

## Frequently Asked Questions (FAQ): Focus Districts, Focus Schools and Priority Schools

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### A. Identification of Districts and Schools

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#### A.1. What are the criteria used for the identification of a Focus District?

A district was identified as a Focus District for meeting one or more of the following criteria:

- one or more schools in the district being preliminarily identified as a Priority School; and/or
- one or more accountability groups in the district, excluding the all students accountability group, being preliminarily identified based on 2014-15 school year data as among the lowest performing in the state for the English language arts (ELA) and mathematics Performance Index (PI) results combined; and/or
- one or more accountability groups in the district, excluding the all students accountability group, being preliminarily identified for the 2010 4-year graduation-rate total cohort as of August 31, 2014 as among the lowest performing in the state; and

- the accountability group(s) for which the district has been preliminarily identified has not demonstrated progress by meeting one or more the progress filters for each accountability group on the accountability measure for which the district can be identified for the group's performance.

The Focus District criteria and methodology document can be found at:  
<http://www.p12.nysed.gov/accountability/ESEAMaterials.html>.

**A.2. What method did the New York State Education Department use to identify Focus Districts based on the performance of subgroups of students?**

The Department identified Focus Districts with the lowest achieving subgroups for Performance Index (PI) and Graduation Rate that were not demonstrating progress. Districts were identified based on the 2014-15 unweighted combined ELA and mathematics PI at the elementary-middle level, secondary level, or on the 2010 4-year graduation-rate total cohort as of August 31, 2014.

The Focus District criteria and methodology document can be found at:  
<http://www.p12.nysed.gov/accountability/ESEAMaterials.html>

**A.3. What are Progress Filters? How are they used by the Department in making accountability determination?**

Progress Filters are alternate measures used to determine whether districts and schools have made sufficient progress so that even though the school or district may be low-performing for an accountability subgroup on a performance measure, that subgroup's performance is not used to identify the district or school.

Some of the key progress filters are:

- Group has made a ten point gain in the Performance Index from prior year.
- Median Student Growth Percentile is above Statewide average.
- Subgroup's 4- or 5-year graduation rate is above Statewide average or has increased by ten percent over the last two years.
- Subgroup has made AYP for past two years.

More details on the progress filters used can be found in the Focus District/Focus Schools or Priority Schools methodology document at: <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>.

#### **A.4. What are the criteria used for the identification of a Priority School?**

A school was identified as a Priority School for meeting one or more of the following criteria:

- the 2014-15 elementary middle level unweighted combined English language arts (ELA) and mathematics Performance Index (PI) results for the all students subgroup was at or below 52.5 and the subgroup did not make a gain of more than 10 points from the 2013-14 PI; and/or
- the 2014-15 secondary level unweighted combined English language arts (ELA) and mathematics Performance Index (PI) results for the all students subgroup was at or below 96 and the subgroup did not make a gain of more than 10 points from the 2013-14 PI; and/or
- the 4-year total cohort graduation-rate for the all students subgroup was below 60 percent for the 2008, 2009 and 2010 cohorts; and
- the school did not meet any of the progress filters applicable to the grade level.

#### **A.5. What are the criteria used for the identification of a Focus School?**

Within a Focus District, a school was identified as a Focus School if it met one or more of the following criteria:

- the 2014-15 combined English language arts (ELA) and mathematics Performance Index (PI) results for one or more accountability groups of the school, excluding the all students accountability group, being at or below the Focus District cut points; and/or
- the 2010 4-year graduation-rate total cohort as of August 31, 2014 for one or more accountability groups of the school, excluding the all students accountability group, being at or below the Focus District cut points; and
- the accountability group(s) for which the school has been preliminarily identified has not met any of the progress filters.

If all the schools within the Focus District do not meet the criteria to be a Focus School, then the district will not have a Focus School. The district will remain identified as a Focus District.

