

School Turnaround Through Receivership

How will the new state law affect identified schools in Albany

**Albany High School – Public hearing
August 11, 2015
7:30 p.m.**

Superintendent Marguerite Vanden Wyngaard, Ph.D.

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Education Law Section 211-f and Receivership

In April 2015, Subpart E of Part EE of Chapter 56 of the Laws of 2015 added a new section, 211-f, to Education Law.

Section 211-f requires that Persistently Struggling Schools, schools that have been in the most severe accountability status since the 2006-07 school year, be given an initial one-year period under a Superintendent Receiver to improve student performance.

Struggling Schools, schools that have been Priority Schools since the 2012-13 school year, will be given an initial two-year period under a Superintendent Receiver to improve student performance.

Should Struggling Schools or Persistently Struggling Schools not make demonstrable progress within the prescribed time frame, an independent receiver will then be appointed to the school for up to three years.

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The Intent of Receivership:
Addressing Potential Barriers to School Turnaround

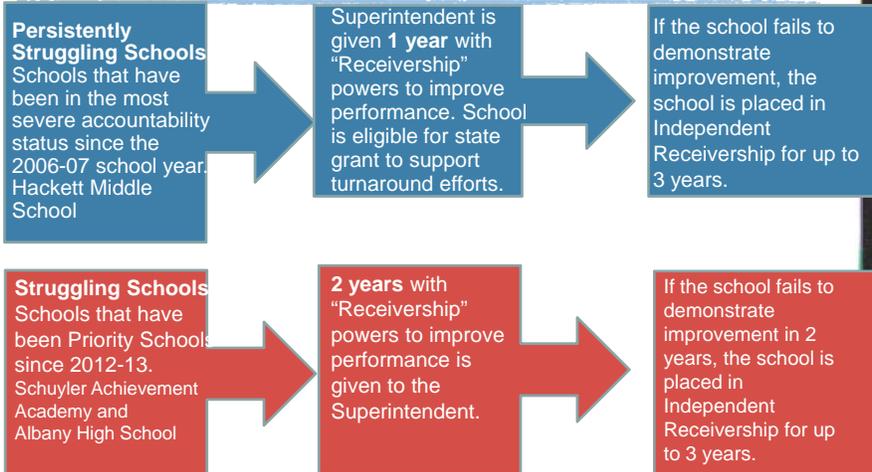
The intent of receivership is to address potential barriers to school turnaround in the following areas:

- Governance
- School Leadership and Staffing
- Collective Bargaining Agreements
- Parent and Community Engagement
- Social and Emotional Developmental Health of Students (Community Schools)
- District Support
- Fiscal Resources



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**Receivership –
 Intervention in Struggling Schools**



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Superintendent as Receiver

Vested with powers of a receiver, including the ability to:

- Review and make changes to the school budget.
- Create/change school program and curriculum.
- Supersede a decision made by the Board of Education.
- Require all staff to reapply for their positions.
- Implement professional development for staff.
- Expand the school day or year.
- Convert the school to a charter school, pursuant to the law.
- Request changes to the collective bargaining agreement.
- Introduce and create community school model.

Superintendent as Receiver

Implementation of SED-Approved Plan

- The Superintendent implements a Comprehensive Education Plan or SED-approved intervention model (e.g., School Improvement Grant).
- The plan must incorporate specific “rigorous performance metrics and goals” specified in the law.

Evaluation

At the end of the one- or two-year period in which a Struggling or Persistently Struggling School is under Superintendent Receivership, and annually thereafter, the Commissioner must determine whether the school should be removed from designation, allowed to continue to be operated by the school district with the Superintendent Receiver, or be placed into Independent Receivership.

SED-Approved School Comprehensive Education Plan or Intervention Model Plan

In order to become vested with the powers of a school receiver, the Superintendent Receiver must have, at minimum:

- A provisionally SED-approved School Comprehensive Education Plan (SCEP) or intervention model plan (i.e., a 1003(g) School Improvement Grant or a School Innovation Fund Grant) for the 2015-16 school year.
 - Albany High School, Hackett and Schuyler plans have been provisionally approved.



