

**Consortium for Policy Research in Education (CPRE)
Assessment and Accountability in the Fifty States: 1999-2000**

NEW YORK

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in July 2000. All information is current as of that date.*

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State Assessment System (1999-2000 school year)

1. *Provide a brief overview and history of the assessment system as the context.*

New York implemented a revised assessment system during the 1998-99 school year. The new grade 4 English language arts test was administered in January of 1999. In June, the new state tests were administered in grades 4 and 8 in mathematics and in grade 8 in English language arts. The grades 3 and 6 Pupil Evaluation Program (PEP) tests in mathematics and reading and the grades 8 and 9 Preliminary Competency Tests (PCT) in reading and writing were replaced by the new tests in grades 4 and 8. The PEP grade 5 writing test was administered for the last time in May 1999. The system of Regents Examinations is also being revised.

2. *What are the characteristics of the state assessment system, including:*

- Name of Assessment Instrument(s) or Program(s)
 1. New York State Assessment program in English Language Arts and Mathematics
 2. Regents Comprehensive Examinations
 3. Regents Competency Tests (RCTs)

- *Grade Levels and Subjects Tested*
 - Grade 4: English/Language Arts, Mathematics, (Science (new for spring 2000))
 - Grade 5: Social Studies (new for November 2000)
 - Grades 8: English/Language Arts, Mathematics, (Science and Social Studies (new for 2000-2001))
 - Intermediate Level: Technology Education (new for 2000-2001)
 - Grade 11: Regents Comprehensive Exam in English and Mathematics
Regents Competency Tests in reading, mathematics, science and social studies (U.S. History and Government and global studies)

A total of 16 Regents assessments in subjects related to English, mathematics, science, social studies and second languages may also be taken as end-of-course assessments in high school.

- *Norm or Criterion Referenced:*
All assessments are criterion referenced; *the Regents Competency Tests*, however are not aligned with the state standards and are being replaced over the next few years.
- *Matrix or Census Testing:* Census

- *Item Types*
Multiple choice questions, short answer and extended response items are used, as well as a written composition in English. Proportions vary by test.

- *Time of Testing (specific month(s) or testing window)*

Fourth and Eighth Grade Examinations

- English/Language Arts in 4th grade: January 31 - February 4, 2000
- English/Language Arts in 8th grade: May 16 – 17, 2000
- Mathematics in 4th and 8th grades: May 17 – 19, 2000

Regents Comprehensive Exam and Regents Competency Tests (RCTs)

- January 25 - January 28, 2000
- June 15 - June 23, 2000
- August 16 - August 17, 2000

- *High School Exit Exam (date of implementation and/or phase-in timeline)*

The Regents Comprehensive Examinations are achievement tests based on courses of study used in grades 9-12. They provide schools with a basis for evaluating the quality of instruction and learning and give students information with which to make educational and vocational decisions. A score of 65 is required to pass a Regents examination; a score of 85 or higher is considered passing with distinction. General education students who first entered grade 9 in 1996-97 must score 65 (55 at local discretion) or higher on the Regents English examination to earn a local diploma.

The Regents Comprehensive Examinations are in the process of development currently (*see changes below*). During the transition, the Regents Competency Tests (RCTs) which had

been used as a less rigorous version of the Regents Exams are being used to test students in areas not yet covered by the new tests.

- *Other Assessments*

1. Occupational Education Proficiency Examinations are end-of-course exams used in the state vocational programs. Subjects include:
 - Introduction to occupations
 - Human development
 - Housing and environment
 - Health occupations
 - Food and nutrition
 - Clothing/textiles
 - Business analysis/computer applications.

These occupational exams are, however, to be termed *Career Education Proficiency Examinations* as of July 1, 2000 under amendments to 100.2 in state regulations.

2. Regents Examinations in languages other than English: students may also take selected exams in languages such as French, German, Hebrew, Italian, Spanish and Latin.

It is anticipated that during the 2000-01 school year an assessment of students' achievement at the intermediate level of the **Technology Education standards** will be available for administration. Pilot testing for this new examination has been underway during each of the last two school years. Students must complete the mandated unit of study in Technology Education prior to taking this assessment.

- *Transitional or Final Assessment System*

The state system of assessment is currently in transition and the new system will not be fully implemented for a few years.

3. *Who designed and produced the assessment(s) used by the state? If a commercial test was used by the state, were modifications or additions made to the assessment to address state requirements or standards? If so, what did they include?*

The grade 4 and 8 tests were developed through a contract with CTB/McGraw-Hill. Committees of teachers, testing specialists, and subject specialists produced the framework and criteria for the examinations and worked to ensure that there was a link between the performance indicators and the learning standards. The teachers and testing specialists helped to develop the test questions and schools volunteered to pilot the test items. Test questions were reviewed by teachers, administrators, parents and business and cultural representatives to verify the accurate representation of standards, freedom from bias and suitability of content. All revised examinations were then reviewed by expert panels to ensure that they were aligned with standards and “appropriately rigorous.”

This process will continue to be used as each new assessment is developed, field tested and implemented.

4. *What are the state requirements for local assessment, including the types of assessments and their use in areas such as reporting and accountability, as well as Title I adequate yearly progress? What grade levels and subjects are tested?*

The state does not have any additional requirements for assessment in general education.

5. *Is the state assessment system aligned with the state standards? Are there plans for alignment, and if so, how will the assessment and standards become aligned?*

According to the state, these new assessments are tied to the “higher” learning standards and revised graduation requirements and are aligned across grade levels. The Regents Competency Tests that are being phased out are not, however, aligned to state standards.

6. *What is the state’s approach for ensuring alignment and what evidence of that alignment is provided?*

As stated previously, all revised examinations were reviewed by expert panels to ensure that they were aligned with standards and “appropriately rigorous.” The Regents Competency Tests that are being phased out are not, however, aligned to state standards.

7. *How is the data included in the state assessment system used?*

Data is used for student, school and district accountability systems (district accountability only under Title I). Students not eligible for the “safety net” are required to pass the Regents Exams in order to graduate (see information in Question 8 below). The state has just decided to categorize schools using the 4th, 8th and 11th grade (secondary) assessments in English language arts and mathematics as part of the report card structure. Schools can further be placed in Registration Review if they are farthest from state benchmarks (see performance standards section below). Schools and Districts are also to use data in improvement planning. See the reporting and accountability sections for specific details.

8. *Are there changes planned for the state assessment system (proposed or enacted and to be implemented)? If so, what do these plans include? Why are these changes being made and what is the timeline? Are there implications for the state reporting or accountability systems (Title I or in general)?*

Higher graduation requirements based on the Regents Examinations are being phased in during the period 1999-2004 depending on the year the student entered high school. During that period, local schools may use 55-64 as the passing score on the Regents exams to meet local diploma requirements. A passing score of 65 is required for a Regents diploma. For students entering the 9th grade in 2000, the passing score for English and social studies will be 65 for either diploma; 65 will be the passing score for all high school exam subjects after that point.

Students who entered grade 9 in 2001-2002 will be the first class of students who must take and pass the revised Regents examinations in the following areas with a score of 65 in order to graduate:

- English
- Mathematics
- Global history and geography
- United States history and government
- Science (as chosen by the student from Chemistry, Physics, Earth Science, and Biology).

New tests in social studies and science at the elementary and intermediate grade levels are being developed and field tested. The first administration of these tests is scheduled as follows:

- Grade 8 science: Spring 2001
- Grade 8 social studies: June 2001

The class of 2001 will take the English and new math Regents end-of-course exams and science and social studies Regents Competency Tests. High school end-of-course exams will be added in science and social studies by 2002. Graduation requirements depend on the year the student enters grade 9, not when they graduate. Further, many students already take Regents examinations in many subjects, even though they are not required for graduation.