**A.6. What method did the New York State Education Department use to identify Focus Schools?**

The Department identified Focus Schools using a two-stage process. NYSED first identified Focus Districts with the lowest achieving subgroups for Performance Index (PI) and Graduation Rate that were not demonstrating progress, as explained in Question A.1. NYSED then identified the lowest performing Title I schools statewide that were not making progress within the identified Focus Districts. Non-Title I schools within the Focus Districts and Charter Schools that met the Focus District cut points were also identified as Focus Schools.

**A.7. What method did the New York State Education Department use in identifying Focus Charter Schools?**

A: Charter schools that had one or more accountable subgroup with 2014-15 unweighted combined ELA and mathematics PI or 2010 4-year graduation-rate total cohort as of August 31, 2014 at or below the cut points established for Focus Districts and are not removed because of the “progress filters” were identified as Focus Charter Schools.

**A.8. What are the criteria used to establish the cut points for identification?**

For information about the criteria used to establish the cut points for identification, please refer to the methodology documents posted at: <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>

**A.9. Are districts or schools being identified for having a high percentage of students opting out of assessments?**

While students opting out of assessments affect the “participation rate” accountability metric, participation rate was not used to identify any district or school. In some cases, a high rate of opt out could cause the Department to base accountability determinations for a group on combined 2013-14 and 2014-15 school year data, rather than on 2014-15 school year data only.

**B. Timeline for Appeals, Next Steps after Formal Identification**

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**B.1. Were districts allowed to appeal the preliminary accountability status of a school/district?**

Yes. Districts were given the opportunity to appeal the accountability status for their schools if there was a valid reason to believe the data used to make the determination was incorrect, or there were extenuating circumstances that affected the school's performance, or the school was closing. Appeals regarding the preliminary status of districts/schools were accepted until February 8, 2016.

## **B.2. Are there any important dates for Focus Districts?**

Yes. Please review the list of dates below related to the release of the final status of districts and schools, the Diagnostic Tool for School and District Effectiveness (DTSDE), notification, submission of a District Comprehensive Improvement Plan (DCIP), and provision of Public School Choice (PSC):

- February 24, 2016 – Districts will be notified of the final status of their district and schools.
- February 25, 2016 – Public release of the lists of Focus Districts, Focus Schools, and Priority Schools.
- February 2016 – Newly identified and Re-identified Focus Districts will be notified regarding DTSDE visit requirements.
- March 10-11, 2016 – Focus District Institute for Newly Identified Focus Districts. All newly identified districts with at least one Focus School should send one representative.
- March 25, 2016 – District must notify the general public, the local board of education, and parents of students attending identified school regarding the accountability status of the district and its schools within 30 days of receipt of the commissioner's designation.
- July 31, 2016 – Focus Districts are required to submit a District Comprehensive Improvement Plan, inclusive of School Comprehensive Education Plans for each identified Focus and Priority School.
- July/August 2016 – all Title I schools designated as Priority or Focus Schools, except for public charter schools, are required to offer Public School Choice (PSC). Districts must provide all enrolled students in these schools with the option to transfer to another public school within the district that is not a Priority or Focus School. Parents must be notified of the PSC options available no later than 14 days before the start of the 2016-17 school year.

## **C. Diagnostic Tool for School and District Effectiveness (DTSDE) Requirements for Newly Identified Focus Districts**

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### **C.1. What is the Diagnostic Tool for School and District Effectiveness (DTSDE)?**

The Diagnostic Tool for School and District Effectiveness (DTSDE) review evaluates school and district performance in relation to six tenets: district leadership and capacity; school leader practices and decisions; curriculum development and support; teacher practices and decisions; student social and emotional developmental health; and family and community engagement. For more information on the DTSDE rubric and process, please visit <http://www.p12.nysed.gov/accountability/diagnostic-tool-institute/DTSDEInstitute.html>.

### **C.2. What are the DTSDE Review requirements for newly identified schools?**

All Priority and Focus Schools are required to receive a DTSDE review in the 2015-16 school year. This requirement can be fulfilled one of three ways:

1. A NYSED-led IIT review.
2. A DTSDE review of three or more tenets led by an Outside Educational Expert (OEE) with a District Lead Credential.
3. A District-supervised completed DTSDE School Self-Reflection.

