

Accountability Requirements Under the Every Student Success Act

Long Term Goals:

Establish ambitious State-designed long-term goals, which shall include measurements of interim progress toward meeting such goals for all students and separately for each subgroup of students in the State for, at a minimum, improved academic achievement, as measured by proficiency on the annual assessments in mathematics and reading or language arts; 4 year graduation rate and, at the State's discretion, the extended-year adjusted cohort graduation Rate, except that the State shall set a more rigorous long-term goal for such graduation rate, as compared to the long term goal set for the four-year adjusted cohort graduation rate; and for English learners, increases in the percentage of such students making progress in achieving English language proficiency, as defined and measured by State within a State-determined timeline. Such goals shall be the same multi-year length of time for all students and for each subgroup of students in the State and take into account the improvement necessary on such measures to make significant progress in closing statewide proficiency and graduation rate gaps.

Questions:

1. Should New York establish long-term goals in ELA and mathematics based upon the percentage of students at or above proficiency or should it seek to continue to express these in terms of a performance index that gives partial credit to students who are partially proficient?
2. Should New York establish high school ELA and mathematics goals that are based upon the percentage of students who take ELA and math assessments annually or should New York seek to continue to measure high school proficiency based upon the performance of students who first entered grade 9 in a particular year?
3. Should New York set goals only for the 4 year graduation cohort or should it also establish goals as at present for an extended cohort? If yes should, the extended cohort be based upon graduation in five years, as at present, or something else?
4. How should New York measure gains in English language proficiency for English learners?
5. What should be the goals for mathematics, English language arts, graduation rate and achieving English language proficiency?
6. What should be the timeline for achieving that goal?
7. What should be the goal in terms making significant progress in closing the achievement gap?

Indicators for Accountability

Annually measure, for all students and separately for each subgroup of students, the following indicators:

- For all public schools in the State, based on the long-term goals academic achievement and at the State's discretion, for each public high school in the State, student growth, as measured by such annual assessments.
- For public elementary schools and secondary schools that are not high schools in the State a measure of student growth, if determined appropriate by the State; or another valid and reliable statewide academic indicator that allows for meaningful differentiation in school performance.
- The four-year adjusted cohort graduation rate; and at the State's discretion, the extended year adjusted cohort graduation rate.
- For public schools in the State, progress in achieving English language proficiency for all English learners in each of the grades 3 through 8; and in the grade for which such English learners are otherwise assessed during the grade 9 through grade 12 period, with such progress being measured against the results of the assessments taken in the previous grade.
- For all public schools in the State, not less than one indicator of school quality or student success that allows for meaningful differentiation in school performance; is valid, reliable, comparable, and statewide (with the same indicator or indicators used for each grade span, as such term is determined by the State); and may include student engagement; educator engagement; student access to and completion of advanced coursework; postsecondary readiness; school climate and safety; and any other indicator the State chooses.

Questions:

1. Should NY include a measure of high school student growth, and if yes, what should that measure be?
2. For elementary and middle schools, should NY use a measure of student growth, and if yes, what should that measure be? (NY currently uses Mean Growth Percentile for institutional accountability.) If not, what other statewide academic indicator that allows for meaningful differentiation in school performance should be used?
3. At what high school grades should a measure of English proficiency be used?
4. What indicator(s) of school quality should be used that allow for meaningful differentiation in school performance?

Annual Meaningful Differentiation

Establish a system of meaningfully differentiating, on an annual basis, all public schools in the State, which shall be based on all indicators in the State's accountability system for all students and for each of subgroup of students, and assign substantial weight to each such indicator and in the aggregate, much greater weight to the indicators other than the measure of school quality and include differentiation of any such school in which any subgroup of students is consistently underperforming.

Questions:

1. Should New York use an index or some other method to weight indicators?
2. How should a value be assigned to each indicator?
3. What should the weighting of each indicator be?

Identification of Schools

Based on the system of meaningful differentiation establish a State-determined methodology to identify beginning with school year 2017–2018, and at least once every three school years thereafter, one statewide category of schools for comprehensive support and improvement, which shall include:

- not less than the lowest-performing 5 percent of all schools receiving funds under this part in the State;
- all public high schools in the State failing to graduate one third or more of their students;
- public schools in the State for which subgroups of students are consistently failing and
- at the discretion of the State, additional statewide categories of schools.

