASE/CATEGORY:

The Commissioner shall designate a school’s **overall accountability status** as the most advanced phase for which it has been identified on an accountability measure and, within that designated phase, shall assign the highest category, provided that such category may not be reduced in a subsequent year of a phase.

c. How is a school’s current State and Federal accountability status used to determine its new DA status?

In cases where a school has received Title I funds in some years, but not in others, the school may be at a more advanced point on the State accountability continuum than on the federal continuum. In the recent past, when the State Education Department issued lists of Schools In Need of Improvement and Schools Requiring Academic Progress, federal accountability status was reported for Title I schools, unless the federal status was Good Standing and State status was not. In such a case, State status was listed in place of the federal. State status was also listed for schools that did not receive Title I funds.

When transitioning to DA, a school’s State accountability status, not its federal accountability status, will be used to determine its accountability status under DA. The 2008-2009 State accountability status for each public school in the State can be found at:

http://www.emsc.nysed.gov/nyc/APA/Differentiated_Accountability/DA_home.html

Example: School A may have been identified as a School Requiring Academic Progress (Year 4) in Elementary-Middle mathematics because the school has failed to make AYP for five years. However, the school might only be a School In Need of Improvement (Year 1) because the school has only received Title I funding during the past three years. The school’s status as a SRAP (Year 4) will determine its DA designation: Restructuring (year one).

d. How does a school move through the continuum or exit accountability status?

- A school moves from phase to phase based on whether the school makes AYP in the accountability measure(s) for which the school has been placed in that phase. If a school fails to make AYP for two years after entering a phase, the school advances to the next phase along the continuum.
- A school that makes adequate yearly progress for one year on the accountability measure(s) for which it has been identified remains in the designated phase to continue implementation of the plan that led the school to make adequate yearly progress.
- A school that makes adequate yearly progress for two consecutive years on an accountability measure for which it has been identified is removed from accountability designation for that measure and the school returns to "Good Standing" on that accountability measure.

III. AYP DECISIONS

a. Does DA impact the way adequate yearly progress (AYP) determinations are made?

Under the Differentiated Accountability model, New York State will continue to determine AYP for all public schools and Local Education Agencies (LEAs) as specified in New York State's approved NCLB accountability workbook. DA does not affect how AYP determinations are made but rather changes the supports and interventions that occur once a school is identified for improvement.

IV. INTERVENTIONS

a. What occurs when a school is newly designated into a phase?

A school newly designated to a phases uses the findings of a specific diagnostic and/or support to create and implement a school improvement, corrective action, or restructuring plan. The intervention occurs upon entry into a phase to inform the plan that is implemented during that phase.

Phase	Intervention (year one)
Improvement	School Quality Review
Corrective Action	Curriculum Audit
Restructuring	Educational Assessment by a Joint Intervention Team which may include a Distinguished Educator

b. How does a category impact the intensity of an intervention?

The criteria used for differentiating between categories are the number of measures for which the school is identified and the number and type of accountability groups not making AYP on those measures. The greater the number of measures for which a school is identified and the greater the number of accountability groups that failed to make AYP, the more intense the intervention.

c. If a school is placed in one category for failing to make AYP with an accountability group, but then, in year two, makes AYP with that group and fails with another, must it revise the plan?

Yes, a school must revise its plan to include the newly identified group. Plans may be revised to increase rigor, but may not be revised to eliminate attention given to an accountability group that determined its designation.

Example: School A was identified in 2008-2009 as a School in Need of Improvement (year 1)/Basic for elementary-middle English language arts because of the failure of students with disabilities. The school developed a two year improvement plan for implementation in 2008-2009 and 2009-2010. In 2008-2009, the school made AYP with students with disabilities in elementary-middle English language arts but failed to make AYP with limited English proficient students on that measure. In 2009-2010, the school will be designated as a school in Improvement (year 2)/Basic. However, the school must modify its plan to address both the SWDs and the limited English proficient students.

d. When may a school's category designation change?

Categories are assigned upon entry into a phase. A category may not be reduced in a subsequent year of a phase, but a category may be re-assigned when a school fails to make AYP with a greater number of accountability groups or measures than when the school entered a phase.