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SED-Approved School Comprehensive Education Plan or Intervention Model Plan

After receiving provisional approval of the plan, the Superintendent will have the powers of receiver for 90 days, and is responsible for the following:

- Working with the Community Engagement Team to develop the Community Engagement Plan and reviewing the submitted SCEP, SIF, or SIG plan to determine if the plan needs revisions;
- Meeting the public notification and hearing requirements as outlined in Commissioner's Regulation §100.19(c) and providing evidence of meeting the requirements using the Public Notification and Hearing Requirements Template (Attachment D);
- Submitting any locally developed metrics for assessing demonstrable achievement.

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Requirements: Communication and Notification

No later than 30 calendar days after a school has been identified as a Persistently Struggling or Struggling School, the school district is required to notify parents or guardians of students attending the identified schools in writing regarding the designation of the school(s) and provide an explanation for why it was designated Persistently Struggling or Struggling.

- The notices must be provided in English and translated, to the extent practicable, into the recipient's native language or mode of communication. **Completed 7/31/15**
- The district must hold an initial public meeting to discuss the performance of the designated school and the concept of receivership no later than 30 calendar days after a school has been identified. **In Process SAA & AHS 8/11/15, Hackett 8/12/15**

Superintendent Receiver

- Any Board of Education decision regarding employment of the Superintendent must be made consistent with applicable laws and regulations and the employment contract.
- The Board of Education cannot take employment decisions against the Superintendent in retaliation for actions taken as a school receiver.
- The school district Superintendent Receiver shall **not** be required to create and implement a school intervention plan or to convert a Struggling or Persistently Struggling school to a community school.

Family and Community Engagement

Parent and Community Notification Requirements

- The district must provide annual notice to parents and guardians of the students of a school which may be placed into receivership. Notices must be translated in the native languages of the students.
- The district must also hold a public meeting or hearing annually for purposes of discussing the performance of the school and the concept of receivership. An interpreter must be present at the public meetings.

Community Engagement Team

- Upon the designation of a Struggling School or Persistently Struggling School, the district will establish a Community Engagement Team (CET), including, but not limited to, the school principal, parents and guardians, teachers and other school staff and students.
- The membership of the CET may be modified at any time. The CET must develop recommendations for improvement of the school and solicit input through public engagement. The team will present its recommendations periodically to school leadership, and to the receiver, as applicable.

Family and Community Engagement

No later than 20 business days following the identification of a school as Persistently Struggling or Struggling, the school district is required to establish a Community Engagement Team (CET). The CET must be composed of:

- **Community stakeholders with direct ties to the school, including but not limited to:**
 - The school principal,
 - Parents of or persons in parental relation to students attending the school,
 - Teachers and other school staff assigned to the school, and
 - Students attending the school.

The Community Engagement Team is charged with developing recommendations for improvement of the school and for soliciting input regarding their recommendations through public engagement.

Hackett MS team established 5/26/15, SAA and AHS established 8/12/15

Family and Community Engagement

Stakeholder Participation in the Creation of the School Intervention Plan

Each approved school intervention plan must be based on stakeholder input, recent diagnostic reviews and student achievement data.



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Expanded Role of Community Engagement Team

July 22 and 23, 2015

The role of the Community Engagement Team (CET) has been expanded:

- The CET will review, assess and report on the implementation of the school's plan.
- The CET's recommendations must be attached to the school plan and the Receiver must attach such recommendations and identify which recommendations were incorporated in the plan and how; as well as, which recommendations were not incorporated in the plan and why.
- The district will consult with the CET before proposing to the Commissioner any plan modifications. The CET may hold hearings, which must be arranged by the district, to solicit feedback.
- The plan must be provided to the local school board, the Superintendent, and representatives of the collective bargaining units, CET, and elected representatives of the parent teacher association and/or parent association.
- The Commissioner will annually consult and cooperate with the district, school staff and CET in determining whether the school has met its annual goals and in assessing the implementation of the plan.
- Upon expiration of the school intervention plan, the Commissioner will consult with the district and CET to determine whether to renew the plan, terminate the contract with the Independent Receiver or remove the school from designation.