Questions:

1. How many schools should be identified as the lowest performing (e.g., based upon the percent of Title I schools in the state or based upon the percent of all schools in the state)?
2. How should the state determine the number of schools that should be identified as consistently failing? How many years must a school fail to be considered "consistently failing"?
3. Should the state identify any additional categories of schools, such as Local Assistance Plan Schools?
4. Should the state continue to identify Focus Districts, and if yes, based on what criteria?

Participation Rate Requirement

- Annually measure the achievement of not less than 95 percent of all students, and 95 percent of all students in each subgroup of students, who are enrolled in public schools on the ELA and math assessments.
- For the purpose of measuring, calculating, and reporting on the indicator include in the denominator the greater of 95 percent of all such students, or 95 percent of all such students in the subgroup, as the case may be; or the number of students participating in the assessments.
- Provide a clear and understandable explanation of how the State will factor the requirement into the statewide accountability system.

Questions:

1. How should the 95% participation requirement be factored into the State accountability system?
2. How should the 95% participation requirement be computed for high school assessments?
3. Should the 95% requirement be computed using a single year's worth of data or averaged over multiple years?

Comprehensive Support and Improvement

- Each State educational agency receiving funds shall notify each local educational agency of those schools identified for comprehensive support and improvement (i.e., Priority Schools).
- Upon receiving such information, the local educational agency shall, for each school identified by the State and in partnership with stakeholders (including principals and other school leaders, teachers, and parents), locally develop and implement a comprehensive support and improvement plan for the school to improve student outcomes, that:
 - (i) is informed by all State indicators, including student performance against State-determined long-term goals;
 - (ii) includes evidence-based interventions;
 - (iii) is based on a school-level needs assessment;
 - (iv) identifies resource inequities, which may include a review of local educational agency and school level budgeting, to be addressed through implementation of such comprehensive support and improvement plan;
 - (v) is approved by the school, local educational agency, and State educational agency; and
 - (vi) upon approval and implementation, is monitored and periodically reviewed by the State educational agency.
- With respect to any high school identified for graduation rate, the State educational agency may—
 - (i) permit differentiated improvement activities that utilize evidence-based interventions in the case of such a school that predominantly serves students (I) returning to education after having exited secondary school without a regular high school diploma; or (II) who, based on their grade or age, are significantly off track to accumulate sufficient academic credits to meet high school graduation requirements, as established by the State; and
 - (ii) in the case of such a school that has a total enrollment of less than 100 students, permit the local educational agency to forego implementation of required improvement activities.

Questions:

1. Should schools continue to be required to participate in the DTSDE process, as the means by which to meet the school-level needs assessments? If not, what should replace it?
2. What should be the components of a Comprehensive Support and Improvement Plan? How should it be the same as or different than the current Comprehensive School Improvement Plans?
3. What should be required interventions in these schools? Should these schools be required to implement a whole school reform model of elements of a whole school reform model?
4. Should there be any set aside of funds by districts to support these schools?
5. Should there be any requirements pertaining to teaching staff and school leadership?
6. What should be the process for determining resource inequities?
7. What are the implications for Schools Under Registration Review and Struggling and Persistently Struggling Schools?
8. What should be the differentiated improvement activities in high school?
9. What should happen in schools with fewer than 100 students enrolled?
10. What should be the consequences of schools that fail to improve?

Public School Choice for Students Enrolled in Schools Identified for Comprehensive Support and Improvement

- A local educational agency may provide all students enrolled in a school identified by the State for comprehensive support and improvement with the option to transfer to another public school served by the local educational agency, unless such an option is prohibited by State law.

- **PRIORITY.**—In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest achieving children from low-income families.
- **TREATMENT.**—A student who uses the option to transfer to another public school shall be enrolled in classes and other activities in the public school to which the student transfers in the same manner as all other students at the public school.
- **SPECIAL RULE.**—A local educational agency shall permit a student who transfers to another public school under this paragraph to remain in that school until the student has completed the highest grade in that school.
- **FUNDING FOR TRANSPORTATION.**—A local educational agency may spend an amount equal to not more than 5 percent of its base allocation under to pay for the provision of transportation for students who transfer under this paragraph to the public schools to which the students transfer.

Questions:

1. Should NY require that public school choice be offered in schools identified for comprehensive support and improvement?
2. If yes, should the current rules for the provision of choice be kept or modified. If modified, how?
3. Should any other group of schools other than those Title I schools identified for comprehensive support and improvement be required to offer public school choice? If yes, which groups and how would public school choice be paid?
4. How should districts determine which students get priority for public school choice?
5. If a district cannot offer public school choice and is required to do so, should they be required to offer parents something else?

