



Ira Schwartz, Assistant Commissioner  
Office of Accountability  
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Brooklyn, New York 11217  
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April 20, 2015

Mr. XYZ  
District  
City, State, Zip

Dear Mr. :

On April 20, 2015, the New York State Education Department (NYSED or “the Department”) provided each Focus District with information regarding whether the district and its identified Focus and/or Priority Schools made progress based on the 2012-13 and 2013-14 assessment results. This memo provides important information about the accountability designations of your district and its schools for the 2015-16 school year and next steps that the district must take based on these designations. Superintendents are encouraged to read carefully this cover letter and Attachment A. The remaining attachments are intended for the use of the district staff primarily responsible for accountability issues.

As a result of these progress determinations, a Focus District will be classified into one of the following categories based on whether the District and its Focus and Priority Schools have met the criteria for removal from identification:

<b>Category</b>	<b>The District has met the criteria for Removal</b>	<b>The District's Focus and Priority Schools Have Met the Criteria for Removal</b>	<b>Result</b>
1	Yes	All	The District and all its schools may be removed from accountability status, upon petition by the district.
2	Yes	Some	The District remains a Focus District. The District may petition to remove from Priority or Focus School designation any schools that met the criteria for removal.
3	Yes	None	The District remains a Focus District and all identified schools retain their Priority or Focus School designation.
4	No	All	The District remains a Focus District. The District may petition to remove any Priority School and all but one Focus School from

			Focus designation.
5	No	Some	The District remains a Focus District. The District may petition to remove all Priority Schools that have met the criteria for removal. The District may petition to remove any Focus Schools that have met the criteria for removal. However, for each Focus School that is removed, the District must identify a new school to replace that school as a Focus School. Furthermore, the District does not need to replace a school if removing the school would result in the district still having the minimum required number of Focus Schools designated, or if there are no Good Standing or Local Assistance Plan schools in the District that perform below the criteria for removal from Focus School identification.
6	No	None	The District remains a Focus District and all identified schools retain their Priority or Focus School designation.

Districts in Category 1 should complete and submit “The Petition for Removal of a Focus District, a Priority School, or a Focus School” by **Friday, May 15, 2015** for the district and each of its Priority and Focus Schools.

Districts in Categories 2 and 4 should complete and submit “The Petition for Removal of a Focus District, a Priority School or a Focus School” by **Friday, May 15, 2015** for any schools that the district seeks to have removed from identification status.

Districts in Category 5 should complete and submit “The Petition for Removal of a Focus District, a Priority School or a Focus School” by **Friday, May 15, 2015** for any Priority School for which the district seeks removal, as well as any Focus Schools for which the district seeks removal without the designation of a replacement Focus School. The district should complete “Attachment C: Focus School Substitution Form,” if the district wishes to remove one or more Focus Schools and have other school(s) in the district assume the Focus School designation.

Please Note: A Priority or Focus School removed from status may be identified as a Local Assistance Plan (LAP) School by the Department for the 2015-16 school year, if the school meets the LAP criteria. For details on how LAP Schools are identified, please read the “Local Assistance Plan School Identification Technical Documentation” posted at: <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>.

Based upon student academic performance during the 2012-13 and 2013-14 school years, the Department has made determinations regarding which schools are eligible for removal from

Priority or Focus designation. **Please see Attachment A regarding the removal status of each of the Priority and Focus Schools in your district.** Additionally, Focus Schools that are eligible for replacement (if applicable) and those that must remain Focus Schools are also indicated in Attachment A. The Priority and Focus progress determination calculation files are posted on the Information and Reporting Services Portal (IRSP or “IRS Portal”) at: <http://portal.nysed.gov/portal/page/pref/PortalApp>.

