

ATTACHMENT C: QUESTIONS AND ANSWERS

- Q. What action did the Commissioner take today?
- A. The Commissioner identified 57 schools as persistently lowest achieving. This action was taken in support of New York's applications for State Fiscal Stabilization Phase II, School Improvement and Race to the Top grant funds. Districts must now develop plans to implement one of four intervention strategies in these schools.
- Q. What are the intervention strategies?
- A. The intervention strategies are: the turnaround model, in which the principal and at least half of the staff are replaced and the educational program is fundamentally changed; the restart model, in which the school is converted or replaced by a charter school or by school operated under contract by an educational management organization; the transformation model, in which the principal is replaced and the staff are evaluated and provided appropriate professional development to implement a new educational program at the school; and the closure model.
- Q. What happens if the leadership of the school is new? Does he or she still need to be removed?
- A. A school leader who has been at a school for less than two years and has already begun to implement some or all of the elements of an intervention strategy may remain at the school.
- Q. What is the relationship between the transformation, turnaround, and closure interventions models and existing collective bargaining agreements?
- A. The provisions of existing collective bargaining agreements remain in effect.
- Q. Who decides which intervention model will be implemented in a school?
- A. The district decides which model should be implemented. A plan approved by the Board of Education of the district must be submitted to the Commissioner for approval. In developing the plan, the district must consult with the educational community and seek their participation in the development of the plan.
- Q. What criteria were used to identify these schools as persistently lowest achieving?
- A. The criteria used to identify the schools as persistently lowest achieving were the following: the Grade 3-8 English language arts and math assessments; the performance of students who first entered ninth grade in terms of meeting the graduation assessment requirements in English language arts and mathematics; and a school's graduation rate.
- Q. How poorly did a school have to perform to be identified as persistently lowest-achieving?
- A. To be identified as persistently lowest-achieving, a school had to:
- be a school in the Restructuring phase of New York's Differentiated Accountability System; and
 - have for 2008-09 school year results an average Performance Index for the All Students group in English language arts and mathematics of 146.5 or less; and
 - have failed to make at least a 25 point gain on each ELA and mathematics measure for which the school was accountable between SY 2005-06 and SY 2008-09.

Or

- have a graduation rate below 60 percent for the All Students group on its 2002, 2003, and 2004 graduation rate cohort.

Q. What is the School Accountability Performance Index?

The Performance Index is a value from 0 to 200 that is assigned to an accountability group, indicating how that group performed on a required State test (or approved alternative) in English language arts, mathematics, or science. The Performance Index is calculated based upon the percentage of full-year tested students who score at Levels 2 and above and the percentage who score at Levels 3 and above on the Grade 3-8 English language arts and mathematics assessments. A high school student who achieves a score on a Regents exam of between 55-64 or, a student with a disability who scores 65 or higher on a Regents Competency Test, within four years of entry into grade 9 are assigned a score of Level 2. Students who pass a Regents examination in these subjects with a score of 65 or higher are assigned a score of Level 3.

A school in which all students perform at or above Level 3 will have a Performance Index of 200; a school in which all students perform at Level 2 will have a Performance Index of 100; and a school in which all students perform at Level 1 will have a Performance Index of 0.

Q. Why did SED select these criteria and performance levels to identify schools as persistently lowest-achieving?

A. The United State Department of Education's definition of persistently lowest-achieving schools requires states to identify those schools that are lowest achieving in English language arts and mathematics combined based on the performance of the all students group and that have failed to show progress in recent years on these assessments. The definition further specifies states are to identify as lowest-achieving five percent of their Title I schools in Improvement, Corrective Action, or Restructuring, or five schools, whichever is greater, and a comparable number of Title I eligible secondary schools. The definition also requires that schools that have graduation rates below 60 percent for a number of years be identified. Based on this definition, NY was required to identify 22 Title I schools and five Title I eligible secondary schools based on ELA and math performance. The State Education Department decided that it would define lack of progress as schools that were in the Restructuring phase that had failed to make at least a 25 point gain in both ELA and mathematics since 2005-2006. Based on this definition, the cutpoint to identify the required number of schools was an average performance index of 144.5 for Title I schools and 146.5 for Title I eligible schools.

Q. Were all the schools that failed to meet these criteria identified as persistently lowest-achieving?

A. No. Schools of Special Act school districts; schools in Community School District 75; schools that were already in the process of phasing out as of September 2009; and, on a case by case basis transfer high schools were not identified as persistently lowest-achieving.

Q. What will these schools have to do to be removed from the persistently lowest-achieving list? How long will they have to accomplish this?

A. Schools will remain identified until the schools either demonstrate improved performance such that the schools no longer meet the criteria to be a persistently lowest-achieving school; or the schools are phased-out and closed and replaced by new schools.

Q. What is the relationship between the Schools Under Registration Review (SURR) program and identification as a persistently lowest-achieving school?

- A. The methodologies for identifying schools for registration review and as persistently lowest-achieving are similar but not identical. The biggest difference is that graduation rate is used to identify schools as persistently lowest-achieving but not to identify schools for registration review. Later this year, the Regents will be asked to amend Commissioner's regulations to bring the two designations into alignment.
- Q. What must a district do if it has a school identified as persistently lowest-achieving?
- A. Districts that have schools that have been identified as persistently lowest-achieving will be required to select one of the four intervention models and submit an intervention plan to the Commissioner for approval. In developing the plan, the district must consult with the educational community and seek their participation in the development of the plan. Once the plan has been approved, the district must support the implementation of the plan.
- Q. What is the timeline for districts to implement the model they select?
- A. Immediately after identification, districts should analyze school data and begin to consider which school intervention model is appropriate to implement in SY 2010-11. Districts may with the approval of the Commissioner seek to begin implementation of a model in a later year.
- Q. What happens if the district does not satisfactorily implement a plan?
- A. The Commissioner can recommend that the Regents revoke the registration of the school. Upon approval of revocation of registration by the Board of Regents, the Commissioner will develop a plan to ensure that the educational welfare of the pupils of the school is protected. Such plan shall specify the instructional program into which pupils who had attended the school will be placed, how their participation in the specified programs will be funded, and the measures that will be taken to ensure that the selected placements appropriately meet the educational needs of the pupils. The Commissioner shall require the board of education to implement such plan.
- Q. What resources will be available to support districts in implementing one of the four intervention models?
- A. New York expects to provide approximately \$500,000 per school in School Improvement Grant funds to a district to support the implementation of a model. In addition, if New York receives Race to the Top funding, districts may use the funds from the allocation that each participating district will receive from the Department to fund the model. The Department will also be directly providing or arranging for the provision of limited technical assistance and support to districts as they work with schools to implement an intervention strategy.