9. *What have been the major issues and challenges in the area of state assessment? Explain.*

This is a period of transition in the state, and the implementation of these new assessments will be at issue for the next few years. Also at issue are the accommodations and modifications for students with special needs and the challenge of addressing those needs across the state while providing valid and reliable assessments.

Inclusion Policies for Assessment

1. *What exclusions are made in the current state assessment for students with disabilities? LEP? Who makes the decision about exclusion of a particular child? Does the state collect data or in other ways monitor the number and types of students excluded? Does that vary by test?*

Students with Disabilities

Students with disabilities must be included in state and local testing programs to the fullest extent appropriate. In order for students with disabilities to be prepared to take the revised Regents examinations, they must participate in Regents level coursework and statewide testing programs with allowable accommodations as documented in their IEPs. For a small number of students with disabilities, the Committee on Special Education (CSE) may determine that it is not appropriate for a student to participate in a state assessment and will exempt him/her from the exam and document on the IEP as to how the student will be assessed.

During the phase-in of the revised graduation requirements, students with disabilities will take each Regents exam required for the entering class. If a student fails the exam, students with disabilities in the entering class may take the **Regents Competency Test (RCT)** in that subject area(s) in order to satisfy the exam requirement and get a diploma. However, all must take the RCT or the Regents exam, beginning in 2000-01.

LEP Students

Students with limited English proficiency who score at or above the 30th percentile on an English reading test will take the new grades 4 and 8 E/LA and math tests. LEP students who score at or above the 30th percentile on an English reading test for which there is no translated version of the content area examination must take the tests in English. Those LEP students who score at or below the 20th percentile on an English reading test or have been enrolled in the US schools for five years or less may be exempted from the NY State E/LA assessments. However, the English achievement of these LEP students must be reported through the **Local Education Accountability Program (LEAP)** to the SDE. LEP students must pass the Regents exam in English, beginning with the graduating class of 2000, in order to receive a diploma from NY. LEP students speaking these languages who first enter school in the US in grade 9 or later may take the translated version of the other tests.

2. *What accommodations and/or modifications are made on the current state assessment for students with disabilities? LEP?*

There are four circumstances in which **students with disabilities** may be eligible to receive test modifications:

1. Students with disabilities whose Individualized Education Program includes testing modifications;
2. Students who are declassified by the Committee on Special Education;
3. Students with disabilities whose Section 504 Accommodation Plan includes test modifications; and
5. Students who acquire disabilities shortly before test administration.

Examples of test modifications for students with disabilities include:

Flexible Scheduling

- extended time to complete tests,
- specify amount (e.g., double time)
- administer tests over several sessions, specify duration
- administer tests in several sessions over several days

Flexible Setting

- administer tests individually in separate location
- administer tests to a small group in separate location
- provide special lighting, specify type
- provide adaptive or special equipment, specify type (e.g., study carrel)
- provide special acoustics during testing, specify manner
- administer tests in location with minimal distraction, specify manner

Revised Test Format

- Braille editions of tests
- large print editions of tests
- increase spacing between test items
- increase size of answer blocks
- reduce number of test items per page
- increase size of answer bubbles
- arrange multiple choice test items in vertical format
- omit questions which cannot be revised, prorate credit

Revised Test Directions

- read directions to student
- reread directions for each page of questions
- simplify language in directions
- highlight (or underline) verbs in instructions
- provide cues (e.g., arrows and stop signs) on answer form
- provide additional examples

Use of Aids

- amanuensis
- tape recorder
- typewriter
- spell check device
- grammar check
- word processor
- calculator (specify type/functions)
- abacus
- arithmetic tables
- visual magnification devices
- auditory amplification devices,
- auditory tape of questions
- repeat oral comprehension items more than specified in standard administration
- masks (or markers) to maintain place
- passages read to student
- test passages, questions, items and multiple choice responses read to student
- test passages, questions, items and multiple choice responses signed to student

Other Accommodations

- record answers in test booklet
- delete requirements to provide punctuation, paragraphing and spelling

Source: Test Access & Modification for Individuals with Disabilities

For **LEP students**, oral translations and the assistance of a translator is allowed for grades 4 and 8 and may be provided by the school to students whose native languages are not listed above in subjects other than English and the foreign languages. Written translations are not

allowed. LEP students are also allowed extended time without permission from the SDE, but the accommodation must be reported and submitted to the state. A separate testing room and small group administration is also permitted.

3. *Does the state provide assessments in languages other than English? If so, describe. In what grades and subjects?*

The math tests will be translated into 4 languages: Chinese, Haitian Creole, Russian and Spanish. LEP students speaking those languages may take the math test in the native language or in English, at the discretion of their ESL and/or bilingual teachers.

Regents examinations will be translated into: Chinese, Haitian Creole, Korean, Russian and Spanish. When pupils whose native language is other than English take Regents examinations in subjects other than English and the foreign languages they may use foreign language dictionaries and glossaries if these aides provide any word-of-word translations of key math terms as long as they do not provide definitions of the terms or provide LEP students with any test advantage.

Draft math glossaries are available from the SDE in: Bengali, Burmese, Chinese, Haitian Creole, Korean, Russian, Spanish and Vietnamese. Glossaries for social studies and science are under development.

Students who entered grade 9 prior to the 1996-97 school year whose native language is not English may demonstrate competency for graduation through alternative procedures. In the areas of reading and writing, the students must:

- 1) demonstrate reading comprehension and writing skills in their native language at a level comparable to the requirements of the competency tests in reading and writing, and
- 2) demonstrate English language proficiency on a Department-approved examination designed to measure English as a second language. All ELLs may demonstrate competency in mathematics, science, and social studies by passing an alternative-language edition of each required Regents competency test.

The Regents examination in sequential mathematics course I is now available in five alternative-language editions. Alternative-language editions of all required Regents examinations except English will become available as the new graduation requirements are implemented. All general education students, including ELLs, who first entered grade 9 in 1996-97, will be required to pass the Regents English examination.

4. *Does the state provide alternative assessments for students with disabilities? If so, describe. For which students and in which subjects and at what ages?*

Although not meant specifically to be used for students with disabilities (*see the changes question below and accommodations question above*), a state assessment panel was formed to review exams proposed as alternatives to the required Regents Examinations. Approved alternatives must meet the following criteria:

- Be aligned with the state standards and be at least as rigorous as the corresponding required Regent’s examination
- Meet technical standards for validity, reliability and freedom from bias
- Be externally developed and administered under secure conditions
- Be available for use by any school or district in the state of New York.

The state assessment panel has recommended to the Commissioner and he has approved the following assessments in English:

- The Advanced Placement Language and Composition Examination
- The Advanced Placement Literature and Composition Examination
- The International Baccalaureate English Standard Level assessment.
- The International Baccalaureate Mathematics Studies Standard Level assessment.

5. *Does the state have a goal for the inclusion of students with disabilities and/or LEP students on the statewide tests? Does the state use any strategies to encourage the inclusion of students with disabilities? LEP students?*

The goal in the state is simply to encourage universal inclusion in assessment through modifications as needed.

6. *Are changes planned in the for the inclusion of SWD and LEP students in the state assessment system (proposed or enacted and to be implemented)? If so, what do these plans include? Why are these changes being made and what is the timeline? Are there implications for the state reporting or accountability systems (Title I or in general)?*

Some students with disabilities who are determined by the Committee on Special Education to be exempt for the state exams are students with severe disabilities; for them an alternative assessment system will be developed by **July 2000** that will measure the progress of these students in meeting the standards and alternate performance indicators.

