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To: District Superintendents, Superintendents of Public Schools, and Principals of Charter
Schools

From: Ira Schwartz

Subject: Preliminary Identification of Local Assistance Plan (LAP) Schools for the 2017 –
18 School Year

Date: June 2017

Pursuant to Commissioner's Regulations §100.18, the New York State Education Department (NYSED or "the Department") is required to identify Local Assistance Plan (LAP) Schools annually. As a result of amendments to Commissioner's Regulations adopted by the Board of Regents at their June 2017 meeting, the Commissioner will not identify any new LAP schools based on 2015-16 school year data. However, schools currently identified as LAP may be reidentified as LAP using this data. The purpose of this memo is to notify you that NYSED has preliminarily identified LAP Schools for the 2017-18 school year based on 2015-16 school year results.

A school may be identified as LAP School for the 2017-18 school year based on 2015-16 school year results, only if the school is a current LAP School for the 2016-17 school year and is also meeting one of the following three criteria:

1. School failed to make Adequate Yearly Progress (AYP) for an accountability subgroup for the same accountability measure for the 2013-14, 2014-15 and 2015-16 school year results; or

2. School had a gap of 100 or more points for the 2015-16 and 2014-15 Performance Indices (PI) or 50 percent or more for the 2011 and 2010 4-Year graduation rates between the subgroup and the non-subgroup students for any of the accountability subgroups and the gap for the same subgroup increased from the prior year or cohort; or

3. A school's combined English language arts (ELA) and mathematics PIs for 2015-16 and for 2014-15, or 2011 and 2010 4-Year graduation rates are at or below the cut points established on an accountability measure for a subgroup in a Focus District.

Note: A school will not be identified as LAP for any subgroup, if the school meets one of the progress filters listed in the attached LAP methodology document. Please see Attachment A for more details.

NYSED has posted the 2017-18 LAP Schools list to each respective district's Information and Report Services (IRS) portal at http://portal.nysed.gov/portal/page/pref/PortalApp. Only districts with LAP Schools will see the posted files in their IRS Portal. The 2015-16 assessment data used to make this determination is available within the New York State Report Card available at: https://reportcards.nysed.gov/. The current list of LAP Schools for the 2016-17 school year is available   at   this   website: http://www.p12.nysed.gov/accountability/2016-

17AccountabilityDesignations.html. Please see Attachment A for more details on the LAP Schools identification methodology.

Appealing the Preliminary LAP School Status

This preliminary data is currently embargoed. However, this information is being provided now so that districts may review the data and determine whether to appeal the preliminary identification of LAP Schools. Appeals regarding the preliminary LAP status of schools must be submitted no later than **Friday, June 30, 2017** via e-mail to accountinfo@nysed.gov using the attached appeal form (see Attachment B). The LAP appeal form is also available online at: http://www.p12.nysed.gov/accountability/ESEAMaterials.html.

Next Steps

In accordance with Commissioner's Regulations, a district with LAP Schools will be required to work with the identified schools to conduct a "Diagnostic Self-Reflection and Plan" for the 2017-18 school year. Within the plan, the district will be required to clearly identify the supports and interventions that are to be implemented in the identified LAP Schools, based on the results of the Self-Reflection. NYSED will host a webinar to assist districts with conducting the Diagnostic Self-Reflection and the plan for the 2017-18 school year. The Self-Reflection and Plan template is available on the following webpage: http://www.p12.nysed.gov/accountability/ESEAMaterials.html.

The Diagnostic Self-Reflection and Plan will meet the regulatory requirement for LAP Schools by including the following:
   a) the process by which the plan was developed and how school leadership, staff, parents, and students, if appropriate, were given meaningful opportunities to participate in the development of the plan;
   b) the additional resources and professional development that will be provided to LAP Schools to support implementation of the plan; and
   c) the actions to improve the performance of the subgroup(s) for which the school was identified and the timeline for implementation of the actions.