In most instances, newly identified Focus and Priority Schools in newly identified districts will be reviewed by the state.

### **C.3. What are the DTSDE Review requirements for newly identified Focus Districts with no Priority or Focus Schools?**

Districts that are newly identified Focus Districts with no Priority or Focus Schools will still be expected to complete an annual District Comprehensive Improvement Plan (DCIP). To assist in the preparation of the DCIP, Focus Districts with no identified schools are expected to have a minimum of one school in the district complete the DTSDE School Self-Reflection. The DCIP that is developed for the next school year should be based on the DTSDE Self-Reflections completed by the schools in the district.

### **C.4. What are the DTSDE training expectations for newly identified schools?**

All newly Identified Focus Districts with Priority or Focus Schools must identify one person who will serve as the District Representative on the NYSED-led IIT reviews in the district in the 2015-16 school year. That individual will be expected to attend the Focus District Institute for new District Representatives on March 10-11, 2016 in Albany, NY.

Newly Identified Focus Districts with two or more Focus or Priority Schools will be required to have a representative attend a DTSDE Training Review during the 2015-16 school year or the 2016-17 school year. Those interested in registering for a Training Review in 2015-16 can do so at:

<http://goo.gl/forms/djohsEYJ1Q>.

**C. 5. Are newly identified Focus Districts expected to have an Outside Educational Expert (OEE)?**

No. However, Focus Districts have the option of having a District-supplied Outside Educational Expert (OEE) serve on IIT reviews. Newly Identified Focus Districts that would like to use an Outside Educational Expert who has not previously been approved by NYSED must direct the Outside Educational Expert to fulfill the following requirements:

Submit a completed OEE application as soon as possible. Applications are available at:

<http://www.p12.nysed.gov/accountability/diagnostic-tool-institute/2015-16NYSEDOEEApplication.docx>.

Register and attend a DTSDE Training Review during the 15-16 school year. Registration is available at: <http://goo.gl/forms/djohsEYJ1Q>.

Register and attend the March Focus District Institute for Newly Identified Districts on March 10-11, 2016 in Albany, NY. Registration information will be available shortly. \*Please note that registration will not be approved for OEEs who have not registered for a Training Review.

Outside Educational Experts who have previously been approved by NYSED for 2015-16 will not need to attend the March 2016 Focus District Institute.

**D. Diagnostic Tool for School and District Effectiveness (DTSDE) Requirements for Re-Identified Focus Districts**

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**D.1. Are there DTSDE review requirements for re-identified Focus Districts?**

Yes, districts that were identified as Focus Districts as of the beginning of the 2015-16 school year were informed in fall 2015 of the dates of any IIT reviews in their district. Focus Districts were also informed of the expectation that all Focus and Priority Schools on the new (February 2016) Focus

District list that do not receive IIT reviews will be expected to receive District-led DTSDE Reviews or School Reviews with District Oversight by the end of the year.

**D.2. Must re-identified Focus or Priority Schools receive a DTSDE review?**

Yes, each re-identified Focus or Priority school MUST receive a DTSDE review during the 2015-2016 school year. This requirement can be fulfilled one of four ways:

A NYSED-led IIT review.

A NYSED-led Receivership review in select Re-identified Persistently Struggling or Struggling Schools. More information regarding this review can be found later in this memo.

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

A District-supervised School Review with District Oversight.

**D.3. Are newly identified schools in re-identified Districts required to receive a DTSDE Review during the 2015-16 school year?**

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

1. A District-led DTSDE review of three or more tenets.
2. A District-supervised School Review with District Oversight.
3. A District-supervised completed DTSDE School Self-Reflection.