For Priority and Focus Schools that are eligible for removal, the district must petition (see Attachment B for details) for the school to be removed from status. **A Priority School that is removed from status must continue to implement its whole school reform model through the third year of implementation.** For example, a Priority School that began implementation of a 1003(g) School Improvement Grant model, School Innovation Fund Grant model or another whole school reform model in the 2014-15 school year must continue to implement the model through the 2016-17 school year. A school that began implementation in the 2013-14 school year must continue implementation through the 2015-16 school year. Title I schools that are removed from Focus and Priority Status are eligible to continue to receive 1003(a) grants. If the district wishes to substitute Focus Schools that are eligible for replacement with new Focus Schools, the Focus School Substitution Form (Attachment C) must be submitted by **Friday, May 15, 2015.**

Districts are advised to select replacement schools from the “FocusSchoolSubstitutionList2015-16.xls” available on the IRS Portal at: <http://portal.nysed.gov/portal/page/pref/PortalApp> or recommend schools that are not on the list by providing a justification. The Focus School Substitution Form is also available online at the following website: <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>. If a district substitutes Focus Schools that are eligible for replacement with new Focus Schools, the new Focus Schools will be required to complete and submit a School Comprehensive Education Plan for the 2015-16 school year to the Department within 90 calendar days of the Department informing the District of the school’s placement on the Focus School list. A district’s 2015-16 1003(a) School Improvement Grant allocation amount is not affected by its decision to replace or not replace Focus Schools.

Appeals regarding the third year progress calculations or the Focus School Substitution List calculations should be submitted using the attached appeal form (see Attachment D). If the district is requesting substitution of a Focus School(s), the substitution form with justification (see Attachment C) must be submitted. All applicable forms can be found in electronic format at: <http://www.p12.nysed.gov/accountability/ESEAMaterials.html> and must be sent via e-mail to [accountinfo@nysed.gov](mailto:accountinfo@nysed.gov) no later than **Friday, May 15, 2015.**

### **Next Steps for Focus Districts with Focus Schools and/or Priority Schools**

Commissioner’s Regulations require that each Focus District use the results of a diagnostic tool of quality indicators to inform the creation of a District Comprehensive Improvement Plan (DCIP). Commissioner’s Regulations require that each Priority and Focus School use the results of a diagnostic tool to inform development of the School Comprehensive Education Plan (SCEP). Each Priority or Focus School was required during the 2012-13 to 2014-15 school years to have participated annually in either an Integrated Intervention Team (IIT) School Review, a District-led Diagnostic Tool for School and District Effectiveness (DTSDE) Review, or a School Review focused on DTSDE Tenet 3 with District Oversight. The results of these reviews must inform the

development of the 2015-16 school year SCEP. Districts should not wait for official Integration Intervention Team reports when developing their DCIP and SCEPs. Plans should be developed using the data that is most readily available to the district and schools. Additional information on the completion of the DCIP and SCEPs can be accessed by viewing the archived webinars located at: <http://www.p12.nysed.gov/accountability/Webinars.html>.

DCIPs and SCEPs must:

- Address specifically the areas of need identified through the use of the diagnostic tool of quality indicators (e.g., the IIT School Review, the district-led DTSDE Review, or the School Review focused on DTSDE Tenet 3).
- 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 Part 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.

DCIPs and SCEPs for the 2015-16 school year are due to the Department by **Friday, July 31, 2015**, with the exception of newly identified Focus Schools (i.e., "replacement" Focus Schools) whose SCEPs are due 90 days after the district is notified of the school's identification. 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](mailto:conappta@nysed.gov) to receive further instructions. Additional information on the completion of the DCIP and SCEPs may be accessed by viewing the archived webinars located at: <http://www.p12.nysed.gov/accountability/Webinars.html>.

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 2015-16 school year.

All Priority Schools were required to implement a whole school reform model by the 2014-15 school year. Districts may have met 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. Attachment E contains information regarding the requirements for a Whole School Reform Model aligned with the USDE's Turnaround Principles.

The above mentioned data is currently embargoed and is being provided to you so that it can be reviewed prior to public release. However, districts may use this information for purposes of implementing their public school choice plans for the 2015-16 school year. In May 2015, the

Department will publically release the final accountability designation data for your school(s) and the district.

Please note: On March 31, 2015, the Department submitted an ESEA Waiver application to the USDE for the 2015-16 to 2018-19 school years. Subject to approval by the USDE and the adoption of conforming regulations by the Board of Regents, the Department intends to sunset the 2015-16 list of Priority Schools, Focus Districts and Focus Schools during the 2015-16 school year. As outlined in the application, New York State will identify new Priority Schools, Focus Districts and Focus Schools on or about January 31, 2016. Schools whose 2014-15 performance places them among the lowest five percent in the state that are not improving will be identified as Priority Schools. Schools in Focus Districts that are among the lowest ten percent in the state for an accountability subgroup and that are not improving will be identified as Focus Schools. Schools that were identified as Priority or Focus under the State's approved ESEA Waiver in 2012 and are re-identified as Priority or Focus under the ESEA Waiver for 2015-16 through 2018-19 school years are subject to a more rigorous level of intervention. All districts with a Priority or Focus School will be identified as Focus Districts. For more information on the ESEA Waiver application, please visit the website:

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

Should you have any questions and/or need additional information, please contact the Office of Accountability via telephone at (718) 722-4553 or e-mail at [accountinfo@nysed.gov](mailto:accountinfo@nysed.gov).