Example 1: School B was designated in 2009-2010 as a school in Corrective Action (year 1)/Focused for high school math because of the failure of low-income students to make AYP. In 2009-2010, the school fails to make AYP in high school math with both White and low-income students, the only accountability groups besides the all students group for which the school is accountable for high school math. Since the school has now failed to make AYP with all accountability groups, except the all students group, in 2010-2011 the school will be designated as Corrective Action (year 2)/Comprehensive. The school's corrective action plan will need to be modified to address the failure to make AYP with both the White and the low-income students.

Example 2: School C was designated in 2009-2010 as Improvement (year 1)/Comprehensive because of the failure to make AYP in math with its all students group and SWDs. In 2009-2010 the school made AYP with its all students group and only failed to make AYP with its SWDs. In 2010-2011, the school would be designated as Improvement (year 2)/Comprehensive. The category would NOT be changed to Basic.

e. If a school is designated in one phase for math and another phase for English language arts, which intervention must be implemented?

The school must develop a plan to address both math and English language arts. The measure on which the school is in its most advanced phase dictates the interventions that must be implemented.

Example:

School B in 2008-2009 is designated as a School Requiring Academic Progress (Year 2) for high school English language arts. In 2008-2009 the school fails to make AYP in high school English language arts and also fails for the second consecutive year to

make AYP in high school mathematics. In 2009-2010, the school will be designated as a school in Corrective Action (year 1) for high school English language arts and a school in Improvement (year 1) for high school mathematics. The school's overall designation will be Corrective Action (year 1). The school will participate in a curriculum audit and develop a corrective action plan to address incorporate the findings from the curriculum audit for both English language arts and mathematics. The school will not be required to conduct a School Quality Review in mathematics.

f. What is a School Quality Review (SQR)?

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 to guide schools and districts on a continuous journey of 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.

The SQR includes, at a minimum, a self-assessment of the educational program, using quality indicators in a form and content prescribed by the Commissioner. The SQR focuses on the accountability group(s) for each accountability measure for which the school has been identified. For schools designated as Improvement/Focused, SQR teams must conduct an on-site review and, for schools designated as Improvement/Comprehensive, the SQR team must conduct an intensive on-site review.

g. How is a School Quality Review team assigned?

SQR teams are appointed by the Commissioner and include district representation.

h. How is the Quality Indicators document accessed?

The State Education Department provides printed and electronic copies of the Quality Indicators document to the principals of schools in the Improvement phase.

i. What is the role of a content area consultant (CAC)?

For schools designated as Improvement/Comprehensive, the CAC may provide support and professional development to teachers and administrators to improve performance in the identified accountability measure(s) with the accountability group(s) that failed to make AYP for that measure. Services may include providing assistance in aligning curriculum, instruction, and classroom assessments with the relevant NYS Learning Standards and Performance Indicators.

j. What is a school curriculum audit?

For schools **designated as** Corrective Action, a school curriculum (as written and taught) audit is an assessment of the school's educational program. It is in a form and content prescribed by the Commissioner and must focus on the accountability group(s) that failed to make AYP in each accountability measure for which the school was identified.

k. What is a Joint Intervention Team (JIT)? How are the team members selected?

A Joint Intervention Team (JIT) is a team that is appointed by the Commissioner to conduct an assessment of the school's educational program and make recommendations for schools in the Restructuring phase of DA. The team includes district representation and may include a Distinguished Educator.

l. What is a Distinguished Educator?

A Distinguished Educator (DE) may be assigned by the Commissioner as part of the JIT that assesses the educational program of a Restructuring/Focused school. A Restructuring/Comprehensive school shall cooperate with a Distinguished Educator. All plans are subject to review by the DE, who shall make recommendations to the board of education. A DE shall also serve as an ex-officio member of the board of education.

m. If a school is identified as a School Under Registration Review (SURR), how will its plan requirements under DA be affected?