**D.4. Are Persistently Struggling and Struggling Schools (Receivership Schools) required to receive a DTSDE Review during the 2015-16 school year?**

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

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

#### **D.5. Are there DTSDE training expectations for re-identified Focus Districts?**

Additional information regarding DTSDE training for Re-identified Districts will be shared with districts this spring.

### **E. Intervention and Planning Requirements for Charter Focus and Charter Priority Schools**

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#### **E.1. What are the intervention requirements for Focus Charter Schools and Priority Charter Schools?**

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

### **F. Intervention Requirements for all Focus Districts**

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#### **F.1. What funding is available to support interventions in Focus Districts?**

Each newly identified Title I Focus District, and Focus or Priority School will receive an allocation of \$25,000 to implement required interventions in the 2015-16 school year. Required interventions include participation in DTSDE training and implementation of DTSDE reviews, including required surveys; participation in training for and development of the District Comprehensive Improvement Plan (DCIP) and School Comprehensive Education Plans (SCEPs); review of qualifications of Priority

and Focus school leaders; funding to support DTSDE recommendations; and funding to support implementation of the DCIP and SCEPs.

## **F.2. What are the school improvement plan requirements for Focus Districts with Priority and/or Focus Schools?**

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Focus Districts with Priority and/or Focus Schools must create a District Comprehensive Improvement Plan (DCIP) that provides a description of the actions the district will take in support of improvement in identified schools and to address findings from the DTSDE review process. The district will be required to develop School Comprehensive Education Plans (SCEP) for each identified school.

Once a school is identified as Focus or Priority, the district must inform parents of students enrolled in the school of the school's designation. Additionally, all Title I schools designated as Priority or Focus Schools, except for public charter schools, are required to offer Public School Choice (PSC). Districts must provide all enrolled students in these schools with the option to transfer to another public school within the district that is not a Priority or Focus School. Parents must be notified of the PSC options available no later than 14 days before the start of the 2016-17 school year.

## **F.3. What are the school improvement plan requirements for Focus Districts without Priority and/or Focus Schools?**

These districts will still be expected to complete an annual District Comprehensive Improvement Plan (DCIP). To assist in the preparation of the DCIP, Focus Districts with no identified schools are expected to have a minimum of one school in the district complete the DTSDE School Self-Reflection. The DCIP that is developed for the 2016-17 year should be based on the DTSDE Self-Reflections completed by the schools in the district.

## **F.4. What options are available to parents for PSC if all schools in the district are identified and none are in Good Standing?**

The United States Department of Education has provided guidance to states and districts regarding Public School Choice requirements. That guidance can be found at: <http://www2.ed.gov/policy/elsec/guid/schoolchoiceguid.doc>. Within this guidance, the USDE provided information on what options are available to parents if all schools in the district are identified and none are in Good Standing. Please see the following items:

E-8. Must an LEA that believes it does not have the physical capacity within its schools to accept transferring students implement the public school choice provisions?

E-9. If an LEA believes it does not have the physical capacity to offer transfers to all eligible students, how can it create additional capacity?

E-10. What if providing the option to transfer to another school within the LEA is not possible?

E-11. May an LEA provide eligible students with an option to transfer to schools outside of the LEA?

### **G. Interventions – Newly Identified Focus and Priority Schools**

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G.1. Are newly identified Focus Schools required to implement a school improvement plan?

Yes. The district must create a School Comprehensive Education Plan for each identified Focus School and Priority School. Newly identified schools must create their 2016-17 SCEP to focus on the needs identified through their DTSDE reviews. Implementation of the 2016-17 SCEP must begin no later than September 2016.

G.2. Are newly identified Priority Schools required to implement a school improvement plan?

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

### **H. Interventions – Re-Identified Focus and Priority Schools**

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**H.1. Are there additional intervention and SCEP requirements for re-identified Focus Schools?**

A: Yes. Focus Schools that are re-identified on the February 2016 list must implement more rigorous interventions and prior to the beginning of the 2016-17 school year revise their SCEP to focus on the needs identified through their DTSDE reviews.

