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**NO CHILD LEFT BEHIND ACT OF 2001:
REAUTHORIZATION OF ELEMENTARY AND
SECONDARY EDUCATION ACT**

RESEARCH AND EDUCATIONAL SERVICES

FACT SHEET 2: DIFFERENTIATED ACCOUNTABILITY

The federal No Child Left Behind Act (NCLB) requires the performance of public schools receiving Title I money to be evaluated annually, according to the state's approved assessment accountability system. The performance of students in New York state is measured through annual assessments in ELA and math in grades 3 through 8, science assessments in grades 4 and 8, as well as high school ELA and math Regents exams. At the high school level, NCLB also requires states to use student graduation rates as performance indicators. The performance of all students is reported, including specific student subgroups (based on ethnicity, income status, disabilities and English proficiency) as long as there are at least 30 students in the subgroup.

The United States Department of Education (USDOE) approved the New York State Education Department's (SED) application to participate in the NCLB Differentiated Accountability Pilot Program. Starting with the 2009-2010 school year, they will use the results of assessments administered during the 2008-2009 school year on individual schools only. Over time, the state can evaluate the model and make adjustments before applying it to districts.

The approved differentiated accountability model recognizes that schools with systematic failure of all student groups require very different interventions than schools in which failure to make Adequate Yearly Progress (AYP) is based on the performance of a single group of students. The flexibility inherent in the model will allow school districts and SED to target interventions, resources and strategies which are customized to better address the needs of students not making adequate yearly progress. This is a positive change for New York state because data show that most of the schools identified through the accountability system are identified because of a single subgroup not making AYP for single accountability measure. The less pervasive the performance problem, the more flexibility a school will have in developing a strategy to help student groups meet AYP.

New York's approved accountability model takes the eight current levels of designation and condenses them to three phases, improvement, corrective action, and restructuring. Within each of these phases there are categories based on the number of subject areas and student groups involved. These new designations and specific categories of intervention, compared to current designations, are described in *Table 1, Accountability Designations*. Schools move from one phase to the next when they fail to make AYP for two consecutive years. Schools in any phase can be classified as a 'School Under Registration Review' (SURR) if all students fail to make AYP or the school is deemed to be most in need of improvement. The interventions and SED oversight become more intensive as a school moves from one phase to the next. These interventions are designed, according to SED, to provide schools with the resources necessary to move all students to proficiency by 2013-2014.

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**Table 1
Accountability Designations**

| CURRENT NCLB DESIGNATION | DIFFERENTIATED ACCOUNTABILITY PHASES OF SCHOOL IMPROVEMENT | KEY FEATURES |
|---|--|---|
| Good Standing | Good Standing -- Schools where all students and each student subgroup are making AYP annually. | |
| Schools in Need of Improvement – Year 1 Schools in Need of Improvement – Year 2 | <p>Improvement, Basic - Schools identified for not meeting AYP in one subject and one student group (but not the all students group) for two consecutive years.</p> <p>Improvement, Focused - Schools identified for failing to meet AYP in more than one subject area OR more than one student group within one subject area (but not the all students group) for two consecutive years.</p> <p>Improvement, Comprehensive - Schools identified for failing to make AYP in one or more subjects and the all students group OR failure all other student groups within a subject to make AYP for two consecutive years.</p> | Every school participates in a School Quality Review (SQR) process, the scope and intensity of which is determined by the Category within the Phase. |
| Corrective Action – Year 1 Corrective Action – Year 2/ Plan for Restructuring | <p>Corrective Action, Focused - Schools identified for failing to meet AYP in one or more subject areas OR one or more student groups within a subject area but not the all student group.</p> <p>Corrective Action, Comprehensive - Schools identified for failing to meet AYP in one or more subjects and all students or all other student subgroups within a subject area</p> | Every school will be required to undergo an intensive Curriculum Audit targeting the subject area and student groups identified in addition to taking at least one other appropriate corrective action. |
| Restructuring - Year 1 Restructuring - Year 2 Restructuring - Years 3+ | <p>Restructuring, Focused - Schools identified for not making AYP in one or more subjects OR one or more student groups within a subject (but not all students)</p> <p>Restructuring, Comprehensive - Schools identified for failing to meet AYP in one or more subject areas and all students or all other student subgroups within a subject area</p> | Schools in the <i>Focused</i> category will be assigned a Joint Intervention Team (JIT) to assist in planning and restructuring initiatives. Schools in the <i>Comprehensive</i> category will be assigned a JIT and a Distinguished Educator (DE) to make recommendations such as phase-out closure of the school. |
| Schools Under Registration Review (SURR) | Schools in any of the phases because All Students are not making AYP and are furthest from the State standard and deemed in most need of improvement | The school will be assigned a JIT and DE and is subject to all of the interventions relating to SURR. It will remain in this phase until it meets SURR targets or is recommended for phase-out or closure. |

Source: NYSED