



# NEWSLINE

VOLUME 1/ISSUE 8 – APRIL 2018

## EVERY STUDENT SUCCEEDS ACT (ESSA) IMPLEMENTATION

At the April 2018 Regents meeting, Department staff discussed proposed amendments to Commissioner's regulations relating to the implementation of the state's approved Every Student Succeeds Act (ESSA) Plan. Amendments and additions to Commissioner's Regulations are necessary to implement New York's approved ESSA plan.

Following publication in the State Register in the next few weeks, and 60-day public comment period, Department staff anticipates that the proposed amendments will be presented to the Board of Regents as an emergency action in June 2018 for permanent adoption at the July 2018 or at a subsequent Regents meeting.

Once the regulations have been published, public comments may be submitted to [ESSAREGCOMMENT@nysed.gov](mailto:ESSAREGCOMMENT@nysed.gov).

To view the April 2018 Regents item regarding proposed amendments to Commissioner's regulations relating to ESSA, please visit: <http://www.regents.nysed.gov/common/regents/files/418p12a6.pdf>.

To view the supplemental presentation regarding Commissioner's regulations relating to ESSA, please visit: <http://www.regents.nysed.gov/common/regents/files/P-12%20-%20ESSA%20Presentation.pdf>.

Should you have any ESSA related questions, please send them to: [ESSA@nysed.gov](mailto:ESSA@nysed.gov).

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## OFFICE OF ACCOUNTABILITY NEWSLINE SURVEY

The Office of Accountability continues to seek feedback regarding the content and design of the 2017 – 18 OA Newsline. Please complete a survey, which may be accessed at: <https://www.surveymonkey.com/r/OANewslineFeedback>.

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## THIS JUST IN...

### ***The Board of Regents discussed the following items presented during its April 2018 Meeting***

- [New York State Learning Standards for the Arts Update](#)
- [Amendments to Sections 100.5 and 200.4 of the Commissioner's Regulations Relating to the Superintendent Determination Option for Certain Students with Disabilities to Graduate with a Local Diploma](#)
- [Amendment to Sections 175.2 and 175.5 of the Regulations of the Commissioner of Education Relating to the Minimum Instruction Requirement for State Aid](#)
- [Amendments to Sections 100.2\(ff\), 100.2\(m\), 100.18, 100.19, and Part 120 of the Commissioner's Regulations and the Addition of a new Section 100.21 of the Commissioner's Regulations Relating to the implementation of the State's Approved Every Student Succeeds Act \(ESSA\) Plan](#)
  - Supplemental Presentation: [ESSA Presentation](#)
- [Information Privacy Program](#)
  - Supplemental Presentation: [Student Data Privacy Updates](#)
- [Amendments to Sections 100.5 and 200.4 of the Commissioner's Regulations Relating to the Superintendent Determination Option for Certain Students with Disabilities to Graduate with a Local Diploma](#)
- [Overview of the 2018-19 Enacted Budget](#)
- [Amendment to Sections 80-3.3 and 80-3.7 of the Regulations of the Commissioner of Education to Allow Individual Evaluation for Certain Certificate Titles in the Classroom Teaching Service](#)
- [Update on TeachNY](#)
  - Supplemental Presentation: [TeachNY Presentation](#)

- [Amendment to Section 80-4.3 of the Regulations of the Commissioner of Education Relating to Grade-Level Extensions for Certain Candidates Who Hold a Students with Disabilities Generalist Teaching Certificate](#)
- [Amendment to Subpart 80-3 and Section 80-4.3 of the Regulations of the Commissioner of Education Relating to the Creation of Limited Extensions for Teachers Holding a Students with Disabilities Generalist Certificate](#)



## UPDATES FROM COMMISSIONER ELIA

- [Parent Update: Educational Resources, New 4+1 Pathway Assessment Option, Exceptional Middle Schools](#)
- [News & Notes: Happy National Assistant Principals Week!](#)

## FROM THE DESK OF ASSOCIATE COMMISSIONER IRA SCHWARTZ Ten Facts about Test Participation and School and District Accountability



As winter turns to spring and the focus of many schools and school districts turns to the administration of the State Grades 3-8 English language arts and mathematics assessments, the Office of Accountability receives numerous inquiries pertaining to student participation in these assessments.