Sincerely,

Ira Schwartz

cc: Elizabeth R. Berlin  
Ken Wagner  
Cosimo Tangorra, Jr.  
Stephen Earley  
Maxine Meadows-Shuford  
Lisa Long

## ATTACHMENT A

### Priority and/or Focus School Progress based on 2012-13 and 2013-14 assessments

(DNAME) will be a (2015-16 District Status) for the 2015-16 school year due to meeting (District Category).

BEDS Code	School Name	School Type	Priority School Eligible for Removal	Focus School Eligible for Removal	Focus School Eligible for Replacement	Must Remain a Focus School	Prospective Local Assistance Plan (LAP) School
	School A	Priority	Yes	NA	NA	NA	TBD*
	School B	Focus	NA	No	No	Yes	NA
	School C	Focus	NA	No	Yes	No	TBD*
	School D	Focus	NA	Yes	NA	No	TBD*

\* LAP determinations will be made by July 2015. If the school that is being removed from Priority or Focus status meets the LAP criteria, then it will be identified as a LAP School for the 2015-16 school year.

(Footnote)

Note(s):

1. Focus Districts with Priority or Focus Schools that are eligible for removal must submit “Petition for Removal of a Focus District, a Priority School or a Focus School” (Attachment B).
2. Districts with a Focus School eligible for replacement must submit the “Focus School Substitution Form for 2015-16” (Attachment C).

## **ATTACHMENT B**

### ***Instructions for Completing the Petition for Removal of a Focus District, a Priority School or a Focus School***

This petition may be submitted by Focus Districts that are in one of the following categories:

- Category 1 - The District and all its schools met the criteria for removal from accountability status. The District may petition to remove the District and all the schools for removal.
- Category 2 - The District and some of the schools met the criteria for removal. The District may petition to remove from Priority or Focus School designation any schools that met the criteria for removal.
- Category 4 - The District remains a Focus District. The District may petition to remove any Priority School and all but one Focus School from Focus designation.
- Category 5 - The District remains a Focus District. The District may petition to remove all Priority Schools that have met the criteria for removal. The District may also petition to remove any Focus Schools that have met the criteria for removal. However, for each Focus School that is removed, the District must identify a new school to replace that school as a Focus School. Furthermore, the District does not need to replace a school if removing a school would result in the District still having the minimum required number of Focus Schools or there are no Good Standing or Local Assistance Plan school in the District that meet the criteria for removal from Focus School identification.

Please note:

1. Category 3 Districts are not eligible to petition.
2. This form must not be used to substitute Focus Schools eligible for replacement. Please use the Focus School Substitution Form for that purpose (see Attachment D)



**Petition for Removal of a Focus District, Priority School or Focus School**

District Name:			
District BEDS Code:			
The Focus District met the criteria for removal from accountability status as determined by NYSED	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

The following Priority/Focus Schools met the criteria for removal from accountability status as determined by NYSED. (This form must not be used to substitute Focus Schools eligible for replacement. Please use the Focus School Substitution - Form Attachment D for that purpose.)

	School Name	BEDS Code	2014-15 Accountability Status
1.			
2.			
3.			
4.			
5.			
6.			
7.			

Please briefly state the reason for the petition in the space below (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 petition is denied, I understand that the accountability status determination reported in the Information and Reporting Services Portal (IRSP) will be official and that the district and its school(s) must meet all federal and state requirements pertaining to such accountability status.