Performance Standards

1. *How many and what performance levels has the state established for its assessments?*

Based on their overall performance, students are placed at one of four levels of performance:

- Level 4: test scores indicate student performance exceeds the standards and the student is moving toward high performance on the Regents exam
 - Grade 4 English/Language Arts: Score of 692-800
 - Grade 4 Mathematics: Score of 678-810
 - Grade 8 English/Language Arts: Score of 739-830
 - Grade 8 Mathematics: Score of 760-882
- Level 3: test scores indicate student performance at least meets the standards and with continued steady growth the student should pass the Regents exam
 - Grade 4 English/Language Arts: Score of 645-691

- Grade 4 Mathematics: Score of 637-677
 - Grade 8 English/Language Arts: Score of 701-738
 - Grade 8 Mathematics: Score of 716-759
- Level 2: test scores indicate the student will need extra help to meet the standards and pass the Regents exam
 - Grade 4 English/Language Arts: Score of 603-644
 - Grade 4 Mathematics: Score of 602-636
 - Grade 8 English/Language Arts: Score of 662-700
 - Grade 8 Mathematics: Score of 681-715
 - Level 1: test scores indicate the student has serious academic deficiencies and needs the most help to meet standards
 - Grade 4 English/Language Arts: Score of 455-602
 - Grade 4 Mathematics: Score of 448-601
 - Grade 8 English/Language Arts: Score of 527-661
 - Grade 8 Mathematics: Score of 517-680

For the **Regents Examinations**, schools may use 55-64 as the passing score to meet local diploma requirements. A passing score of 65 is required for a Regents diploma. For students entering the 9th grade in 2000, the passing score for English and social studies will be 65 for either diploma; 65 will be the passing score for all exams subjects after that point.

Alternatives to Regents Examinations

The examinations listed below have been approved as alternatives to Regents examinations. The minimum scores that may be accepted for each are as follows:

- The Advanced Placement Language and Composition Examination 3
- The Advanced Placement Literature and Composition Examination 3
- The International Baccalaureate English A1 Standard Level Examination 4
- The International Baccalaureate English A1 Higher Level Exam 3
- *The International Baccalaureate Mathematics Studies Standard Level Exam 4
- *The International Baccalaureate Mathematics Methods Standard Level Exam 4
- *The International Baccalaureate Mathematics Higher Level Exam 3

**Achieving the minimum acceptable score on any one of these mathematics examinations may be accepted as equivalent to passing with a 65 the Mathematics A Regents Examination or the Sequential Mathematics, Courses I and II Regents Examinations.*

2. *Has the state set acceptable levels or targets for schools, districts or the state on tests, drop-out rates or other measures (e.g. 70% of students in Maryland pass the MSPAP)?*

For the 1998-1999 school year, it was expected by the state that:

- At least 90 percent of students score at or above Level 2 on the elementary or intermediate State assessments in English Language Arts and mathematics in grades 4 or 8;

- At least 90 percent of high school students passed the RCT, Regents examination, or equivalent competency measures in English (reading and writing) and mathematics by the end of grade 11; (*the students included in this group are being changed to a cohort – see changes below*) and
- The annual high school drop out rate is less than 5%.

However, under the amendments approved by the State Board in May 2000, section 100.2(p)(8)(ii) of the state regulations is amended to provide for use of new school accountability performance criteria for public schools commencing September 1, 2000, as follows:

- 90% at or above Level 2 and such percentage at or above Level 3 as determined by the commissioner each year for the Grade 4 and 8 English Language Arts and Grade 4 and 8 Mathematics exams;
- 90% of the high school or alternative high school *cohort* meeting graduation assessment requirements in both English and Mathematics, and
- a dropout rate of no more than 5%.

Under this new regulations, the Commissioner is required to determine for each criteria whether a school is farthest from, below, or meeting the State standard. The specific percentage standards for Level 3 for 1999-2000 have not been set for grades four and eight; these standards will be presented to the state Board of Regents in September 2000.

3. *How are these performance standards calculated? What data are included in the calculations, and at what proportions (e.g. assessment results 60%, dropout and attendance rates 40%). How are the calculations made? What is the final unit of analysis for reporting school and district achievement levels (e.g. performance index, grade, category)?*

Under the standards set for 1998-1999, an index was not developed by the state to combine the performance criteria. Instead there were simple absolute targets that have been set by the state and are calculated separately. Under the amendments approved by the Board of Regents in May of 2000, however, a **School Accountability Performance Index** will be used to measure the percentage of students performing at or above Level 2 and the percentage of students scoring at or above Level 3 in English/Language Arts and mathematics. The Commissioner will further establish performance standards for 1999-2000, 2000-2001 and 2001-2002 and report these to the Board of Regents for approval in September 2000.

4. *Are all students, schools and districts included in these performance calculations? If not, who is excluded?*

All students continuously enrolled from October until the date of state testing at this school are included in these measures for grades 4 and 8. Students with disabilities are included. Also, schools with fewer than 20 students in a grade may combine results for three consecutive years to reduce the impact of small-population variability.

5. *Are changes planned for the state performance standards (proposed or enacted and to be implemented)? If so, what do these plans include? Why are these changes being made and*

what is the timeline? Are there implications for the state reporting or accountability systems (Title I or in general)?

On May 4, 2000, the Board of Regents approved three new performance levels for schools:

- Meeting Standards
- Below Standards
- Farthest from Standards.

This system will first be used to assess results for the **1999-2000** school year. The state is planning to add a fourth performance level – *exceeding standards* – at some point in the future after it is approved by the Board of Regents. The Commissioner will also designate schools making strong test-score gains as rapidly improving.

As the regulations were amended in May 2000, each year the Commissioner will set goals for each level of performance, gradually raising them over the years to encourage better performance. The elementary and middle school criteria would be based on the percentage of students scoring at or above Level 2 and at or above Level 3 on each test (Math and English/Language Arts); previous standards only included Level 2, while the new standards will include Level 3 and above (*see accountability section for details*).

The state will also be moving to a high school cohort model as opposed to simply assessing student performance at the end of 11th grade. The **annual high school cohort** for any given year will consist of those students who first enrolled in ninth grade three years previously and who were also enrolled in the school on the first Wednesday in October of the previous school year except that for the 1999-2000 school year annual high school cohort, the date of enrollment shall be June 18, 1999. Commencing with the 2000-2001 year cohort, students with disabilities in ungraded programs shall be included in the annual high school cohort in the fourth school year following the one in which they attained the age of 16.

6. *What proportion of schools and/or districts fail to meet acceptable levels on performance targets?*

Under the current system, 105 schools are currently identified as **Schools Under Registration Review (SURR)**, 97 of them in New York City (*see accountability section below*). Approximately 100 corrective action plans and comprehensive education plans were developed in each of the last two years. Twenty-two superintendencies in New York City and five other school districts in New York State operate these schools.

Reporting Performance Data

1. *Describe the characteristics of the state performance data reporting system (by whom, what data, who is the audience) for each of the following levels:*

- *Student reports*

Based on their overall performance on the appropriate examinations, student scores are reported at the individual level. The student's performance is then placed at one of four

levels of performance in individual report cards (*see complete performance standards and cut scoring levels above*):

- Level 4: test scores indicate student performance exceeds the standards and the student is moving toward high performance on the Regents exam
- Level 3: test scores indicate student performance at least meets the standards and with continued steady growth the student should pass the Regents exam
- Level 2: test scores indicate the student will need extra help to meet the standards and pass the Regents exam
- Level 1: test scores indicate the student has serious academic deficiencies and needs the most help to meet standards.

- *School and District reports*

The **New York State School Report Card** is designed to provide information to the public on student performance and other measures of school and district performance. The 2000 school report card is composed of two parts:

- An Overview of Academic Performance, and
- A Comprehensive Information Report.