Targeted Support and Improvement

- **IN GENERAL.**—Each State educational agency receiving funds under this part shall, using the meaningful differentiation of schools:
 - (i) notify each local educational agency in the State of any school served by the local educational agency in which any subgroup of students is consistently underperforming, and
 - (ii) ensure such local educational agency provides notification to such school with respect to which subgroup or subgroups of students in such school are consistently underperforming.
- **TARGETED SUPPORT AND IMPROVEMENT PLAN.**— Each school receiving a notification described in this paragraph, in partnership with stakeholders (including principals and other school leaders, teachers and parents), shall develop and implement a school-level targeted support and improvement plan to improve student outcomes based on the indicators in the statewide accountability system for each subgroup of students for which the school was identified that:
 - (i) is informed by all indicators, including student performance against long-term goals;
 - (ii) includes evidence-based interventions
 - (iii) is approved by the local educational agency prior to implementation of such plan;
 - (iv) is monitored, upon submission and implementation, by the local educational agency; and
 - (v) results in additional action following unsuccessful implementation of such plan after a number of years determined by the local educational agency.
- **ADDITIONAL TARGETED SUPPORT.**—The targeted support and improvement shall also identify resource inequities (which may include a review of local educational agency and school level budgeting), to be addressed through implementation of such plan.
- **SPECIAL RULE.**—The State educational agency, based on the State’s differentiation of schools for school year 2017–2018 shall notify local educational agencies of any schools served by the local educational agency in which any subgroup of students, on its own, would lead to identification using the State’s methodology.

Questions:

1. Should schools continue to be required to participate in the DTSDE process? If not, what, if anything, should replace it?

2. What should be the components of a Targeted Support and Improvement Plan? How should it be the same as or different than the current Comprehensive School Improvement Plans?
3. What should be required interventions in these schools? How should “evidence based interventions” be defined?
4. Should there be any set aside of funds by districts to support these schools?
5. What should be the process by which the LEA approves these plans?
6. What should be the role of the SEA in monitoring these plans?

Continued Support for School and Local Educational Agency Improvement

- To ensure continued progress to improve student academic achievement and school success, the State educational agency shall establish statewide exit criteria:
 - for schools identified by the State for comprehensive support and improvement which, if not satisfied within a State-determined number of years (not to exceed four years), shall result in more rigorous State determined action, such as the implementation of interventions (which may include addressing school-level operations); and
 - For schools identified for subgroups, which, if not satisfied within a State-determined number of years, shall, result in identification of the school by the State for comprehensive support and improvement.
- periodically review resource allocation to support school improvement in each local educational agency in the State serving a significant number of schools identified for comprehensive support and improvement and targeted support and improvement
- provide technical assistance to each local educational agency in the State serving a significant number of identified schools and may take action to initiate additional improvement in any local educational agency with a significant number of identified schools and consistent with State law, establish alternative evidence-based State determined strategies that can be used by local educational agencies to assist a school identified for comprehensive support and improvement
- Nothing shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded to school or local educational agency employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employers and their employees.

Questions:

1. What should be the criteria for exiting from accountability status?
2. How should the state determine which schools in Targeted Support and Improvement status should be moved to Comprehensive Support and Improvement status? What should be the “state determined” number of years?
3. What should be process by which a review of resource allocations occurs?
4. What actions should the state initiate in LEAs with a significant number of schools that are not improving?

Other Elements of State Plans

Each State plan shall describe:

- (A) how the State will provide assistance to local educational agencies and individual elementary schools choosing to use funds under this part to support early childhood education programs;
- (B) how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description
- (C) how the State educational agency will support local educational agencies receiving assistance under this part to improve school conditions for student learning, including through reducing:
- (i) incidences of bullying and harassment;
 - (ii) the overuse of discipline practices that remove students from the classroom; and

- (iii) the use of aversive behavioral interventions that compromise student health and safety;
- (D) how the State will support local educational agencies receiving assistance under this part in meeting the needs of students at all levels of schooling (particularly students in the middle grades and high school), including how the State will work with such local educational agencies to provide effective transitions of students to middle grades and high school to decrease the risk of students dropping out;
- (E) the steps a State educational agency will take to ensure collaboration with the State agency responsible for administering the State plans under parts B and E of title IV of the Social Security Act to ensure the educational stability of children in foster care
- (F) how the State educational agency will provide support to local educational agencies in the identification, enrollment, attendance, and school stability of homeless children and youths; and
- (G) such other factors the State educational agency determines appropriate to provide students an opportunity to achieve the knowledge and skills described in the challenging State academic standards.