Superintendent's Name:			
Superintendent's Signature		Date:	

## **ATTACHMENT C**

### ***Instructions for Completing the Focus School Substitution Form***

Focus Districts have the option to substitute a Focus School that is eligible for replacement with another low performing school from the Focus School Substitution List generated by NYSED. Please submit this form if the district wants to request a substitution. If the district does not want to make any changes to the existing Focus Schools, then this form should not be submitted. Please review the Focus Schools lists before submitting this form. After accessing the Information and Reporting Services Portal (IRSP):

- Open the file “ThirdYearPerformanceFocusSchools.xls”
- Determine which Focus School(s) are eligible for replacement
- Open the file “FocusSchoolSubstitutionListfor2015-16.xls”
- Determine which school(s) the district wants to substitute for the replaced schools

The district has the option to replace Focus Schools eligible for removal, but must recommend substitute schools for Focus identification to maintain the district’s required count of Focus Schools, unless replacing a Focus School would require the district to identify a Good Standing or a Local Assistance Plan school in the district that meets the criteria for removal from Focus School identification. Alternatively, the district may choose to have a school eligible for removal to continue as a Focus School, in which case no substitution school need be designated.

If the district wants to appeal the calculations used for the third year performance or 2015-16 Focus School Substitution List determinations, then it must submit the “Appeal Form for Third Year Progress or Focus School Substitution List” available at <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>. A district may also use this form if it believes there are extenuating or extraordinary circumstances that would warrant the district being able to remove a Focus School without substitution.

#### **Completing the Focus School Substitution Form:**

1. On the designated fields, provide the district’s Name and BEDS Code.
2. Select for replacement the existing Focus School(s) eligible for replacement.
3. Select the substitution for the school to be removed. If a school that is not on the list is selected, please provide a justification. Attach any data or supporting material to this form.
4. The superintendent (for New York City, the Chancellor) must certify the document and submit it via e-mail to [accountinfo@nysed.gov](mailto:accountinfo@nysed.gov) by **Friday, May 15, 2015**.



## Focus School Substitution Form for 2015-16

This form must be completed and certified by the Superintendent (*for New York City, the Chancellor*). It must be submitted via e-mail to [accountinfo@nysed.gov](mailto:accountinfo@nysed.gov) by **Friday, May 15, 2015**. The form can also be downloaded at <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>. This form must not be used to appeal the calculations used for the third year performance or 2015-16 Focus School Substitution List determinations. In that situation the district must submit the "Appeal Form for Third Year Progress or Focus School Substitution List" that may also be downloaded at: <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>.

District Name:	
District BEDS Code:	

Focus School(s) Eligible for Replacement (Use additional sheets, if necessary.)			
	School Name	BEDS Code	Justification
1.			
2.			
3.			
4.			
5.			
6.			
7.			

School(s) in the Focus School Substitution List to be used as Replacements (Use additional sheets, if necessary.)			
	School Name	BEDS Code	Justification
1.			
2.			
3.			
4.			
5.			
6.			
7.			

I certify that the district has selected the above-listed schools as the new Focus School(s) to replace the existing Focus School(s) that are eligible for replacement. I understand that the New York State Education Department reserves the right to decline or modify the list. I certify that the district will implement all state and federal requirements as required of Focus Schools.

Superintendent's Name:			
Superintendent's Signature		Date:	

## **ATTACHMENT D**

### ***Instructions for Completing the Appeal Form for Third Year Progress or Focus School Substitution List***

This form must be completed and certified by the Superintendent (for New York City, the Chancellor). It must be submitted via e-mail to [accountinfo@nysed.gov](mailto:accountinfo@nysed.gov) by **Friday, May 15, 2015**. The form can also be downloaded at <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>. *Please do not use this form to submit the District's Focus School Substitution list. Additionally, this form must not be used to appeal the 2013-14 school year results.*

To appeal the third year performance calculation of a Priority/Focus School or the Focus School Substitution List based on 2013-14 results, districts must submit a completed, signed, and dated Appeal Form for Third Year Progress or Focus School Substitution List, with all required supporting evidence. Districts must submit the appeal by **Friday, May 15, 2015**. Appeals may be granted if the district can prove to the satisfaction of NYSED that its identification was based on inaccurate computations applied to data in the Student Information Repository System (SIRS) as of the 2013-14 reporting deadline of September 12, 2014.