The Overview includes results on the grade 4 and 8 assessments in English language arts (ELA) and mathematics; performance of students who entered ninth grade in the 1996-97 school year on Regents English and mathematics examinations, and school performance on accountability measures. **School** and **district** statistics are provided in separate reports. The report compares the school's results with those of schools that are similar, and the companion school district report compares school district with statewide results.

The Comprehensive Information Report (CIR) presents the results on all other State assessments, specifically:

- Regents Competency Tests
- Program Evaluation Tests
- Regents Examinations,
- Second Language Proficiency Examinations, and
- Occupational Education Proficiency Examinations (to be termed Career Education Proficiency Examinations as of July 1, 2000 under amendments to 100.2 in state regulations).

The CIR provides information on high school completers, and attendance, suspension and dropout rates.

Elementary and Intermediate Level

The summary of school results on the grades 4 and 8 tests were included on the 2000 School Report Card. The summary will include the performance of all students who were tested, including students with disabilities who participated in the testing program. On the 2000 School Report Card, the results of the May 1999 PEP grade 5 writing test were also reported. Consistent with reporting practice in previous years on this test, the results of general education students will be reported separately from those of students receiving special education services.

Specifically, the following are included in an elementary or intermediate level report card:

- Performance by subject and grade for all students by percentage in each level and the mean scale score on the grade 4 and 8 tests in ELA and mathematics
- Performance of English Language Learners (ELL) on the grade 4 and 8 ELA
- Cohort Performance **in ELA and mathematics for secondary schools**
- School or District Profile, including:
 1. grade range
 2. enrollment
 3. count of teachers
 4. count of other professionals
 5. count of paraprofessionals
 6. total expenditure per pupil
 7. enrollment by grade level
 8. student demographics (ELLs, Free/Reduced lunch eligibility)
 9. similar school group (schools only)
 10. need/resource capacity group (district only)
 11. dropout rate (district only)
- School Accountability Measures by benchmark percentage (schools only)

Commencement Level

Summary data for the Regents Comprehensive Examination in English, the Mathematics A Regents Examination, and the Sequential Mathematics, Course I, Examination are included in the 2000 School Report Card. As in previous years, these data will be collected on the Regents Examination Report due on July 15, 1999. Schools must report the highest score for each student on a Regents English examination taken in August, January or June. In addition, the Department collects Regents English and mathematics results for those students for whom these Regents examinations are a graduation requirement. For test-development purposes, schools will be asked to report results on all students who take the new Regents Comprehensive Examination in English in June.

Specifically, the following are included in an commencement level report card:

- School or District Profile, including:
 1. grade range
 2. enrollment
 3. count of teachers
 4. count of other professionals
 5. count of paraprofessionals
 6. total expenditure per pupil
 7. enrollment by grade level
 8. student demographics (ELLs, Free/Reduced lunch eligibility)
 9. similar school group (schools only)
 10. need/resource capacity group (district only)
 11. dropout rate (district only) **[school and district]**
- Cohort Performance
- School Accountability Measures by benchmark percentage (schools only)

- *State reports*

Statewide assessments results are provided to the governor and state legislature by the SDE, outlining statewide performance by similar schools. This report includes information on subgroup performance and specifically targets performance by ethnicity across the state.

- *Title I reports*

An annual **Title I Analysis of School Improvement** report has been provided to districts, presenting a longitudinal record for districts and outlining how their Title I schools have been performing on the state assessments. Districts then identify which Title I schools have not made adequate yearly progress or are in program improvement.

2. *How are the data distributed? When during the year (month or time period after assessment)? To whom (students, teachers, parents, the media, the community)?*

Score reports for individual students and schools are sent to school districts directly from CTB/McGraw-Hill. A guide for school administrators for interpreting and using the results of the assessments is mailed in the spring. The chief administrative office of each non-public school is responsible for making the reports accessible to parents.

3. *At what level(s) are data disaggregated (state, district and school levels)? For what groups are disaggregated data reported (see Internet sites for state, district and school level report cards)?*

The state report cards divide students results by general education students and students with disabilities and gender. For Title I purposes, the state also collects data from Title I **secondary** schools by race/ethnicity, poverty indicators, LEP status and gender, but these are additional data collected only by and for Title I schools. Individual students data with race/ethnicity, etc. are collected on all State assessments from all public schools in grades 4 through 8. Although the data collected by the state includes individual student records in grades 4 and 8, data from the high school assessments are collected in the aggregate, limiting how the state can disaggregate that data.

4. *Does trend data exist from the state assessments (example: Texas State Assessment data is available from “1996-97 on”)?*

The new 4th and 8th grade assessments have just been implemented for the first time in 1998-99, so trend data would only be two years old after the 1999-2000 school year.

5. *How are the results of students with disabilities and limited English proficiency reported? Are they included in the aggregate scores reported to the public, or disaggregated by group?*

The performance of students with disabilities on the new grades 4 and 8 tests is reported. Some students with disabilities are exempted from these tests because of their disability. This exemption is stated in the individualized educational program (IEP), developed by the district Committee on Special Education.

In grades 4 and 8, students for whom English is a second language and who are not ready to participate effectively in the academic program are not required to take the State ELA assessment. Instead, their progress in learning English is measured and reported. The school report card shows the number of students in this category and the number who have made appropriate progress in acquiring English. The mathematics tests are translated into other languages for use by ELL students.

School performance on Regents examinations, on demonstrating competency for graduation, and earning high school diplomas includes results for general education students and students with disabilities. Results for students with disabilities on these measures are also displayed separately.

6. *What are the state's requirements for the use of data in school and district improvement planning?*

Local assistance plans created by districts are required to specifically address all actions that will be taken to raise student results on the state assessments, thereby using state assessment results as the basis for improvement planning.

7. *Are changes planned for performance reporting (proposed or enacted and to be implemented)? If so, what do these plans include? Why are these changes being made and what is the timeline? Are there implications for the accountability system (Title I or in general)?*

As amended in May, the state regulations will require that the public school performance report provide information on the degree to which the previous year's local assistance plan met the adequate yearly progress targets established by the commissioner (*see accountability section below for further details*).

The state is working to address the issue of aggregate student assessment data at the high school level and will be putting systems in place in the next few years so that disaggregation can be done using the results of the Regents examinations. The use of cohorts at the high school level will also change the reporting structure in the state.

8. *What have been the major issues and challenges in the area of performance standards and reporting? Explain.*

As stated previously, although the data collected by the state individual student records in grades 4 and 8, data from the high school assessments are collected in the aggregate, limiting how the state can disaggregate that data. The accuracy of the data coming from local sources was also cited as an issue in the state; the focus on data is still new for a lot of people and so the state is working with districts on how to collect, report and analyze data properly.

State Accountability System (1999-2000 school year)

1. *Provide a brief overview and history of the accountability system as the context.*

The Registration Review Process is the primary method by which the State Board of Regents holds schools accountable for educational performance. Registration Review is intended to help school districts “correct situations that impede quality education.” Through Registration Review, low-performing schools are identified, and schools and districts are assisted to devise and implement strategies designed to produce measurable improvements in the academic performance of their students.

In May 2000, the Board of Regents adopted amended Regulations to implement a **System of Accountability for Student Success (SASS)**. SASS is intended to:

- ✓ Measure school performance in terms of students achieving proficiency rather than minimum competency.
- ✓ Develop a multi-year plan for raising the bar for school performance.
- ✓ Give schools the opportunity to “compete against themselves” to demonstrate that they are making adequate progress towards closing the gap between their performance and the State accountability standards and recognize those that are high performing or demonstrating rapid improvement.
- ✓ Ensures to the maximum extent possible that there is appropriate school-level accountability for the performance of all students.
- ✓ Reports to the public clearly and meaningfully on the performance of schools in relation to State standards.