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Summary - Next Steps for Districts with Persistently Struggling and Struggling Schools

By no later than September 30, 2015, the Superintendent Receiver must submit:

- The Community Engagement Plan, and
- The Public Notice and Hearing Requirements Template, and
- Any locally developed metrics for demonstrable improvement, and
- Any revisions to the previously submitted SCEP, SIG, or SIF plan in order to obtain final SED approval of the plan and continue to have the powers of a Receiver.



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Albany High School

- Teachers meeting in teams during common planning periods for the purpose of examining student work in order to match instruction to student need (differentiated instruction)
- Teachers continue to meet in committees where data informs school-wide procedures and protocols; information is shared in departments, academies and through written and posted communiques.
- Focus on Tier I classroom strategies for student engagement and the implementation of routines and expectations
- Data driven approach to individual student, content and school-wide issues and concerns

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Albany High School

- Professional development aligned to learner needs as well as teacher needs; topics to include:
 - Differentiated instruction
 - Literacy
 - AVID strategies
 - Content enhancement routines
 - Common Core Learning Standards
 - Readyng students for college and careers
- Curriculum “audited” to ensure that it is aligned to the Rigorous Curriculum Design model and includes differentiated options for learning; activities for students with disabilities and English language learners.

Making Demonstrable Improvement

Requirements for Demonstrable Improvement

- **Persistently Struggling Schools must annually make demonstrable improvement or they will be placed in Independent Receivership.**
- **Struggling Schools after an initial two-year period must annually make demonstrable improvement or they will be placed in Independent Receivership.**
- **Commissioner shall consider:**
 - Performance on metrics
 - Years of identification
 - Superintendent's successful use of the powers of a School Receiver to implement the school's plan.

Metrics Specified in Legislation

- (i) student attendance;
- (ii) student discipline including but not limited to short-term and long-term suspension rates;
- (iii) student safety;
- (iv) student promotion and graduation and drop-out rates;
- (v) student achievement and growth on state measures;
- (vi) progress in areas of academic underperformance;
- (vii) progress among the subgroups of students used in the state's accountability system;
- (viii) reduction of achievement gaps among specific groups of students;
- (ix) development of college- and career- readiness, including at the elementary and middle school levels;
- (x) parent and family engagement;
- (xi) building a culture of academic success among students;
- (xii) building a culture of student support and success among faculty and staff;
- (xiii) using developmentally appropriate child assessments from pre-kindergarten through third grade, if applicable, that are tailored to the needs of the school; and
- (xiv) measures of student learning.

The school intervention plan may also include annual goals on locally-selected measures, provided that such locally-determined measures shall be submitted to the Commissioner for approval in such form and format as may be prescribed by the Commissioner.

Guiding Principles

- One or more metric(s) shall be established for each category specified in legislation.
- For each metric, a school can make progress by achieving either a “universal goal” or a school-specific target.
- The metric goal remains fixed for three years. The school specific targets generally increase over the three-year period.
- Most metrics will be based on student performance; some metrics will be based on implementation of programs and/or processes.
- The State Education Department will select some of the school metrics, and the School Receiver in consultation with the Community Engagement Team shall select some.
- Selected metrics will be based primarily on where the school’s performance is weakest.
- School Receiver may seek to have local measures approved by the Commissioner.
- The result of the process shall be a judgment that the school made demonstrable improvement, did not make demonstrable improvement unless there are shown to be extenuating or extraordinary circumstances, or the Commissioner shall review the totality of the record to make a determination.

How Demonstrable Improvement is Determined

- Some metrics will be considered Level 1; some metrics will be considered Level 2; some metrics may be either Level 1 or 2, depending on circumstances.
- A minimum of five Level 1 and five Level 2 metrics will be selected for a school.
- Level 1 metrics shall be weighted 50% in computing the Demonstrable Improvement Index and Level 2 metrics shall also be weighted 50%.
- Each metric within Level 1 and Level 2 shall be weighted equally.
- The Demonstrable Improvement Index shall range from 0% to 100%.



How Demonstrable Improvement is Determined

- If a school achieves an index of 67% or higher, the school has made demonstrable improvement. If a school achieves below 40%, it has not, unless the school can demonstrate it would have achieved 67% of its goals absent extenuating or extraordinary circumstances.
- The Commissioner shall review the entirety of the record and after consulting with district and Community Engagement Team determine whether a school with an index of 40% or higher and less than 67% shall be considered to have made demonstrable improvement.

