

ESEA FLEXIBILITY PART B MONITORING REPORT

MONITORING VISIT INFORMATION	
State Educational Agency (SEA)	New York State Education Department (NYSED)
Request Approved	May 29, 2012
Request Amended	N/A
ESEA Flex Monitoring Activity	Part B Desk Monitoring
Monitoring Review Date(s)	September 18 and 20, 2013
Exit Conference	October 30, 2013
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U.S. Department of Education (ED) Monitors	Victoria Hammer Erin Shackel

OVERVIEW OF ESEA FLEXIBILITY MONITORING

The U.S. Department of Education (ED) is committed to supporting State educational agencies (SEAs) as they implement ambitious reform agendas through their approved ESEA flexibility requests. Consistent with this commitment, ED has designed a monitoring process to assess an SEA's implementation of the principles of ESEA flexibility and the State-level systems and processes needed to support that implementation.

Part B Monitoring

In Part B monitoring, SEA implementation of ESEA flexibility was reviewed across several key areas: State-level Systems and Processes, Principle 1, Principle 2, and Principle 3, as outlined in the *ESEA Flexibility Part B Monitoring Protocol*. In each broad area, ED identified key elements that are required under ESEA flexibility and are likely to lead to increased achievement for students. Through examination of documentation submitted by the SEA and interviews with SEA staff, ED assessed the effectiveness of implementation of ESEA flexibility by identifying the extent to which an SEA:

1. Is ensuring that implementation is occurring consistent with the SEA's approved request and the principles and timelines of ESEA flexibility.
2. Is continuing to review and make adjustments to support implementation.
3. Is establishing systems and process to sustain implementation and improvements.

The report contains the following sections:

- *Highlights of the SEA's Implementation.* This section identifies key accomplishments in the SEA's implementation of ESEA flexibility.
- *Status of Implementation of ESEA Flexibility.* This section indicates whether or not the SEA has met expectations for each element of ESEA flexibility.
- *Elements Requiring Next Steps.* When appropriate, this section identifies any elements where the SEA is not meeting expectations and includes Next Steps that the SEA must take to meet expectations.
- *Recommendations to Strengthen Implementation.* This section provides recommendations to support the SEA in continuing to meet the principles and timelines of ESEA flexibility and strengthening implementation.
- *Additional Comments.* When appropriate, this section includes any additional information related to the SEA's implementation of ESEA flexibility not included elsewhere.

HIGHLIGHTS OF IMPLEMENTATION OF ESEA FLEXIBILITY

The SEA's work includes the following key accomplishments relating to the implementation of ESEA flexibility and/or efforts to engage in a process of continuous review and analysis, particularly for those elements receiving a comprehensive review:

- NYSED completed development of and implemented in 133 schools and 40 districts respectively, in the 2012–2013 school year, its Diagnostic Tool for School and District Effectiveness (DTSDE). This tool serves both monitoring and technical assistance functions in the State's priority, focus, and local assistance plan (LAP) schools (other Title I schools that consistently miss performance targets) to support implementation of college- and career-ready standards, interventions to address the needs of all students and close achievement gaps, and effective teaching and leadership. Based on 2012–2013 implementation of the DTSDE, the State has revised the tool for implementation in 2013–2014.
- NYSED built and continues to expand its comprehensive online repository of resources, information, and guidance—EngageNY—to support schools, districts, parents, and other key stakeholders as the State transitions to college- and career-ready standards. The repository provides an extensive array of materials to target a wide variety of audiences and the diverse needs of these audiences based on their roles in supporting students, teachers, and other school staff in the transition.
- The plans that NYSED requires of non-School Improvement Grant (SIG) priority schools, focus schools, local assistance plan (LAP) schools, and focus districts must explicitly address the needs of student subgroups that have consistently missed performance targets, which led to these schools and districts being identified as such. To ensure these schools and districts address the needs of these student subgroups and to emphasize for schools, districts, parents, and other key stakeholders, the importance of targeting the needs of student subgroups that have consistently missed performance targets, NYSED includes highlighted language in the templates to be completed by these schools and districts indicating that “[school and district plans] must focus on the accountability subgroup(s) and measures for which they have been identified.” By highlighting the requirement to address the needs of subgroups in this way, NYSED emphasizes that schools and districts must identify and address the needs of all student subgroups, including students with disabilities, English Learners, economically disadvantaged students, and all major racial/ethnic subgroups.
- NYSED reviewed and approved the teacher and principal evaluation and support system plan of its approximately 700 districts and 34 Boards of Cooperative Educational Services (BOCES) in

the 2012–2013 school year. All districts will continue full implementation of these approved systems in the 2013–2014 school year.