2. *What are the characteristics of the state accountability system? Organize the response into the following subsections:*

- *Student Accountability/Rewards and Sanctions*

To have earned a local diploma in the 1999-2000 school year, a student must have completed eighteen and a half units of study. These units must include four units in English, four units in social studies, two units in science, two units in mathematics, one unit in art and/or music, and one-half unit in health education, as well as prescribed course sequences. No Regents examinations were required for a local diploma. To have earned a Regents diploma, a student generally must have completed three units in a language other than English and passed a minimum of eight Regents examinations.

Beginning with students who enter ninth grade in 2001, all students will be required to pass at least five Regents examinations and earn at least 22 units of credit, including four units in English, four in social studies, three in mathematics, three in science, one in the arts, one in a language other than English, one-half in health, and two in physical education. Higher requirements have been established for an advanced designation on the Regents diploma.

These graduation requirements are being phased in, beginning with students who first entered grade 9 in 1996-97. General education students in this class are required to earn a 65 (55 at local discretion) or higher on the Regents English examination to earn a local diploma. General education students who first entered grade 9 in 1997-98 are required to earn a 65 (55

at local discretion) or higher on a Regents examination in mathematics. Additional Regents examination requirements will be implemented with each new ninth grade class.

To ensure that all students have the opportunity to demonstrate achievement of the standards, the Board of Regents established safety net provisions, including a five-year phase-in of the requirement that students pass five Regents exams; the option for districts to award local diplomas to students scoring 55-64 on required Regents exams; and allowing students with disabilities who fail a Regents exam to demonstrate competency using the Regents competency test in that subject area. These provisions start with students who first entered grade 9 in 1996-97 and end with students who first enter grade 9 in 2001-02.

- *School Accountability/Rewards and Sanctions*

In determining school performance, New York identifies those schools that are farthest from state standards and most in need of improvement as schools under registration review (SURR). Beginning with the 1998-99 school year, the Commissioner of Education started annually reviewing the performance of all public schools in the state in which any student participates in statewide assessments. The Commissioner has identified those schools that are farthest from meeting each of the following criteria:

Grades 4 & 8 English Language Arts:	90% above statewide performance benchmark
Grades 4 & 8 Mathematics:	90% above statewide performance benchmark
Grade 11 Reading & Writing:	90% of students in school have met the graduation requirements in reading and writing by the end of grade 11.
Grade 11 Mathematics:	90% of students in school have met the graduation requirement in mathematics by the end of grade 11.
Annual Dropout Rate:	Less than 5 percent.

However, under the amendments approved by the State Board in May 2000, section 100.2(p)(8)(ii) of the state regulations is amended to provide for use of new school accountability performance criteria for public schools commencing September 1, 2000, as follows:

- 90% at or above Level 2 and such percentage at or above Level 3 as determined by the commissioner each year for the Grade 4 and 8 English Language Arts and Grade 4 and 8 Mathematics exams;
- 90% of the high school or alternative high school *cohort* meeting graduation assessment requirements in both English and Mathematics, and
- a dropout rate of no more than 5%.

Under these new regulations, the Commissioner is required to determine for each criteria whether a school is farthest from, below, or meeting the State standard. Districts are required to develop Local Assistance Plans for any school that is below a criterion. If a school is below a criterion, the Commissioner establishes an adequate yearly progress target for the school. Schools that fail to demonstrate adequate yearly progress must develop school improvement plans. Schools that exceed their adequate yearly progress targets by a specified

amount and in which all designated student populations exceed the school's adequate yearly progress target can be designated as rapidly improving.

In determining which schools are to be placed under registration review, the Commissioner gives the most weight to the percentages of students meeting performance benchmarks. The Commissioner may also consider the sufficiency of state and local resources to effectively implement and monitor school improvement efforts. The number of schools identified each year is based upon the percentage of students meeting performance benchmarks and the sufficiency of state and local resources to effectively implement and monitor school improvement efforts.

In addition, any school that does not meet or exceed each of the school performance criteria and has *conditions that threaten the health, safety, and/or educational welfare of students, or has been the subject of persistent complaints to the department by parents or guardians may be identified as a poor learning environment based upon a combination of factors affecting student learning*. These factors include, but not limited to:

- high rates of absenteeism,
- high levels of school violence,
- excessive rates of student suspensions,
- violation of applicable building health and safety standards,
- high rates of teacher and administrator turnover,
- excessive rates of referral to or participation in special education or excessive rates of exemption of students from the state assessment program, and
- excessive use of uncertified teachers in subject areas other than those for which they possess certification.

Sanctions for Schools

Under the newly amended regulations, after the Commissioner places a school under registration review, the school and the local board of education (in New York City, the New York City Board of Education and any community school board having jurisdiction over the school) will be warned that the school is at risk of losing its registration. This warning will include a clear explanation of the progress that must be demonstrated in order for a school to be removed from consideration for revocation of its registration. Upon receipt of such a warning, the board of education governing the district that operates the school is required to take appropriate action to notify the general public of the warning's issuance. Each school year during which a school remains under registration review, by June 30th or at the time of a student's initial application to a school, the board of education governing the district that operates the school must provide direct notification to the parents or legal guardians of the children who attend that school that the school is at risk of having its registration revoked. Such notification should include a description of any actions being taken to improve the school's performance, as well as an explanation of the options available to parents regarding the possibility of their children attending another school in the district (e.g., magnet programs, transfer policies, school choice programs).

A school placed under registration review is given **three full academic years** to demonstrate that its students are making adequate academic progress. If, after this period of time, the school fails to demonstrate evidence of adequate progress, the Commissioner may recommend to the Board of Regents that the school's registration be revoked and the school be declared an unsound educational environment. However, the Commissioner may, extend the period during which the school must demonstrate progress.

Upon approval of revocation of registration by the Board of Regents, the Commissioner must develop a plan to ensure that the educational welfare of the school's students is protected. This plan should specify the instructional program into which pupils that 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.

- *District Accountability/Rewards and Sanctions*

Accountability in the state is focused at the school level. School districts are, however, required to develop Local Assistance Plans if any school has been identified as farthest from meeting state standards.

All students continuously enrolled from October until the date of State testing at this school are included in these measures. Students with disabilities are included. Also, schools with fewer than 20 students in a grade may combine results for three consecutive years to reduce the impact of small-population variability.

All Local Assistance Plans must include the following elements:

- The resources that will be provided to each school to implement the plan;
- The professional development activities that will be taken to support implementation of the plan;
- The timeline for the implementation of the plan; and
- The specific improvement targets on State assessments that the plan is expected to achieve.

Local Assistance Plans should be developed in consultation with schools so that the LAP describes specific district support for schools below State performance standards, and in particular, for schools required to develop building plans such as Title I schoolwide schools, Title I school improvement schools, and/or locally-determined improvement schools.

Rewards for Schools and Districts

New York State has two ways to reward school districts for good student performance. The rewards are (1) greater flexibility with the use of resources and less State oversight and (2) a monetary per pupil award.

Greater flexibility. Subdivision 12 of Section 3602 of the Education Law requires school districts with poor student performance to set aside a portion of their operating funds for specific purposes. The law requires three different *setasides*: for attendance improvement and dropout prevention for the ten percent of districts with the worst pupil attendance; for compensatory education for the top 25 percent of districts with the worst elementary school

pupil performance in mathematics and reading; and for the five largest urban school districts, for early grade class size reduction. Districts are required to submit a plan concerning the use of each setaside and are asked to ensure that the plans have a number of specific features. Districts whose performance is acceptable do not have set aside these funds and therefore have greater flexibility in use of resources. The State Education Department collects and approves the plans.