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Metric Categories

- Priority Schools Making Progress
- Implementing Successful Practices
- School Climate
- Attendance
- Academic Performance for All Students
- Academic Performance for Subgroups of Students
- Academic Growth for All Students
- Academic Growth for Subgroups of Students
- Closing Gaps in Achievement
- Graduation and Dropout Rates
- Student Promotion Rates
- College- and Career- Readiness
- Developmentally Appropriate Child Assessments: Pre-K to Third Grade
- Teachers Teaching out of Certification Area
- Staff Turnover
- Post-Secondary Success

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Level 1 Metrics

- There are seven Level 1 metrics for elementary and middle schools and seven for high schools.
- If a school's performance is below a Level 1 target for a metric, that metric will be assigned to a school. If there are five or more metrics for which the school is below the baseline then all of these will be used. **SED**
- If there are fewer than five, then the associated Level 2 metrics will be used as Level 1 metrics.
- If the combined Level 1 metrics and associated Level 2 metrics are still fewer than five, then the Levels 1 metrics for which the school is farthest from the state average will be used.
- An associated Level 2 metric is a Level 1 metric used for a specific accountability group (e.g., the percentage of students with disabilities in grades 3-8 math performing at or above Level 2 is an associated Level 2 metric for the Level 1 grades 3-8 math metric.)

The Level 1 Metrics

Elementary and Middle:

- Making Priority School Progress
- Percent of Students at or above Level 2 in ELA
- Percent of Students at or above Level 2 in math
- Mean Student Growth Percentile in ELA
- Mean Student Growth Percentile in math
- Percent of Students at or Above Level 3 in Science
- School Violence Index

High School:

- Making Priority School Progress
- 4-year High School Graduation Rate
- 5-year High School Graduation
- Percent of Students Graduating with Regents Diploma with Advanced Designation
- Percent of 10th graders passing Math Regents
- Percent of 11th graders passing ELA Regents
- School Violence Index

Level 2 Metrics

Level 2 Indicators Include:

- o Indicators for students subgroups (i.e., English-language learners, low-income students, racial/ethnic groups and students with disabilities).
- o Implementing a community school model, expanded learning time and other key system initiatives.
- o School climate (e.g., attendance, suspensions).
- o Gaps between a student group and students who are not members of the group (e.g., between students with disabilities and students without disabilities).
- o Students passing courses.
- o Student promotion rates.
- o College- and Career- Readiness.
- o Developmentally Appropriate Child Assessments: Pre-K to Third Grade.
- o Teachers Teaching out of Certification Area.
- o Staff Turnover.
- o Post-graduation plans for students.
- o Local measures approved by the Commissioner.

Since 4 Indicators have been selected, the school may select one additional indicator from a subgroup that is below the baseline for grade 3-8 ELA, grade 3-8 Math SGP, or grade 4 and 8 science. The school chooses as a fifth indicator grade 3-8 Math SGP for students with disabilities.

<u>Indicator</u>	<u>Target</u>	<u>School's Performance in 14-15</u>	<u>Selected</u>	<u>Comment</u>
Making Priority School Progress	NA	NA	Yes	This is always an Indicator
Grades 3-8 ELA percent at or above Level 2	40%	43%	No	School is Above Baseline
Grades 3-8 math percent at or above Level 2	38%	25%	Yes	School is Below Baseline
Grades 3-8 ELA all students SGP	50.7%	45%	Yes	School is Below Baseline
Grades 3-8 math all students SGP	51.2%	52%	No	School is Above Baseline
Grades 4 and 8 Science percent at or above Level 3	39%	36%	Yes	School is Below Baseline
School Violence Index	10 Serious Incidents	6 Serious Incidents	No	School is Below Baseline

Example

The school must select a minimum of five Level 2 indicators, but may select more. The school must first select metrics for which it is below the target before the school selects metric for which it is above the target. The school may not select more than one metric per category for which it is above the target.