Generally, following the identification of a school as a SURR, the Commissioner appoints a team to undertake a resource, planning and program audit (registration review). For schools also designated as Improvement (year 1) or Corrective Action (year 1), this audit is conducted in lieu of the on-site school quality review or curriculum audit under DA. The schools must use the audit's findings and recommendations to modify its improvement or corrective action plan to meet the requirements of a restructuring plan. The modified plan must target the accountability measures(s) and each student group for which the school was identified and must be implemented no later than the beginning of the next school year following the school's identification for registration review.

V. PLANS

a. What new flexibility in plan requirements has DA provided for?

Plans developed by schools designated as Improvement/Basic and Improvement/Focused are no longer required to address all of the NCLB improvement plan requirements. See question c. below for a description of what these plans must include in lieu of addressing all the requirements of an NCLB improvement plan.

Title I schools designated as Improvement/Basic and Improvement/Focused are no longer required to set aside ten percent of Title I funds for professional development.

Schools in the second year of Corrective Action are no longer required to develop a prospective restructuring plan.

b. Who develops the required plan?

The plan is developed by school staff in accordance with the district's plan for school based management and shared decision making pursuant to Section 100.11 of Commissioner's Regulations.

c. What plan must be developed and what must the plan address?

All plans must cover a two-year period and be developed in a format that has been approved by the Commissioner. Improvement plans must be based on the School Quality Review report; corrective action plans must be based upon the findings of the curriculum audit; and the restructuring plans must incorporate the findings from the educational assessment that is made by the Joint Intervention Team. Each plan must target the performance of the accountability group(s) and accountability measure(s) for which the school has been identified.

Improvement Plans:

- Plans for schools in the BASIC category must address the results of the self-assessment and include a description of activities and a timeline for implementation, targeting the performance of the student group and accountability measure for which the school has been identified.
- Plans for schools in the FOCUSED category must address one or more NCLB improvement plan requirements, in accordance with the written report that is issued after the SQR team's on-site review.
- Plans for schools in the COMPREHENSIVE category must address all NCLB school improvement plan requirements, in accordance with the report that is issued after the SQR team's intensive on-site review. The report may include a recommendation that the school engage the services of a content area consultant.

Corrective Action Plans:

- Plans for both the FOCUSED and COMPREHENSIVE categories must include, as appropriate, at least one of the NCLB corrective action plan requirements.

Restructuring Plans:

- Plans for both the FOCUSED and COMPREHENSIVE categories shall require the school to make fundamental reforms, such as significant changes in staff, governance or organization and may include a plan to close or phase out the school.
- Schools in the ADVANCED category may be considered for revocation of registration unless an acceptable plan for closure or phase out of the school is submitted by the board of education to the Commissioner.

d. By when must a plan be approved and implemented?

- Plans must be formally approved by the board of education (in New York City, both the New York City Department of Education and the community school board for schools under the jurisdiction of the community school district) no later than three months following the designation of the school.
- Plans must be implemented no later than the beginning of the next school year after the year in which the school is identified or immediately upon approval by the board of education if approval occurs after the first day of regular school attendance.
- Plans shall be subject to the approval of the Commissioner, upon request.

e. How often must a plan be revised?

Improvement and Corrective Action plans must be updated annually and, as updated, approved by the board of education (in New York City, both the New York City Department of Education and the community school board for schools under the jurisdiction of the community school district) and implemented no later than the first day of regular student attendance of each year that the school remains in a

particular phase. If, in the second year of a phase, the school fails to make AYP with a different accountability group for which the school or is subsequently designated for that phase for a different accountability measure, the school must modify the plan consistent with the highest accountability category and also address the additional group(s) or measure(s).

VI. TRANSITION RULES

a. How is a school that is currently identified for school improvement transitioned to a DA phase/category?

Schools that have been identified previous to 2009-2010 will transition from their current accountability status into one of the three phases of the differentiated accountability model without starting over in the intervention timeline. The number of years that a school has failed to make AYP and the school's 2007-2008 and 2008-2009 accountability status will determine the phase and category of improvement that the school will enter in 2009-2010.

Example 1: A SINI 2 school in 2008-2009 that failed to make AYP in its area of identification will be designated as *Corrective Action (year 1)* in 2009-2010. Its category (Focused or Comprehensive) will depend on the accountability group(s) for which it failed to make AYP with the identified measure.