The plan based on the Self-Reflection must be approved by the local board of education for the district (or Chancellor in New York City) and posted to the district's website by **Friday, August 25, 2017**. A Transfer/Alternative School that meets the LAP criteria will not be formally identified as a LAP School, provided that the district informs the Department prior to the final identification of the school that the school will complete the Diagnostic Self-Reflection and Plan prior to the beginning of the 2017-18 school year.

In past years, the Department has made available to districts with Title I LAP Schools a grant of $20,000 per school to support implementation of LAP plans. Districts will receive further information in July 2017 regarding availability of these grants for the 2017-18 school year.

Please note: On December 10, 2015, the Every Student Succeeds Act (ESSA), a re-authorization of the Elementary and Secondary Education Act of 1965, was signed into law. ESSA requires that states develop a plan for school accountability for submission to the United States Department of Education for approval. New York intends to submit its plan to the USDE in September 2017. For more information on the requirements of ESSA, and the Department's and the Board of Regents work to develop the required plan, please visit www.p12.nysed.gov/accountability/essa.html. The state's plan will address ESSA required changes to the identification of schools and the required interventions for those schools. Prior to the start of the 2018-19 school year, the Department will use

2017-18 school year data to identify the first cohort of Comprehensive Support and Improvement Schools and Targeted Support and Improvement Schools under ESSA. The Department will provide the field with regular updates on the development, approval, and implementation of the ESSA state plan.

NYSED plans to release the final list of Local Assistance Plan Schools to the public on or around **July 7, 2017**. If you have any questions regarding the identification methodology, the appeal process, or the process for completing the Self-Reflection and Plan, please contact the Office of Accountability, at (718) 722-4553 or accountinfo@nysed.gov.

cc: Angelica Infante
        Stephen Earley
        Jason Harmon
        Lisa Long

ATTACHMENT A

Methodology Used to Identify Local Assistance Plan (LAP) Schools Based on 2015-16 School Year Results

For the 2017-18 school year, schools are preliminarily identified as LAP only if the school was a LAP School for the 2016-17 school year and is also meeting one of the following three criteria:

1. Failing to make Adequate Yearly Progress (AYP) for a subgroup for the 2013-14, 2014-15 and 2015-16 assessment data.
2. Schools having large and increasing gaps in performance between the subgroup and students not in the subgroup, for the 2014-15 and 2015-16 assessment data.
3. Schools not in Priority or Focus status having a subgroup perform at or below the Focus District cut points for the 2014-15 and 2015-16 assessment data.

Note: Existing Priority and Focus Schools are excluded from identification as a LAP School.

Criterion 1: Failure to make AYP for three years in a row

1. Schools that have failed to make AYP for the same subgroup(s) for the same accountability measure based on 2013-14, 2014-15 and 2015-16 assessment data.

   a) Accountability measures are elementary and middle level English language arts (ELA), elementary and middle level mathematics, grades 4 and 8 Science, High School ELA, High School mathematics, and graduation rate.

Criterion 2: Large gaps in performance between Subgroup and Non-subgroup Students for two years in a row and not meeting progress filters.

1. Schools whose gap on a Performance Index (PI) on an accountability measure between subgroup and non-subgroup students within a measure is:

   a. 100 or more points for the 2015-16 PI and the gap is greater than the gap between the same subgroup and non-subgroup of students for the same accountability measure in 2014-15, and

   b. 100 or more points for the 2014-15 PI and the gap is greater than the gap between the same subgroup and non-subgroup of students for the same accountability measure in 2013-14.
      i. Schools meeting this criterion and not meeting any progress filters were preliminarily identified as Potential LAP Schools based on 2014-15 assessments.[1]

   c. School must be identified for one or more of the same subgroups in both years.

2. Schools whose gap on 4-Year graduation rate between subgroup and non-subgroup students is:

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[1]For more details, please read the "Local Assistance Plan (LAP) Schools Identification Methodology" document posted here: http://www.p12.nysed.gov/accountability/2016-17MethodologiesandForms.html.

a. 50 percent or more for the 2011 4-Year graduation rate and the gap is greater than the gap between the same subgroup and non-subgroup of students on the 2010 4-Year graduation rate, and

b. 50 percent or more for the 2010 4-Year graduation rate and the gap is greater than the gap between the same subgroup and non-subgroup of students on the 2009 4-Year graduation rate.

      i. Schools meeting this criterion and not meeting any progress filters were preliminarily identified as Potential LAP Schools based on 2010 4-Year graduation rate.[1]

c. School must be identified for one or more of the same subgroups in both the years.