Monetary reward. Section 31 of Chapter 60 of the Laws of 2000 provides for a financial reward to school districts that demonstrate improvement in pupil achievement. This applies to school districts that demonstrate an increase in the percent of students who receive Regents diplomas from 1996-97 to 1997-98 that is greater than five percent. The reward is \$11.2 million statewide. All school districts receive aid to help them meet the State's learning standards called Operating Standards Aid. Districts that qualify for the reward receive an additional 20 percent.

Both of the above programs are legislative initiatives that operate separately from the Regents System of Accountability for Student Success. The Regents plan to propose to the legislature the integration of these initiatives with SASS.

The department will propose to the Board of Regents in July 2000 that a system be put in place to recognize high performing and rapidly improving schools. Under this proposal, beginning with 2000-2001 school year results, schools that exceed standards will have the potential to be designated as recognized schools. At the elementary and middle school levels, schools will be required to have 90 percent of students at or above Level 2 and a majority of students at or above Level 3 in order to be considered to exceed standards. Schools that exceed standards for two consecutive years may be recognized if they (a) have no designated disaggregated student populations performing below state standards; (b) demonstrate satisfactory levels of performance on selected school performance measures reported to the State Education Department in subjects like social studies and science; and (c) demonstrate levels of performance that are better than the average for similar schools. Recognition of schools would first occur during the 2002-2003 school year.

At the high school level during the transition to the final cohort system, a school will be considered to be exceeding standards if a substantial majority of students in a "four-year cohort" scores 65 or above on the appropriate Regents examinations or is granted Regents credit based on a department-approved alternative assessment. Schools that exceed standards may be considered for recognition if they meet the performance criteria in both English language arts and mathematics. Schools that exceed standards for two consecutive years may be recognized if they (a) have no designated disaggregated student populations performing below state standards; (b) demonstrate satisfactory levels of performance on selected school performance measures reported to the State Education Department; and (c) demonstrate levels of performance that are comparable to similar schools. Recognition of schools would first occur during the 2002-2003 school year.

Rapidly improving schools: Those schools that close the gap in any year between the state standards and its current level of performance by 30 percent would be considered to have

made rapid progress. The department is currently developing for the Board of Regents recommendations regarding what rewards would be associated with school recognition.

3. *What methods of measuring progress are used in the state accountability system?*

Under the general state system, the state has developed multiple absolute targets for schools in terms of assessment achievement and dropout rates. Schools that are below State standards are now required to demonstrate adequate yearly progress. In general, adequate yearly progress requires a school to close the gap between its baseline performance and the State standard by a specified percent.

4. *Are all students included in calculating the measures of progress? If not, who is excluded (probe on inclusion of SWD and LEP students)?*

All students continuously enrolled from October until the date of State testing at this school are included in these measures. Students with disabilities are included. Also, schools with fewer than 20 students in a grade may combine results for consecutive years to reduce the impact of small-population variability. The performance of all students with disabilities who participate in State assessments are included. The performance of all limited English proficient students are included, except for students who first enter high school in the United States after age 17 and who are assigned to grades 9 or 10. The performance of these LEP students will also be included in the system once a new State test for English language learners begins to be administered.

5. *How do the general state accountability system and the system of accountability for Title I schools compare? Are they the same, or different? How?*

Beginning with 1999-2000 school year results, the same process will be used to determine whether Title I and non-Title I schools are making adequate yearly progress. The systems have not been **fully** aligned up to the 1999-2000 school year, but if the new amendments are approved by the USDOE for Title I, the school accountability systems will be aligned (*see Title I section*). At present, however, there is no State district accountability system comparable to the Title I accountability requirements for districts.

6. *Are subgroup performance results used as an indicator in the calculation of state accountability measures? If so, how? To identify schools or districts in need of improvement? For recognition and rewards?*

Subgroup performance as well as general student performance will be used in the rewards system to be proposed to the SBE in July, although the specific subgroups to be included have not yet been defined. The state's decision to include subgroups only in the rewards program was fueled by the fact that so many districts in the state have few if any students that would fall into a traditional subgroup, such as African-American students or students with limited proficiency in English.

7. *Are charter and/or non-public schools included in the accountability system? If so, how?*

The 2,000 non-public schools in New York educate almost 500,000 students. Recent accountability systems in the state have used the Regents Competency Tests (RCTs) to include non-public schools, but these tests are being phased out, and so these regulations would need to be amended. Non-public schools are not included in the accountability system that was just approved in May 2000. There has been discussion, however, about their role in the Regents exams and proposals regarding how to include them in the new state system.

Charter schools are required to administer the same State assessments as other public schools and their charters may be revoked if they perform at levels that would have resulted in the revocation of registration of a public school and if they have shown no improvement over the preceding three year period.

8. *Are changes planned for the state accountability system (proposed or enacted and to be implemented)? If so, what do these plans include? Why are these changes being made and what is the timeline?*

See above. Three school accountability cut points were approved by the Board of Regents in May 2000:

1. Farthest from Standards
2. Below Standards
3. Meeting Standards.

Section 100.2(p)(9)(ii) was also added to the state regulations to provide for the commissioner to establish **adequate yearly progress targets** for a school performing below a criterion, for the commissioner to require a school improvement plan by July 31st, for implementation of the plan by the first day of the school year, for the plan to be approved by the board of education, and for the commissioner to designate those schools exceeding their adequate yearly targets as rapidly improving schools.

At the July 6, 2000 meeting of the Board of Regents, the SDE reported on the new process of school accountability approved by the Commissioner in follow-up to the amendments adopted by the Board of Regents in May 2000. Specifically, through the creation of a **School Accountability Performance Index**, the state will measure the percentage of students performing at or above Level 2 and the percentage of students scoring at or above Level 3 in English/Language Arts and mathematics. The Commissioner will further establish performance standards for 1999-2000, 2000-2001 and 2001-2002 and report these to the Board of Regents in September 2000.

Under the School Accountability Performance Index, a school in which all students perform at or above Level 3 on the state assessment would have a performance index of 200, a school in which all students perform at Level 2 would have a performance index of 100, and a school in which all students perform at Level 1 would have a performance index of 0. Schools will improve their performance on the index when there are increasing percents of students who move from Level 1 to Level 2 or Level 2 to Level 3. Initially to meet state standards, schools will need to have the vast majority of students at Level 2 and a substantial percent to Level 3; over time, a larger percentage of students will need to move to Level 3.

Adequate yearly progress targets will be established using a “gap reduction” methodology. Under this methodology, variations of which are currently used in New York State to establish performance targets for Schools Under Registration Review and Title I Schools in Need of Improvement, a school must reduce by a specified percent the gap between the school’s baseline year performance and the State school accountability standard within a prescribed period. Consistent with the development of multi-year standards, for any school that falls below an accountability standard, the Commissioner initially will establish three years of adequate yearly progress targets for the school. Except for the 1998-99 school year, two years of data would be averaged to calculate a school’s baseline performance. Under this proposal, the Commissioner will, by September 2000, provide any school that is required to demonstrate adequate yearly progress with its targets for the 1999-2000, 2000-2001, and 2001-2002 school years. Each year the school remains below a standard, a new year of targets, based upon the school’s performance for the most recent two-year period, would be created.

9. *What have been the major issues and challenges in the area of accountability? Explain.*

The state has been working to pass the state’s new accountability system in segments, proposing new portions of the overall plan to the SBE in portions at a time; this process is on-going, and so the immediate issue is the full approval and implementation of the entire system. The major challenges have been to:

- ✓ Move from a system based on minimum competency to one based on proficiency
- ✓ Move from a system that focused on only the identification of low-performing schools to one that also recognizes rapid improvement and high performance
- ✓ Include the performance of all students and schools in the accountability program
- ✓ Improve data collection and reporting systems
- ✓ Align Federal and State accountability requirements.