Recently, the Department posted two documents designed to answer questions that are frequently asked by parents about participation in State assessments, which can be accessed here: <http://www.p12.nysed.gov/assessment/>

Listed below are ten facts I want to share with school and district leaders about participation rate and accountability:

1. The Every Student Succeeds Act (ESSA) requires that the State annually administer assessments in language arts and mathematics to all students in grades 3-8. If any of the ESSA accountability groups, including the “all students group,” in the State fail to meet the 95% participation requirement in language arts or math, New York could be subject to action by the United States Department of Education (USDE).
2. ESSA also requires that each State identify and submit to the USDE how the State will factor the 95% language arts and math participation requirement for an accountability group into its accountability system.
3. Draft regulations that will be issued in the next few weeks for public comment contain a provision that the Commissioner will require that a participation rate self-assessment be conducted, and a participation rate improvement plan be implemented if:
  - A school fails in both the 2017-18 and 2018-19 school years to meet the participation rate requirement for the same accountability group(s) in the same subject(s); and
  - The group has not shown improvement in participation rate for the same subgroup(s) and subject(s) between 2017-18 and 2018-19.
4. In calculating participation rate, the Department will:
  - Determine if an accountability group meets the 95% requirement in the current school year; or
  - Use a weighted average of current and prior school year participation rates for the group to determine if the 95% participation rate requirement has been met.
5. If a participation rate self-assessment and improvement plan are required, these are first developed at the school level. If participation does not improve, then the plan must be done in partnership with the district after the first year in which improvement did not occur, the BOCES in the second year in which improvement did not occur, and then the State Education Department in the third year in which improvement did not occur.
6. Once a school is required to implement a participation rate improvement plan, the school must continue to implement such a plan so long as the group(s) for which the plan is required performs below the 95% participation rate requirement.

7. If a school has been identified as a Comprehensive Support and Improvement School or a Targeted Support and Improvement School, then the school cannot be removed from those designations if it is required to implement a participation rate improvement plan. Also, schools that are required to do such plans cannot be designated as Recognition or Blue-Ribbon Schools.
8. Participation is also a factor in determining the Level that an elementary or middle school will be assigned for Composite Performance (i.e., academic achievement in language arts, math, and science) and for Progress (i.e., change in a subgroup's performance in ELA and math over time). In New York, Academic Achievement is measured in two ways: (1) the "Core Subject Performance Index" is based only on those continuously enrolled students who participate in State assessments; (2) "the Weighted Academic Achievement Index" is calculated, as required by ESSA, using as the denominator the greater of the number of continuously enrolled tested students or 95% of such students. The Core Subject Performance Level and the Weighed Academic Achievement Level are combined to create a Composite Performance Level from 1-4, with one being the lowest level. The way in this combination occur gives precedence to the measure on which the school performed better. If a subgroup's Core Subject Performance Level is different than its Weighted Academic Achievement Level because of low or high percentages of students tested, this may affect the subgroup's Composite Performance Level. A school that has high achievement and high levels of nonparticipation will be highly unlikely to have a Composite Performance Level of 1 but also may not receive a Composite Performance Level of 4.
9. The Elementary and Middle Progress Measure is based upon the Weighted Academic Achievement Level. Therefore, changes in the participation rates on the language arts and mathematics assessments can directly affect this measure.
10. There are no individual consequences if a student opts out of the state assessments. The student is not considered Level 1; the student is considered not tested.

I encourage you to share this information with your stakeholders and forward your questions to us regarding participation and accountability. Most important, we urge you to review [the Assessment Toolkit](#) that the Department has issued and share with parents the ways in which State assessments provide meaningful information for use by students, parents, educator, policymakers, and communities.

#### DID YOU KNOW...?

That U.S. Department of Education approved the first Innovative Educational Quality through Innovation Partnership (EQUIP) Experiment?

[Read More Here](#)

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### SAMPLE MCKINNEY-VENTO POLICY

The Department has issued a [memo](#) regarding its revised Sample LEA Policy on the Education of Students in Temporary Housing. The revised policy, which may be found at [http://www.nysed.gov/common/nysed/files/sample\\_lea\\_mv\\_policy\\_final3.2018.pdf](http://www.nysed.gov/common/nysed/files/sample_lea_mv_policy_final3.2018.pdf), reflects the recent changes to the McKinney-Vento Act as a result of the Every Student Succeeds Act (ESSA).

Local Education Agencies seeking further information may contact the Title I Office at 518-473-0295 or e-mail questions/concerns to Melanie Faby at [melanie.faby@nysed.gov](mailto:melanie.faby@nysed.gov).