Schools must begin immediately planning for intensive implementation of at least one ESEA Flexibility Turnaround Principle (e.g., redesign the school day, week, or year; modify the instructional program to ensure it is research-based, rigorous, and aligned with State academic content standards; provide time for collaboration on the use of data) beginning no later than the 2016-17 school year. Districts must complete a school leader checklist for the re-identified Focus School, if the principal has been leader of school for more than two full academic years, in order to determine whether the school leader should be provided additional professional development and/or mentoring or replaced.

## **H.2. What interventions must be implemented in re-identified Priority Schools?**

Re-identified Priority Schools were identified as either Persistently Struggling or Struggling in July 2015, and are subject to the requirements of Receivership, as detailed in Commissioner's Regulations §100.19.

## **H.3. What are the requirements for Persistently Struggling and Struggling Schools under Receivership?**

Priority Schools that are also identified as Persistently Struggling or Struggling remain subject to the requirements of Receivership under Commissioner's Regulations §100.19. Persistently Struggling and Struggling Schools that are removed from Priority status must remain identified under Receivership until the end of the 2015-16 school year. These schools must continue to implement their Department-approved intervention plan for the full three-year period required under the regulation. Any changes made by the Superintendent Receiver during the 2015-16 school year should remain in place after the removal of the school from Receivership status. For more information on Receivership, please visit: <http://www.p12.nysed.gov/oisr/Receivership.html>.

## **I. Schools That No Longer Meet the Criteria for Identification as Focus or Priority**

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### **I.1. What are the requirements for a school that has been removed from status? Which requirements are no longer necessary?**

Requirements: If the school is removed from Priority status, it is required to complete implementation of its whole school reform models.

Persistently Struggling Schools must implement such actions as specified by the Department in order to continue to receive Persistently Struggling School grant funds for the 2016-17 school year.

Schools removed from Focus status must continue to implement their SCEP through the end of the 2015-16 school year.

1003(g) SIG Recipients may be required to submit updated plans in order to continue to receive funding in 2016-17.

Schools removed from Priority or Focus status are no longer required to:

Participate in the DTSDE process.

Offer Public School Choice (PSC) or extended learning time (ELT).

Schools removed from Priority Status that are also identified as Persistently Struggling or Struggling will no longer be identified as Persistently Struggling or Struggling as of June 30, 2016.

Please note: Although a district has been identified as in Good Standing based on 2014-15 school performance, one or more schools within the district may meet the criteria for identification as a Local Assistance Plan (LAP) school based on 2014-15 school performance. LAP Schools are identified annually. The Department will inform districts regarding schools that are identified as LAP Schools or Reward Schools in the spring of 2016. For more information on the identification criteria for LAP Schools, please visit the New York State's Office of Accountability's website at:

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

**I.2. Will there be SIG a funding available for 2016-2017 for current Focus Districts and Focus Schools that have been removed from the accountability list?**

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

## **J. Local Assistance Plan (LAP) Schools and Reward Schools**

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### **J.1. When will the Department inform districts regarding the identification of schools that are LAP Schools or Reward Schools?**

The Department will inform districts regarding schools that are identified as LAP Schools or Reward Schools in the spring of 2016.

### **J.2. What should a current LAP school do during the 2015-16 school year, if they have subsequently been identified as either Focus or Priority in February 2016?**

Schools that were identified as LAP in August 2015, and that have conducted a Diagnostic Self-Assessment must continue to implement the 2015-16 plan. These schools should be prepared to implement any additional requirements as a result of their Focus or Priority status, beginning with the 2016-17 school year.

## **K. Districts in Good Standing**

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### **K.1. Are there any intervention or DTSDE requirements for districts in Good Standing?**

No. Districts in Good Standing are not required to offer Public School Choice to students. They are also not required to participate in Diagnostic Tool for School and District Effectiveness (DTSDE) training or reviews or develop a District Comprehensive Improvement Plan (DCIP).