STATUS OF IMPLEMENTATION OF ESEA FLEXIBILITY

SEA Systems & Processes

Element	Status
Monitoring (EDGAR 80.40 and 2.G)	Meeting Expectations
Technical Assistance (2.G)	Meeting Expectations
Data Collection & Use (§9304(a)(6))	Meeting Expectations
Family & Community Engagement and Outreach (Implementation Letter)	Meeting Expectations

Principle 1

Element	Status
Transition to and Implement College- and Career-ready Standards (1.B)	Meeting Expectations
Adopt English Language Proficiency Standards (Assurance 2)	Meeting Expectations
Develop and Administer High-Quality Assessments (Assurance 3)	Meeting Expectations
Develop and Administer Alternate Assessments (Assurance 3)	Meeting Expectations
Develop and Administer English Language Proficiency Assessments (Assurance 4)	Meeting Expectations
Annually Reports College-going and College-credit Accumulation Rates (Assurance 5)	Meeting Expectations

Principle 2

Element	Status
Develop and Implement a State-Based System of Differentiated Recognition, Accountability, and Support (2.A)	Meeting Expectations
Reward Schools (2.C)	Not Meeting Expectations
Priority Schools (2.D)	Not Meeting Expectations
Focus Schools (2.E)	Meeting Expectations
Other Title I Schools (2.F)	Meeting Expectations
State and Local Report Cards (§1111 of the ESEA; 2.B and Assurance 14)	Meeting Expectations

Principle 3

Element	Status
Teacher Evaluation and Support Systems (3.B)	Meeting Expectations
Principal Evaluation and Support Systems (3.B)	Meeting Expectations

ELEMENTS REQUIRING NEXT STEPS

Element	Reward Schools
Summary and Status of Implementation	The SEA has not demonstrated that this element is carried out consistent with its approved ESEA flexibility request. Specifically, NYSED indicated in its approved request for ESEA flexibility that it would issue a press release regarding its reward schools. Instead, NYSED posted its list of reward schools on its website. NYSED did complete the other activities described in its approved request for ESEA flexibility.
Next Steps	Through the ESEA flexibility extension process, NYSED will amend its request for this element to reflect the activities the SEA will engage in as it relates to reward schools.

Element	Priority Schools
Summary and Status of Implementation	The SEA has not demonstrated that this element is carried out consistent with its approved ESEA flexibility request and the principles and timelines outlined in the document titled <i>ESEA Flexibility</i> . SIG-funded priority schools in New York implement one of the four SIG models, consistent with the requirements of the SIG program. However, the remainder of priority schools in New York have not implemented the turnaround principles consistent with the requirements of ESEA flexibility. Based on the evidence that NYSED submitted and the information provided during the monitoring interviews, the State does not have in place a process to ensure that the LEAs in which these schools reside (1) review the performance of the current principal and (2) either replace the principal if such a change is necessary to ensure strong and effective leadership or demonstrate to the SEA that the current principal has a track record in improving achievement and had the ability to lead the turnaround effort.
Next Steps	Through the ESEA flexibility extension process, NYSED will submit its process for ensuring that districts with priority schools implement the turnaround principles meet the requirements of the principle related to review of and, if necessary, replacement of principals. In addition to this process, NYSED will submit a revised timeline for this subset of priority schools to reflect full implementation of all turnaround principles. This revised timeline will be incorporated into NYSED’s request through the ESEA flexibility extension process.

RECOMMENDATIONS TO STRENGTHEN IMPLEMENTATION

The following recommendations are provided to support the SEA in continuing to meet the principles and timelines of ESEA flexibility and strengthening implementation through continuous improvement and the establishment of systems and processes to sustain implementation and improvement.

- NYSED noted a change from contracting for development and production of its State and local report cards to completing this work in-house. ED recommends that the State

continue to prioritize the timely production and dissemination of its report cards to ensure that they are accessible as soon as possible.

- While NYSED posts a wide variety of resources and information on its website for broad consumption by parents and other stakeholders, it may consider ensuring that these materials can be consumed by a wide audience.
- NYSED has and continues to provide statewide assessment results to its schools and districts in a timely fashion. However, the State has not been able to provide school- and district-level accountability results on a similar timeline. While ED acknowledges such delays may result from changes to assessment programs such as those that occurred in the 2012–2013 school year, ED recommends that NYSED prioritize providing schools, districts, and other stakeholders accountability information in a more timely fashion moving forward to ensure transparency regarding school and district performance and progress and facilitate schools and districts responding accordingly.

ADDITIONAL COMMENTS

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