Identifying and Assisting Low Performing Schools and Districts

1. *How are schools and districts identified as low performing? Using what criteria? Do the identification processes and/or criteria differ for Title I and non-Title I schools?*

In New York, there is no formal designation of schools and districts as low performing. By regulation, the commissioner places under registration review schools that are farthest from meeting the school accountability performance criteria and most in need of improvement. The regulations also allow the commissioner to consider excessive rates of participation in alternate assessments or excessive transfers of students to alternative high school and high school equivalency programs as factors in identifying a school as a poor learning environment.

For the 1999-2000 school year, any school where fewer than 90 percent of the students tested did not score at or above the Statewide Performance Benchmark on the state assessments outlined previously, or any school where the dropout rate exceeds 5 percent, is considered to

be below standards. In September 2000, the Commissioner will announce what the State standards for the 1999-2000, 2000-2001, and 2001-2002 school year.

Beginning with 1999-2000 school year results the same process will be used to determine whether Title 1 and non-Title I schools are making adequate yearly progress.

2. *Does the district or the state decide whether a school is low performing? If the district is involved in the process, how much discretion do they have?*

The state identifies schools under registration review (SURR), but the district can present **additional** information if it feels that a school is being improperly identified as a SURR.

3. *What types of assistance are provided to these schools and districts by the state?*

After a school is placed under registration review, the Commissioner will appoint a team to undertake a resource, planning, and program audit of the district and the school. The district will be provided with a copy of the audit, including appropriate recommendations for improving instruction, curriculum, assessment, school management and leadership, qualifications and professional development of school staff; increasing parent involvement; improving school discipline, safety, and security. Based on the results of this audit, the Commissioner will also require that the district develop a corrective action plan, and that the school under registration review develop a comprehensive education plan. Commissioner's regulations require that both plans be revised and submitted for approval each year that a school remains under registration review.

Corrective action plans are developed by the superintendent of a district in consultation with school staff and community members. The Commissioner prescribes the format for the plan. These district-level school improvement plans should be coordinated with actions planned and taken as part of the district's local assistance plan. Corrective action plans should address each finding of the audit. The plan should be formally adopted by the local board of education and submitted to the Commissioner for review and approval. Any amendment or modification of a corrective action plan by a school district (including a plan to close the school and/or replace the school with a redesigned school) requires the prior approval of the Commissioner.

Each school placed under registration review is required by Commissioner's regulations to develop a **comprehensive education plan**, which should be based on, and consistent with, the district's corrective action plan. Comprehensive education plans should be developed in cooperation with department staff and other persons assigned by the Commissioner to help the school strengthen its education program. These building-level school improvement plans should be in a format prescribed by the Commissioner. Once a comprehensive education plan has been approved by the Commissioner, any amendments or modifications require prior formal review and approval by the Commissioner.

Schools that are newly placed under registration review receive a one-time planning grant. The amount of the grant is based on the size of the school, but such grants rarely exceed

\$5,000. However, schools under registration review are normally afforded special eligibility by the state for certain types of competitive grants. In addition, schools under registration review receive considerable individualized Education Department support in terms of programmatic assistance and professional development opportunities for teachers, staff developers, and administrators.

4. *Who provides the state assistance?*

See above. Most of the funding provided through the registration review initiative is used to provide direct assistance to schools and children. Much of this funding is generated from various collaborative initiatives between the State Education Department and:

- other state agencies
- local and municipal agencies
- the private sector
- higher education institutions
- various professional organizations

5. *Does support to Title I and all low performing schools and districts differ? Is support generally provided for all schools and districts, or are services specifically designed to help those that are low performing?*

Title I regional centers around the state provide services specifically to these schools. Each center has a Title I Coordinator and a school support team responsible for providing services to Title I schools and districts. These specific services are in addition to those general services provided, so services to Title I and non-Title I schools differ (*see Title I section*).

6. *Has the state established a set of criteria and/or a process for getting schools and districts out of low performing status? If so, what do they include?*

Adequate yearly progress and the progress that a school must make in order to be removed from registration review are measured in the same way, but the targets are calculated differently. Adequate yearly progress targets are established for a five-year period and become increasingly rigorous each year. Schools under registration review receive one performance target that they are expected to achieve within a period of no more than three full academic years.

7. *Once a school or district is identified as low performing, what types of plans must it prepare? Who are they submitted to once completed? How do they differ from other planning documents?*

Local assistance plans are targeted specifically at schools that perform below a State standard. In any district where at least one school fails to meet a State standard (as determined by statewide, standardized test results for assessments administered to nearly all public school students in grades 4, 8, and 11 and/or the school's dropout rate) a local assistance plan must be developed by the superintendent of that district. The local assistance

plan must be developed at the district level, and should specify all actions that will be taken to raise student results for the school(s) in question. More specifically, the local assistance plan must specify:

- the process by which the local assistance plan has been developed
- the resources that will be provided to each school to implement the plan
- the professional development activities that will be taken to support implementation of the plan
- the time line for implementation of the plan
- the specific improvement targets on statewide assessments that the plan is expected to achieve (*NOTE: This will no longer a requirement under amendments approved in May 2000 to the Regulations of the Commissioner, 100.2*).

Local assistance plans are revised annually. Their duration is one year. Local Assistance Plans must be formally adopted by the local board of education no later than December 15th of the school year for which the plan is required, except during the 1999-2000 school year when plans may be adopted by February 15 (*changed to January 15th under amendments to the Regulations of the Commissioner, 100.2*).

A local assistance plan should be developed by each district that operates any school where fewer than 90 percent of the students tested did not score at or above the Statewide Performance Benchmark on the state assessments outlined previously, or any school where the dropout rate exceeds 5 percent. The number of schools where at least 90 percent of the students tested do not meet or exceed the Statewide Performance Benchmark changes annually. Consequently, the number of districts required to prepare local assistance plans changes annually as well.

8. *Are changes planned for the state system of identifying and assisting low performing schools or districts (proposed or enacted and to be implemented)? If so, what do these plans include? Why are these changes being made and what is the timeline?*

Starting September 1, 2000, as outlined in amendments to the Regulations of the Commissioner: 100.2, the school accountability performance criteria for public schools will be as follows:

- Elementary and Middle Level
English/Language Arts and Mathematics: 90 percent at or above Level 2 and such percentage at or above Level 3 as annually established by the Commissioner
- Regents High School requirements in
Reading/Writing and Mathematics: 90 percent of students in the annual high school cohort or the alternative high school cohort meet the graduation assessment requirements in English language arts.
- Dropout rate: 5 percent

The **annual high school cohort** for any given year will consist of those students who first enrolled in ninth grade three years previously and who were also enrolled in the school on the

first Wednesday in October of the previous school year except that for the 1999-2000 school year annual high school cohort, the date of enrollment shall be June 18, 1999. Commencing with the 2000-2001 year cohort, students with disabilities in ungraded programs shall be included in the annual high school cohort in the fourth school year following the one in which they attained the age of 16. The following students will not be included in the annual high school cohort:

- limited English proficient students who are English language learners
- new immigrants who first enter a New York State high school after their seventeenth birthday and are assigned to grade nine or ten, and
- students who transferred to another high school or approved alternative high school equivalency or high school equivalency preparation program

For the 1999-2000 school year high school cohort, students with disabilities whose Individualized Education Programs (IEPs) do not include assessments required for a high school diploma and therefore are pursuing IEP diplomas may also be excluded from the cohort.