### **K.2. Can a district in Good Standing have a school that is identified as LAP?**

Yes. Although the district has been identified as in Good Standing based on 2014-15 school performance, one or more schools within the district may meet the criteria for identification as a Local Assistance Plan (LAP) school based on 2014-15 school performance.

LAP Schools are identified annually. The Department will inform districts regarding schools that are identified as LAP Schools or Reward Schools in the spring of 2016.

For more information on the identification criteria for LAP Schools, please visit the Office of Accountability's website at: <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>.

## **L. Re-authorization of the Elementary and Secondary Education Act (ESEA) through the Every Student Succeeds Act (ESSA)**

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### **L.1. How does the Every Student Succeeds Act (ESSA) affect the current accountability status of schools?**

On December 10, 2015, President Obama signed the Every Student Succeeds Act (ESSA). The accountability provisions within New York State's Flexibility Waiver will continue through the 2016-17 school year.

For the 2016-17 school year, districts and schools are required to comply with the accountability requirements described within the State's approved ESEA Flexibility Waiver and Commissioner's Regulations §100.18.

At the October 2015 meeting, The Board of Regents approved permanent adoption of Regulations that conform to the flexibility that New York received. The permanent regulations can be found at: <http://www.regents.nysed.gov/common/regents/files/meetings/Oct%202015/1015brca5.pdf>.

More information about ESSA can be found at: <http://www.ed.gov/essa>.

## **M. Additional Resources for Focus Districts, Focus Schools, and Priority Schools**

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### **M.1. Will further guidance be available for Focus Districts regarding identification, appeals, requirements and interventions?**

A Focus District Webinar regarding identification, appeals, requirements and interventions was held on February 1, 2016 from 9:30 AM – 11:00 AM. This webinar can be accessed at: <http://www.p12.nysed.gov/accountability/ESEAMaterials.html>.

In addition to this webinar, the Department plans to continue adding questions to the FAQ, and is planning a series technical assistance webinars for spring 2016 to support identified schools and districts.

## **N. General Accountability Questions**

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### **N.1. What is a Performance Index?**

A school that has at least 30 or more continuously enrolled tested students in an accountability group (i.e., all students, racial/ethnic, economically disadvantaged, students with disabilities, English language learners) that take the English language arts, mathematics, grade 4 & 8 science state assessments receives partial credit for every student that scores a Level 2, and receives full credit for students scoring at Level 3 or Level 4. In order to determine the performance of the subgroups in a school relative to other schools in New York State, and to determine if schools are serving different groups of students effectively, the Department creates a Performance Index (PI) for English language arts (ELA), mathematics and grade 4&8 science for every subgroup (with 30 or more continuously enrolled tested students during the year, or combined over two years).

A Performance Index is a value from 0 to 200 that is calculated using the formula:

$$PI = \%Level\ 2 + \%Level\ 3 + \%Level\ 4 + \%Level\ 3 + \%Level\ 4$$

### **N.2. What is the Graduation Cohort?**

The graduation rate for a group is determined by dividing the number of graduation-rate total cohort members who graduated with a local or Regents diploma by the number of graduation-rate total cohort members, and multiplying the result by 100.

For example:

Graduation-rate total cohort members = 178

Graduation-rate total cohort members with local or Regents diplomas = 146

Graduation rate =  $(146 \div 178) \times 100 = 82.02247$  or 82%

### **N.3. How many students did a district have to have with a sub-group for determinations to be made?**

Any accountability group (i.e., all students, racial/ethnic, economically disadvantaged, students with disabilities, English language learners) with 30 or more continuously enrolled tested students during

the year, or combined over two years will have a Performance Index (PI) reported by the Department. Similarly, for a secondary school, 4-year and 5-year graduation rates will be reported for all groups with 30 or more students in the cohort.