Indicator	Target	School's Performance in 14-15	Selected	Comment
Implementing Community Schools Model	Implement Community School Model	No Model	Yes	School must meet first year implementation standards
Extended Learning Time	Implement Program	Program does not provide 200 Hours of Extended Learning Time to all Students	Yes	School must meet implementation standards
DTSDE Teacher Practices and Decision Making	Developing	Developing	Yes	School may pick one DTSDE tenet for which it is below Effective
Percent of Newly Hired Teachers with State Provided Growth Ratings of Effective or Above	90% or no more than 1 not Ineffective	NA	Yes	Minimum of five new teachers required
Grade 3-8 ELA percent of low-income students at or above Level 2	39%	40%	No	School is above first year target; since there are other indicators below target; one of them must be chosen
Grade 3-8 ELA low-income SGP	51.1%	50%	Yes	School is below first year Goal
Chronic Absenteeism	Fewer than 20% of students chronically absent	30%	Yes	Local Measure Approved by Commissioner
ELL students gaining one Level on NYSESLAT	50%	40%	Yes	Local Measure Approved by Commissioner

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Example

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Computing the Demonstrable Improvement Index

Measure	Target	Performance	Measure Made	Weighting
Made Priority School Progress	Target	Progress	No	0%
Grades 3-8 math percent at or above Level 2	26%	28%	Yes	10%
Grades 3-8 ELA all students SGP	46%	48%	Yes	10%
Grades 4 and 8 Science percent at or above Level 3	39%	35%	No	0%
Grades 3-8 Math SGP	47%	45%	No	0%
Implement Community School Model	First Year Implementation	First Year Implementation	Yes	7.14%
Expanded Learning Time	Program Implemented	Implement Program	Yes	7.14%
DTSDE Teacher Practices and Decision Making	Developing	Developing	Yes	7.14%
Percent of Newly Hired Teachers with State Provided Growth Ratings of Effective or Above	4 Teachers Effective or Highly Effective	3 Teachers Effective; 1 Teacher Developing; 1 Teacher Ineffective	No	0%
Grades 3-8 ELA low-income SGP	51%	52%	Yes	7.14%
Chronic Absenteeism	30% Chronically Absent	Fewer than 29% of students chronically absent	No	0%
ELL students gaining one Level on NYSESLAT	50%	41%	Yes	7.14%
Index Result				55.7%

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Example

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Determining Demonstrable Improvement

- In this example, because the school's Demonstrable Improvement Index is above 40% but below 67%, the Commissioner reviews the entire performance of the school.
- After the review, the Commissioner determines the school has made demonstrable improvement.
- Note: Targets become more rigorous in Years 2 and 3.

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How Metric Goals Change Over Time

Four-year Graduation Rate:

- Year 1: 55% or a 1 percent increase over baseline performance.
- Year 2: 57% or a 3 percent increase over baseline performance.
- Year 3: 64% or a 6 percent increase over baseline performance.

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Additional Information about the Index

- Once selected, metrics remain in place for three years.
- If a determination cannot be made in the current year about a metric, the weights for that year will be adjusted.
- If a determination cannot be made in a future year about a metric, another metric may be selected.
- If a school falls below a Level 1 target after year 1, that metric will be added to the Level 1 list.
- If a school meets the criteria for removal from Priority Status, the district may petition for removal, even if the school does not make demonstrable improvement.

Next Steps

- Prior to the school year, SED will provide a template for districts to complete by end of September along with instructions on how to submit local measures. [Template available 8-3-2015](#)
- By September 1, SED will inform districts of their metrics and targets for their three-year plan.
- Districts should begin now to think about metrics they wish to select.



Turnaround Grants

Eligibility for Funding

The enacted budget includes \$75 million in grants for Persistently Struggling Schools to be used over two years to support and implement turnaround plans. Subject to Department of Budget approval of SED's expenditure plan, SED may begin issuing grant awards as of July 1, 2015.

Intended Uses

Funds may be used for purposes that include, but are not limited, to:

- Use of school buildings as community hubs to deliver co-located or school-linked academic, health, mental health, nutrition counseling, legal and/or other services to students and their families.
- Expansion, alteration or replacement of the school's curriculum and program offerings.
- Extension of the school day and/or school year.
- Professional development of teachers and administrators.
- Mentoring of at-risk students.
- The expenses related to contracting with Independent Receivers.

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Questions, Comments, Dialogue



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