<u>An example of how gap is calculated for the 2015-16 assessment data</u>

1. For all schools, the PI gap between each subgroup and students who are not part of that subgroup was calculated for all subgroups in 2015-16 and 2014-15.

> *Example:* For 2015-16, School A has students with disabilities and Hispanic accountability subgroups with a PI of 50 and 80 respectively. The PI for the non-students with disabilities subgroup is 160 and the non-Hispanic subgroup is 140. The gaps for the students with disabilities subgroup is 110 (i.e., 160 – 50) and for the Hispanic subgroup is 60 (i.e., 140 – 80).

> For 2014-15, School A has students with disabilities and Hispanic accountability subgroups with PI's of 60 and 70 respectively. The PI for the non-students with disabilities subgroup is 150 and the non-Hispanic subgroup is 130. The gaps for the students with disabilities subgroup is 90 (i.e., 150 – 60) and for the Hispanic subgroup is 60 (i.e., 130 – 70).

2. For all subgroups with a gap of 100 or more points in 2015-16, the change in gap from 2014-15 is calculated to determine if the gap has increased from 2014-15.

> *Example:* For School A, the students with disabilities subgroup gap grew from 90 to 110 points. Since the gap between the students with disabilities and non-students with disabilities in 2015-16 is at least 100 points and the gap for that subgroup increased from 90 to 110, the school will be identified as a LAP, unless the students with disabilities subgroup meets one of the progress filters described below.

3. Gaps in subgroup PI were considered across all levels for which the school was accountable, i.e., gaps were not considered only at the elementary or only at the high school level.

> *Example:* For 2015-16, School B had a gap of 80 points for its Grades 3-8 ELA students with disabilities subgroup and 105 points for its High School ELA English Language Learner subgroup. The gap in 2015-16 for School B of 105 points for the High School ELA English Language Learner subgroup could cause the school to be identified.

a. Schools that did not have 30 or more students in both the subgroup and the non-subgroup in both the 2014-15 and 2015-16 school years were not identified as LAP for a subgroup using this criterion.

Example: School C has 40 tested students, of whom 25 are Black, 15 are Asian and 18 are English language learners. Since there are fewer than 30 students for any of the subgroups, the school will not be identified for any subgroup.

School D has 200 tested students and 180 of them are Hispanic. Since there are fewer than 30 students for the non-Hispanic subgroup, the Hispanic subgroup will not be identified based on this category.

A similar process is used to determine whether a school will be identified as a LAP because of gaps in graduation rate from 2010 4-year to 2011 4-year cohort.

Criterion 3: Non-Priority and Non-Focus Schools with low-performing accountability subgroups two years in a row and not meeting progress filters.

1. Non-Priority and non-Focus Schools that have the same accountability subgroup(s) with a combined ELA and mathematics PI or 4-Year graduation rate at or below the Focus School cut points for the 2014-15 and 2015-16 assessments.

   a. Schools at or below the Focus School cut points on 2014-15 assessments and not meeting any progress filters were preliminarily identified as Potential LAP Schools.[1]

2. The Focus District cut points are given below.

Subgroup	Cut Points for LAP Identification		
	EM Combined ELA & math PI	HS Combined ELA & math PI	4-Year Cohort Grad Rate
	(at or below)	(at or below)	(at or below)
Students with Disabilities	29	56.5	33
Am. Indian	61	124.5	61
Asian	61	124.5	61
Black	61	124.5	61
Hispanic	61	124.5	61
White	61	124.5	61
English Language Learners	27.5	54	25
Economically Disadvantaged	64	116.5	62
Multiracial	61	124.5	61

Progress Filters applied to the 2015-16 assessment data[2]