**N.4. Did the number of students opting out of state assessments cause the identification of a school or district?**

The percentage of students participating in state assessments was not used to identify a school or district as Priority or Focus. The percentage of students opting out only impacted the school or district's participation rate. The participation rate was not used to identify any school or district, and is only a factor in making a determination whether a school or district can take advantage of the Adequate Yearly Progress filter to remove an accountability group from consideration for identification on an accountability measure. In cases where the number of students who were continuously enrolled who participated in the state assessments was below 30 and the accountability group did not meet the 95% participation rate requirement, the Department combined data from two school years (2013-14 and 2014-15) to make determinations. In addition, districts and schools that have high graduation rates for groups of students could avoid identification for that group of students even if performance at elementary/middle school level was low in ELA and math combined.

**N.5. Were transient students included in the calculation of PI or graduation rate?**

At the elementary-middle level, continuously enrolled students are those students enrolled on Basic Educational Data System (BEDS) day (usually the first Wednesday in October of the reporting year) AND during the test administration period with a valid score on an assessment appropriate to their grade (or age, if ungraded) and the program services reported for the student. The annual school district high school cohort for purposes of determining the high school Performance Index for ELA and mathematics for any given school year shall consist of those students who first enrolled in ninth grade three years previously anywhere and who were enrolled in the school district or placed by the school district committee on special education or by school district officials in educational programs outside the school district on the first Wednesday in October of the current school year. Transient students generally would have joined the district/school after the BEDS day and therefore will not be included in the subgroup for PI calculation.

**N.6. Didn't Governor Cuomo recommend that State assessments not be used to make accountability determinations?**

Governor Cuomo stated that the current state assessments should not be used to make employment decisions regarding teachers. This statement was not made in reference to how the State uses student results on the assessments to make accountability determinations about schools and districts. The state's ESEA Flexibility Waiver and Commissioner's Regulations require that the New York State use student results on state assessments to make these determinations.

**O. Number of Districts Identified**

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**O.7. How many districts were identified as Focus Districts?**

84 districts were identified as Focus Districts, which were identified as a result of their low performance and lack of progress in ELA and math combined or graduation rates for one of more accountability groups (racial/ethnic groups, low-income students, English language learners, and students with disabilities). Additionally, all districts with a Priority or Focus School were identified as Focus Districts.

**O.8. How many schools were identified as Priority Schools or Focus Schools?**

188 schools were identified as Priority Schools as a result of being among the lowest performing schools in the state and failing to demonstrate progress in ELA or math combined or because of their persistently low graduation rates. 442 schools were identified as Focus Schools.

**O.9. Were any charter school identified as Priority Schools or Focus Schools?**

4 charter schools were identified as Priority Charter Schools, while 14 charter schools were identified as Focus Charter Schools.

**O.10. Were there schools that were previously identified that are no longer identified?**

27 districts and 197 schools that were formerly identified as Focus have been identified as in Good Standing. In addition, 49 Priority Schools have been moved from Priority to Focus School designation, and 30 Priority Schools have been removed from Priority School status and have not been identified as Focus Schools.

**O.11. How did NYC schools perform in comparison to the rest of the State?**

<b>District &amp; School Accountability Summary (Including Charters)</b>		
<b>ESEA Waiver Category</b>	<b>Statewide, including NYC</b>	<b>NYC Only</b>
<b>Focus Districts</b>	<b>84</b>	<b>1</b>
<b>Focus Schools</b>	<b>442</b>	<b>223</b>
<b>Priority Schools</b>	<b>188</b>	<b>91</b>
<b>Total Focus and Priority Schools</b>	<b>630</b>	<b>314</b>

\* The New York City School District is one of the 84 districts that have been identified as a Focus District. Under the ESEA waiver, each of the 32 community school districts is then analyzed to determine whether it will be subject to the Focus District requirements. All community school districts, except for Community School District 6 (Manhattan) were determined to be subject to Focus District requirements. "NYC only column includes public schools as well as 12 Focus Charter Schools and one Priority Charter School located in NYC."

For the complete list of Focus Districts and Schools, and Priority Schools, please visit the following website: <http://www.p12.nysed.gov/accountability/ESEADesignations.html>