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### SUBMISSION OF DTSDE DISTRICT LED REPORTS

Focus Districts are responsible for ensuring that all Focus and Priority Schools not visited by NYSED during the 2017-18 school year undergo a district led Diagnostic Tool for School and District Effectiveness (DTSDE) review. This can be fulfilled one of three ways:

1. A NYSED-led Demonstrable Improvement Indicator Review in select school(s) OR

2. A District-led DTSDE review OR
3. A DTSDE School Self-Reflection\*

\*Option 3 is ONLY available if the Focus and Priority schools received an Integrated Intervention Team visit:

- In 2015-16; OR
- In 2016-17; OR
- The school received a District-led DTSDE review of three or more tenets in 2016-17 by an individual awarded the 2016-17 DTSDE District Lead Credential.

All DTSDE reports must be emailed to [FieldSupport@nysed.gov](mailto:FieldSupport@nysed.gov) no later than **June 30, 2018**.

For additional guidance please visit <http://www.p12.nysed.gov/accountability/diagnostic-tool-institute/review-materials.html>. If you require further information, please contact the Professional Learning and Support Unit at [FieldSupport@nysed.gov](mailto:FieldSupport@nysed.gov).

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## THINGS TO NOTE

- [Press Release - Statement from Board of Regents Chancellor Betty A. Rosa and State Education Commissioner MaryEllen Elia regarding failure of Questar Assessment, Inc.'s administration of the grades 3 – 8 English Language Arts computer-based assessments](#)
- [Press Release - State Education Department Proposes Rule to Allow Individual Evaluation for Certain Teaching Certificate Titles](#)
- [My Brother's Keeper: Changing the Narrative - April 2018](#)

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## STRATEGIES FOR SUCCESS - [SHAKER HIGH SCHOOL](#)

Shaker High School in the North Colonie Central School District has established systems to review the performance of students who may be struggling academically or emotionally in order to provide tailored support to these students. Principal Richard Murphy states, "In a school of two thousand students, we cannot have any students overlooked." Based on the school's effort to ensure the best education for each student, a child study team (CST) meets every two weeks to review students considered at risk based on data, metrics, and personal referrals. The pupil service team (PST) meets every two weeks to review special education students. These referrals are considered and a plan for academic and emotional (when needed) support is developed.

There are four existing intervention programs used to further support the instruction and emotional wellbeing of students. These programs meet the continuum of interventions based on the RTI model and the particular needs of at risk students. Both indirect and direct academic support, as well as counseling, are featured components of the programs. Ninety-nine percent of eligible special education students are programmed and supported at the high school.

Through the CST and PST, students' schedules, curricula, and emotional support are constantly being adjusted and evaluated when any type of student progress is of concern. According to Principal Murphy, Shaker High School's identification as a Reward School is due to the implementation of these multiple programs and dedicated staff.

For further information about Shaker High School, please contact principal, Richard W. Murphy at: [rmurphy@ncolonie.org](mailto:rmurphy@ncolonie.org).

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## BROOKLYN-BASED FIELD SUPPORT TEAM IS RECRUITING

The Brooklyn-based Field Support Team is collecting resumes on a rolling basis for a position on its Field Support Team. Staff on the Field Support Team are responsible for visiting schools identified as needing additional support. In addition, Field Support Team staff provide feedback and technical assistance to identified schools.

Interested candidates should send an e-mail message to [crystal.cumberbatch@nysed.gov](mailto:crystal.cumberbatch@nysed.gov) for more information. Viable candidates must possess a master's degree and have at least five years of experience working in/with elementary, middle or secondary schools.

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## REMINDER: REGISTRATION OF PUBLIC SCHOOLS

The Department requires that school districts making changes to the registration of schools and creating new schools for the 2018-19 school year, submit the appropriate forms for Public School Registration, which may be found at: <http://p12.nysed.gov/accountability/PublicSchoolRegistrationAPA.html>. The deadline for the 2018-19 school year was **Thursday, March 1, 2018**. However, extensions for submitting School Registration forms can be granted based on a written request from the district. The written request can be sent to: [accountinfo@nysed.gov](mailto:accountinfo@nysed.gov).

Public School Registration changes include:

- opening a new public school,
- closing an existing public school,
- modifying the grade organization of an existing public school, and/or
- changing the location of a school.

In addition to the submission of forms, regulations also require districts to submit a signed copy of the Board of Education resolution, explicitly approving all changes that have been requested for each school.

After a district's submission is received, NYSED staff will review the submission and the Commissioner will make recommendations to the Board of Regents regarding the approval of petitions for new schools. The district must satisfactorily demonstrate that the school will be operated in an educationally sound manner; follows applicable statutes, rules and regulations relating to public schools; and will operate in accordance with applicable building codes pursuant to a certificate of occupancy. School Registration submissions and inquiries regarding the process can be sent to: [accountinfo@nysed.gov](mailto:accountinfo@nysed.gov).

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