A. Applicable to LAP schools identified in Criterion 1, 2 and 3

Schools that meet one of the following progress filters will not be preliminarily identified as LAP for an accountability subgroup if:

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[2]The progress filters applied to the 2014-15 assessments are available in the "Local Assistance Plan (LAP) Schools Identification Methodology" document posted here: http://www.p12.nysed.gov/accountability/2016-17MethodologiesandForms.html.

a) for a subgroup identified for ELA or Math PI at the elementary-middle level, the 2014-15 and 2015-16 combined ELA and math Mean Student Growth Percentile (MGP) is above the state average for the accountability subgroup,

b) for a subgroup identified for elementary-middle/secondary level PI or graduation rate, the 2011 4-Year or the 2010 5-Year graduation rate is above the State average for the accountability subgroup,

c) for a subgroup identified for PI, the subgroup makes a 10 point or greater gain in PI from 2014-15,

d) for a subgroup identified for PI, the subgroup makes a 10 percent or greater gap reduction in PI from 2014-15,

e) for a subgroup identified for graduation rate, the subgroup makes a 10 point or greater gain in 4-Year graduation rate from the 2010 4-Year cohort,

f) for a subgroup identified for graduation rate, the subgroup makes a 10 point or greater gain in 4-Year graduation rate from the 2009 4-Year cohort,

g) for a subgroup identified for graduation rate, the subgroup makes a 10 percent or greater gap reduction in graduation rate from the 2010 4-Year cohort.

B. Applicable to LAP schools identified in Criterion 1: Failure to make AYP for three years in a row.

Additionally, schools will not be preliminary identified as LAP for an accountability subgroup if:

a) for a subgroup identified for PI at the elementary-middle or secondary level, the subgroup's 2011 4-Year or 2010 5-Year graduation rate is at or above 80 percent.

> *Example:* School F is preliminarily identified as LAP for failing to make AYP for 2013-14, 2014-15 and 2015-16 for the High School ELA Hispanic subgroup. The school's 2010 5-Year graduation rate is 81 percent. The school is removed from LAP identification for the Hispanic subgroup.

b) the subgroup's 2015-16 PI is greater than or equal to the Effective Annual Measurable Objective (EAMO) for the all students subgroup for the school.

C. Applicable to LAP Schools identified under Criterion 2: Large gaps in performance between subgroup and non-subgroup students.

Additionally, schools in Criterion 2 will not be preliminarily identified as LAP schools for an accountability subgroup if:

a) for a subgroup identified for PI or graduation rate, the subgroup makes AYP in 2014-15 and 2015-16 for the same accountability subgroup for the same performance measure,

Example: School G is preliminarily identified as LAP for having a gap of 105 points between Hispanic and non-Hispanic students for 2015-16 grades 3-8 ELA. The Hispanic subgroup made AYP for grades 3-8 ELA in 2014-15 and 2015-16 to meet the progress filter. The school is removed from LAP identification for the Hispanic subgroup.

b) for a subgroup identified for PI, the subgroup's 2015-16 PI for the same performance measure is in the top 25th percentile in the State,

c) for a subgroup identified for graduation rate, the subgroup's 2011 4-Year graduation rate is in the top 25th percentile in the State.

Top 25ᵗʰ Percentile Performance in the State

Subgroup	2015-16 3-8 ELA PI	2015-16 3-8 Math PI	2015-16 4 & 8 Sci PI	2015-16 HS ELA PI	2015-16 HS Math PI	2011 4-Year Cohort Grad. Rate
Students with Disabilities	67	79	169	135	111	79
Am. Indian	125	119	173	157	151	79
Asian	169	181	198	194	192	98
Black	109	102	184	163	126	87
Hispanic	117	118	185	167	139	85
White	149	159	198	186	171	97
English Language Learners	69	83	167	103	113	61
Economically Disadvantaged	110	117	188	167	141	88
Multiracial	134	135	NA	199	200	NA

D. Applicable to LAP Schools identified under Criterion 3: Non-Priority and Non-Focus Schools with low-performing accountability subgroups.