#### **Resource Documents on Third Year Progress Calculation and Focus School Substitution List**

The following Microsoft Excel files are available for verification on the Information and Reporting Services Portal (IRSP) at <http://portal.nysed.gov/portal/page/pref/PortalApp>:

1. ThirdYearPerformancePrioritySchools.xls
2. ThirdYearPerformanceFocusDistricts.xls
3. ThirdYearPerformanceFocusSchools.xls
4. FocusSchoolSubstitutionListfor2015-16.xls

Districts seeking an appeal for individual schools within the district must submit one form per school being appealed. The district must identify the BEDS Codes and the reason for the appeal requests, and provide evidence to support the appeal.

#### **Completing the Appeal Form:**

1. Provide the district's Name and BEDS Code.
2. Provide the school's name and BEDS Code.
3. Check the corresponding box next to the appropriate accountability designation for the school or district that is being appealed.
4. Check the corresponding box next to the appropriate reason for the appeal.
5. Provide a narrative rationale for why the designation should be changed. The rationale should be brief and based on facts related to the submitted evidence. Note: Excessive details are unnecessary. Please eliminate information that is unrelated to the evidence submitted or the reason for the appeal.
6. Protect personal identification information. Documents submitted to NYSED should not include social security number(s) (except the last 4 digits), date of birth, race/ethnicity, disability status, or other non-directory information. Protecting this information from unauthorized access is a legal requirement and is an important priority for NYSED. To ensure the security, if the supporting evidence for your appeal includes any of the sensitive and protected information listed above, please send this evidence to NYSED either (1) in an enclosed envelope via secure ground mail, or (2) electronically over the internet via secure file transfer protocol (SFTP). Data sent via e-mail and standard FTP (including FTP sites with password protection) is unencrypted and therefore not secure. Consequently, these methods must not be used to transmit sensitive and protected data.
7. The superintendent (for New York City, the Chancellor) must certify the document and submit it via e-mail to [accountinfo@nysed.gov](mailto:accountinfo@nysed.gov) by **Friday, May 15, 2015**.



## Appeal Form for Third Year Progress or Focus School Substitution List

District Name:	
District BEDS Code:	

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

School Name:	
BEDS Code:	
2015-16 Accountability Status	Reason for Appeal
<input type="checkbox"/> Focus School	<input type="checkbox"/> Third Year Progress Calculation <input type="checkbox"/> Focus School Substitution List Calculation <input type="checkbox"/> Data Issue <input type="checkbox"/> Other (e.g., school closure)
<input type="checkbox"/> Priority School	
<input type="checkbox"/> Focus District	

Please briefly explain the rationale for this appeal (use additional sheets if necessary).

I certify that the information provided above and in the attached documents is true and accurate to the best of my knowledge. In the event the appeal is denied, I understand that the accountability status determination reported in the Information and Reporting Services Portal (IRSP) will be official and that the district and its schools must meet all federal and state requirements pertaining to such accountability status.

Superintendent's Name:			
Superintendent's Signature		Date:	

## ATTACHMENT E

### *Requirements for a Whole School Reform Model*

A whole school reform model means the Turnaround Model, Restart Model, Transformation Model, or Closure Model funded by a 1003(g) School Improvement Grant, or a three year plan that provides for the redesign of a school by implementation of all of the following turnaround elements:

- Providing strong leadership by:
  - reviewing the performance of the current principal;
  - either replacing the principal if such a change is necessary to ensure strong and effective leadership, or demonstrating to the Commissioner that the current principal has a track record of improving achievement and has the ability to lead the turnaround effort; and
  - providing the principal with operational flexibility in the areas of scheduling, staff, curricula, and budget.
- Ensuring that teachers are able to improve instruction by:
  - reviewing the quality of all staff and retaining only those who have the ability to be successful in the turnaround effort;
  - preventing ineffective teachers from transferring to these schools; and
  - providing job-embedded, ongoing professional development informed by the teacher evaluation and support systems and tied to teacher and student needs.
- Redesigning the school day, week, or year to include additional time for student learning and teacher collaboration, provided that such redesigning does not conflict with any applicable collective bargaining agreement.
- Strengthening the school's instructional program based on student needs and ensuring that the instructional program is research-based, rigorous, and aligned with Common Core Learning Standards.
- Using data to inform instruction and for continual improvement, including the provision of time for collaboration on the use of data.
- Establishing a school environment that improves school safety and discipline, and addressing other non-academic factors that have an impact on student achievement, such as students' social, emotional, and health needs.
- Providing ongoing mechanisms for family and community engagement.