Starting with the 2000-2001 school year test administration results, the Commissioner may use the results from a State English language assessment instrument to determine whether for school accountability purposes limited English proficient students who are English language learners and new immigrants who first enter a New York State high school after their seventeenth birthday and are assigned to grade nine or ten shall be considered to have met the English language arts graduation assessment requirement. Students with severe disabilities who will be participating in the alternate assessment, as indicated in their Individualized Education Programs, will not be included in the cohort.

Schools farthest from meeting a school accountability performance criterion, below a school accountability performance criterion and schools meeting all performance criteria:

The Commissioner will establish adequate yearly progress targets for each school performing below a school accountability performance criterion. Such targets shall be based upon closing the gap between the school accountability performance criteria and the school's performance in the school year in which it initially performs below a criterion. A school improvement plan must then be developed by each school that fails to achieve its adequate yearly progress targets. Such school improvement plans must be formally approved by the Board of Education (in New York City, the community school board for schools under the jurisdiction of a community school board) no later than July 31st of each year in which the plan is required, implemented no later than the last day of the first month of regular student attendance of each such school year and reviewed and updated annually for each school year in which the school does not achieve its adequate yearly progress targets. The commissioner will designate as rapidly improving those schools that exceed all of their adequate yearly progress targets by an amount determined by the Commissioner and in which all designated disaggregated student populations exceed the school's adequate yearly progress target. A public school that does not meet the adequate yearly progress targets established by the Commissioner shall be identified as a school in need of improvement.

Title I and Adequate Yearly Progress

1. *What criteria are included in the definition of adequate yearly progress for schools and districts under Title I?*

The State Education Department is in the process of revising its adequate yearly progress (AYP) targets to align with its new state assessment program. AYP is measured in terms of the percentage of students performing at or above Level 2 and at or above Level 3 on the state grade 4 and 8 English language arts and mathematics assessments. At the high school level adequate yearly progress is currently measured using the scores of students at the end of 11th grade, but will be measured in terms of a cohort of students meeting graduation standards in English language arts and mathematics.

2. *What are the definitions of adequate yearly progress for schools and districts? Are these transitional or final definitions? If transitional, when will the final definitions be in place and what criteria and processes will they include?*

For the 1999-2000 school year, a *transitional* definition has been used for adequate yearly progress for Title I schools. Specifically stated, those schools in which less than 90% of students have performed at Level 2 in elementary school or passed the high school Regents exams in math and English/Language Arts have not made adequate yearly progress and are eligible to become a school in need of improvement.

The process approved by the Board of Regents in May and July 2000 for elementary and middle school level accountability establishes multi-year standards based on State English language arts and mathematics assessments that are designed to focus the efforts of schools on ensuring that all students perform at or above Level 3. The key component of the system is a School Performance Index that is calculated as the percentage of full-year tested students performing at or above Level 2 plus the percentage of students performing at or above Level 3 on a particular State assessment. 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 would have a Performance Index of 100, and a school in which all students perform at Level 1 will have a Performance Index of 0. The results for English language learners tested using alternative measures are included in the calculation of the performance index.

Adequate yearly progress targets will be established using a “gap reduction” methodology. Under this methodology, variations of which are currently used in New York State to establish performance targets for Schools Under Registration Review and Title I Schools in Need of Improvement, a school must reduce by a specified percent the gap between the school’s baseline year performance and the State school accountability standard within a prescribed period. Consistent with the development of multi-year standards, For any school that falls below an accountability standard, the Commissioner initially establish three years of adequate yearly progress targets for the school. Except for the 1998-99 school year, two years of data would be averaged to calculate a school’s baseline performance. Under this proposal, the Commissioner will, by September 2000, provide any school that is required to demonstrate adequate yearly progress with its targets for the 1999-2000, 2000-2001, and

2001-2002 school years. Each year the school remains below a standard, a new year of targets, based upon the school's performance for the most recent two-year period, would be created.

The 1999-2000 and 2000-2001 school years be used to transition from the old accountability system based on the performance of students in grade 11 to the new system based on the four-year annual cohort. This transition will allow for the completion of the phase-out of the Regents Competency Tests in English language arts and mathematics for general education students and the phase-in of the rules regarding which students must be included in the annual high school cohort. For the 1999-2000 school year, any school that performs above a percent to be established by the Commissioner but below the 90 percent State standard will be considered to have made adequate yearly progress. In 2000-2001, any school that is below the 90 percent State standard but shows progress during the last school year towards meeting the more rigorous State standard based on Regents examination results and the new definition of the high school cohort will be considered to have made adequate yearly progress. After this transition is complete, a "gap reduction" system similar to the one for elementary and middle level school accountability will be used to establish adequate yearly progress targets.

3. *What is the process for identifying those schools and districts that are not making adequate yearly progress under Title I? Does the district or the state make this determination for schools? If the districts plays a role, does the state provide guidance on local criteria?*

The annual Title I Analysis of School Improvement provides a longitudinal record for districts, outlining how their Title I schools have been performing. It is then the district's responsibility to notify the schools that they have not made adequate yearly progress or are in program improvement. The state, however, would notify districts that have been so identified.

4. *What are the criteria and processes for identifying schools and districts in need of improvement under Title I? What plans must be prepared? How can a school or district get out of Program Improvement? Does the district or the state make this determination for schools?*

Currently, schools not making AYP for two consecutive years are identified as in need of improvement. Under the new proposals, not making AYP for one year would put a school in program improvement, thereby enforcing a stricter standard than is currently in place. As under the general system, districts with such schools must develop local assistance plans.

For districts, only Title I addresses this level of accountability. For 1999-2000, the state has taken the average performance of the schools in the districts to determine, using the same criteria and definition as has been applied to the schools, whether or not districts have made adequate yearly progress. This will continue under the new system as the proposals that will be presented to the SBE do not address district accountability.

Schools and districts can get out of program improvement if they made AYP for two out of three years.

5. *What types of assistance are provided to those in need of improvement under Title I?*

Technical assistance is provided through school support teams that work primarily with schoolwide programs in areas such as school improvement planning, best practices, and other services. Title I schoolwide programs in the school improvement planning process have received grants from the state for \$2000, and districts with schools in need of improvement or those eligible for program improvement have been identified as eligible for CSRSD funding.

6. *Who provides the assistance?*

Five Title I regional centers around the state have provided services; there will be nine centers for the 2000-2001 school year. Each center has a Title I Coordinator and a school support team responsible for providing services to Title I schools and districts.

7. *Have waivers played a role in this process?*

Waivers have not played a role in this process.

8. *Are there future plans for the state system for schools or districts receiving Title I funding (proposed or enacted and to be implemented) or for the definition of adequate yearly progress? If so, what do these plans include? Why are these changes being made and what is the timeline?*

See above. The department has proposed to the Board of Regents that based upon 1998-99 school year results, schools will receive adequate yearly progress targets through the 2002-2003 school year. The cumulative "gap reduction" required of schools during this period will be just under 60 percent. A school that reduces the gap by 30 percent will be considered to have made rapid improvement and to have made adequate yearly progress. Any school that is above the state performance standard will also be considered to have made adequate yearly progress.

The state expects that this process will be approved by the Board of Regents in July, at which point adequate yearly progress measures will be set in **September 2000** for 1999-2000 (retroactive), 2000-2001, 2001-2002 and 2002-2003. With this system, there would be alignment of adequate yearly progress definitions and criteria for all schools in the state.

9. *Is there alignment between Title I and non-Title I systems for adequate yearly progress?*

The systems have not been aligned up to the 1999-2000 school year, but if the new proposal is approved, the school accountability systems will be aligned in determining adequate yearly progress and schools in need of improvement. District accountability, however, will not be aligned; only the Title I system will have such a process.

10. *What have been the major issues and challenges in the area of Title I? Explain.*

The challenge for Title I was to have the general state accountability system proposals include the concept of adequate yearly progress targets so that there would be alignment.

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