Additionally, schools in Criterion 3 will not be identified preliminarily as LAP schools for an accountability subgroup if:

a) for a subgroup identified for 2015-16 ELA and math combined PI or 2011 4-Year cohort graduation rate, the subgroup makes AYP in 2014-15 and 2015-16 for the same accountability subgroup.

> *Example:* School H is preliminarily identified as a Potential LAP for having its 2015-16 grades 3-8 combined ELA and mathematics Asian subgroup PI below the cut point of 61. The Asian subgroup made AYP both for grades 3-8 ELA and grades 3-8 mathematics in 2014-15 and 2015-16 to meet the progress filter. The school is removed from LAP identification for the Asian subgroup.

Note: The PI gain and PI gap reduction progress filters listed in Section A, (c) and (d) are applied differently for Criterion 3 identification; the gain and gap will be calculated from the combined ELA and math PI.

Progress Filters for Local Assistance Plan Schools

Subgroup	2014-15 & 2015-16 EM Combined ELA & Math SGP State Average	2011 4-Year Cohort Graduation Rate State Average	2010 5-Year Cohort Graduation Rate State Average
Students with Disabilities	49.25	54	60

Subgroup	2014-15 & 2015-16 EM Combined ELA & Math SGP State Average	2011 4-Year Cohort Graduation Rate State Average	2010 5-Year Cohort Graduation Rate State Average
Am. Indian	50.23	68	69
Asian	55.83	87	88
Black	49.60	68	73
Hispanic	51.36	68	72
White	50.20	89	91
English Language Learners	53.59	48	54
Economically Disadvantaged	51.05	73	77
Multiracial	49.25	82	82

Instructions for Completing the 2017-18 Appeal Form for LAP School Accountability Status

Districts may appeal the LAP designation for schools if there is a valid reason to believe the data used to make the determination is incorrect, or there are extenuating circumstances that affected the school's performance, or the school is closing. Districts can also appeal to have additional schools identified as LAP Schools. Districts do not have to appeal the Potential LAP status. This form must be completed and certified by the Superintendent (for New York City the Chancellor). The attached form may also be downloaded at:
http://www.p12.nysed.gov/accountability/ESEAMaterials.html.

To appeal a LAP accountability determination for the 2017-18 school year, districts must submit a completed, signed, and dated 2017-18 Appeal Form for LAP School Accountability Status, with all required supporting evidence. Districts must submit the appeal by **Friday, June 30, 2017**, requesting that the 2017-18 status be adjusted. Appeals may be granted if the district can prove to the satisfaction of the Department that its identification was based on inaccurate computations applied to data in the Student Information Repository System (SIRS) as of the 2015-16 reporting deadline, August 26, 2016.

Resource Documents on Status Identification and Data Verification

More details on the data elements used for LAP identification is available in the file "PreliminaryLAPSchoolsfor2017-18.xlsx" posted at the Information and Reporting Services (IRS) Portal at http://portal.nysed.gov/portal/page/pref/PortalApp.

Districts seeking an appeal for more than one individual school 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 for School and District Accountability Status:

1. Within the designated fields, provide the School's Name, School's BEDS Code, District's Name and BEDS Code.

2. Check the corresponding box next to the appropriate reason for the appeal.

3. 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.

4. Protect personal identification information. Documents submitted to NYSED must not include social security numbers (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) 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.

5. The superintendent (for New York City the Chancellor) must certify the document and submit it via e-mail to accountinfo@nysed.gov by **Friday, June 30, 2017**.

2017-18 Appeal Form for LAP School Accountability Status

School Name:	
School BEDS Code:	
District Name:	
District BEDS Code:	

Please provide the school details 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.

Reason for LAP Appeal

☐ Data Issue

☐ Extenuating or Extraordinary Circumstances

☐ Other (e.g., school closure)

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 Reporting Services (IRS) portal will be official and that the district and its school must meet all federal and state requirements pertaining to such accountability status.

Superintendent's/Charter School Principal's Name:			
Superintendent's/Charter School Principal's Signature		Date:	