Example 2: A school that was Corrective Action, Year 2/Planning for Restructuring in 2008-2009 and made AYP will in 2009-2010 be placed in Corrective Action (year 2) and will continue implementation of the plan that was being implemented in 2008-2009 and enabled the school to make AYP.

For details on the prospective accountability status of schools in 2009-2010 please see

http://www.emsc.nysed.gov/nyc/APA/Differentiated_Accountability/DA_home.html

b. What plan must the school implement as it transitions into DA?

Schools that transition to the new system in year two of a phase will be required to continue the intervention that was initiated in 2008-2009.

Example:

SINI 1 schools that were identified previous to the new system were required to develop an improvement plan following a School Quality Review (SQR); as the school enters year 2 of the improvement phase, it will be granted time to implement the plan. A second SQR will not take place.

c. Do parent notification procedures change with DA?

No.

VII. SCHOOLS UNDER REGISTRATION REVIEW

a. To what phase/category will a SURR be designated?

A school that is identified for registration review during a school year in which it is designated as a school in Improvement or Corrective Action will be designated in the

next school year as a school in Restructuring (year 1)/Comprehensive and will be subject to the requirements for that phase and category.

Example:

If School A is a SURR(for its first year) during the 2008-2009 school year and fails to make AYP on an accountability measure in 2008-2009 it will be designated as a school in Restructuring (year 1)/Comprehensive for the 2009-2010 school year.

b. How many years will a SURR be given to show progress?

Unless it is determined by the Commissioner that a shorter period of time shall be granted, the school shall be given two full academic years to show progress. If, after two full academic years of implementing a restructuring plan, the school has not demonstrated progress, the Commissioner shall recommend to the Board of Regents that the school's registration be revoked and the school be declared an unsound educational environment. However, the Commissioner may, upon a finding of extenuating circumstances, extend the period during which the school must demonstrate progress.

VIII. SES AND CHOICE

a. When does the change in the order of supplemental educational services (SES) and public school choice (PSC) go into effect?

Beginning in 2009-2010, an LEA must provide SES to eligible students who attend a Title I school that has been designated as Improvement (year 1 and 2), Corrective Action or Restructuring. An LEA that has a Title I school designated as Improvement (year 2), Corrective Action, or Restructuring must also provide all students in the school the option to transfer to another public school that is served by the LEA. The transfer school must not have been identified as a persistently dangerous school and must not have been designated as a school in Improvement, Corrective Action, or Restructuring, regardless of whether or not the school receives Title I funds.

IX. DISTRICTS and DA

a. What are the responsibilities of a district under DA?

- DA is designed to empower districts and give them the support and assistance necessary to take primary responsibility for improvement strategies in schools that have not persistently failed to make AYP with large groups of students. In such instances, districts will be given considerable flexibility to work with schools to design improvement plans that are tailored to the specific circumstances of the school.
- Districts must, among other responsibilities, have their boards of education formally approve plans; provide oversight and support for the development and implementation of the plan; identify and provide support required to implement any new curriculum, including professional development; provide representation on School Quality Review Teams and Joint Intervention Teams; develop and implement restructuring plans; make SES available to all eligible students in Title I schools that have been designated as Improvement (year 1 and 2), Corrective Action and Restructuring; and, provide PSC to all students in Title I schools designated as Improvement (year 2), Corrective Action and Restructuring.

X. REPORTING

a. How will DA be reported to the public and to parents?

New York State will continue to produce annual report cards that show the performance of all districts and public schools in the State on each accountability measure as well as the participation rate for each accountability assessment. For the year of transition into DA, the phase and category for each identified school will not be reported on the 2008-2009 school year report card. Instead, the report card containing the results from the 2008-2009 school year will include a link to a page where each school's DA phase/category will be provided.

XI. OTHER

a. Where can my questions regarding DA be answered?

Material regarding Differentiated Accountability will be posted to the SED website on a regular basis. Questions regarding DA may be sent to accountinfo@mail.nysed.gov. **Please place "DA" in the subject line.**