

## School Receivership for 2018-19 to 2020-21: Frequently Asked Questions Addendum<sup>1</sup>

### Changes to Demonstrable Improvement Process for Schools in Receivership in Response to the COVID-19 Crisis

#### A. Regulatory Changes

##### A.1. What is the impact of the COVID-19 crisis on the Receivership regulations?

On May 4, 2020, the Board of Regents approved amendments to §100.19 of the Commissioner's Regulations relative to schools in Receivership. The amendments were adopted by the Board of Regents as an emergency measure due to the unique circumstances that have arisen as a result of the COVID-19 pandemic. In particular, §100.19 was amended to provide that:

- The Commissioner shall not use 2019-20 school year results to newly identify any schools as Struggling, place any schools under Independent Receivership, or remove the designation of any schools as Struggling;
- All schools identified as Struggling schools for the 2019-20 school year shall remain so identified for the 2020-21 school year and all schools that operated under a school district Superintendent Receiver in the 2019-20 school year shall continue to operate under a school district Superintendent Receiver in the 2020-21 school year; and
- The Commissioner may, upon a finding of good cause, modify for the 2019-20 through 2021-22 school years any timelines pertaining to notifications, plans, reports, or implementation of activities required by such section, except for any timelines prescribed by law.<sup>2</sup>

These changes are consistent with those provided in the April 17, 2020 Office of Accountability (OA) memo titled [2019-20 Accountability Implications Based on April 2020 United States Department of Education Waivers and Changes to Commissioner's Regulations §100.21 to Address the COVID-19 Crisis](#).

#### B. 2019-20 Demonstrable Improvement Determinations

##### B.1. How do the regulatory changes in response to the COVID-19 crisis impact the DI process and determinations for the 2019-20 school year?

The Department ***will not*** use the 2019-20 school year results to make Demonstrable Improvement (DI) determinations for schools under Receivership. Additionally, due to school closures and the cancellation of the grades 3-8 state assessments and the June Regents assessments, the following reporting process will not be completed for schools in Receivership in the fall of 2020:

- There will be no early 2019-20 SIRS data pull (including reporting August Graduates in IDEx) and no preliminary data review and appeal process.
- The Department will not compute 2019-20 DI Indices for any schools.
- The Department will not release preliminary DI results to districts and Community Engagement Teams (CETs).
- The Commissioner will not make preliminary or final DI determinations.
- The Department will not display the 2019-20 school year results on the Receivership Dashboard on [data.nysed.gov](http://data.nysed.gov).

<sup>1</sup> For additional information about Receivership and the Demonstrable Improvement process, please refer to the [FAQ](#).

<sup>2</sup> Source: [Proposed Amendments to \[...\] Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis](#).

## B.2. What data are districts with schools in Receivership required to report to the Department for the 2019-20 school year?

Districts are required to report 2019-20 data as prescribed by Department Program Offices unless specifically directed otherwise. For instance, districts are required to report data annually according to the timelines provided by the Information and Reporting Services (IRS). For details, please refer to the [Deadlines for Verification and Certification of 2019-20 School Year Data in SIRS](#). Districts are also required to report School Safety and the Educational Climate (SSEC) data to the Student Support Services (SSS). For details, please refer to the [School Safety Data Collection webpage](#).

## B.3. What data are districts with schools in Receivership not required to report to the Department for the 2019-20 school year?

Because the Department will not use the 2019-20 school year results to make Demonstrable Improvement (DI) determinations for schools under Receivership, districts are not required to report to the Office of Accountability (OA) their 2019-20 school year results for the indicators listed in Table 1 below.<sup>3</sup>

**Table 1. DI Indicators for which districts are not required to report data to the Office of Accountability.**

| Grade Level | Indicator Level | Indicator Code | Description  |
|-------------|-----------------|----------------|--|
| EM, HS      | 1               | 5              | School Safety  |
| EM, HS      | 2               | 2              | Plan for and implement Community School Model                                |
| EM, HS      | 2               | 94             | Providing 200 Hours of quality Extended Day Learning Time (ELT)              |
| EM, HS      | 2               | 6              | Family and Community Engagement (DTSDE Tenet 6)                              |
| EM, HS      | 2               | 7              | Teacher Practices and Decisions (DTSDE Tenet 4)                              |
| EM, HS      | 2               | 8              | Curriculum Development and Support (DTSDE Tenet 3)                           |
| EM, HS      | 1, 2            | Various        | Local Indicators ( <i>only applicable to schools with Local indicators</i> ) |

## C. Future DI Determinations

### C.1. What will be the DI process for the 2020-21 and 2021-22 School Years?

The planned process for making the DI determinations for the 2020-21 and 2021-22 school years is described in the August 7, 2020 webinar presentation, titled *Demonstrable Improvement Process for Schools in Receivership in Response to the COVID-19 Crisis*.<sup>4</sup> The presentation slides and recording are available on the Department's School Receivership webpage at <http://www.p12.nysed.gov/accountability/de/SchoolReceivership.html>.

<sup>3</sup> Districts also do not need to report preliminary August graduates via the IRS Data Exchange (IDEx).

<sup>4</sup> This process is applicable provided that the Department can make DI determinations for the 2020-21 and 2021-22 school years, and is subject to modification by the Commissioner.