



2009-10 School and District NCLB Accountability Status and Required Actions

| If you are a... | Then your 2009-10 NCLB Accountability Status is as a... | And your responsibilities under NCLB in the 2009-10 school year are... |
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| <p>School that did not make AYP in 2008 and 2009 in English language arts (ELA) or mathematics, either in the aggregate or for any subgroup</p> | <p>School Identified for Improvement – Year 1</p> | <p>All Schools:</p> <ul style="list-style-type: none"> • Parent/Guardian Notification: Parents/guardians of each child enrolled in school must be notified of school’s NCLB Accountability Status (See page 5 for details) • Improvement Planning: School must revise school improvement plan (See pages 5-6 for details) • Technical Assistance: District must provide technical assistance (See page 5 for details) <hr/> <p>Schools Receiving Title I Funds in 2009-10:</p> <ul style="list-style-type: none"> • NCLB School Choice: Parents of all students in the school must be offered the option to transfer their children to another school in the district not identified for improvement (See pages 8-9 for details) • Professional Development: 10% of the school’s Title I allocation must be dedicated to targeted professional development (See page 7 for details) |
| <p>School Identified for Improvement – Year 1 in 2008-09 that did not make AYP in the same subject in 2009 (ELA or mathematics; aggregate or any subgroup)</p> | <p>School Identified for Improvement – Year 2</p> | <p>All Schools:</p> <ul style="list-style-type: none"> • Parent/Guardian Notification: Parents/guardians of each child enrolled in school must be notified of school’s NCLB Accountability Status (See page 5 for details) • Improvement Planning: School must revise school improvement plan based on new data and analysis of current findings (See pages 5-6 for details) • Technical Assistance: District must continue to provide technical assistance (See page 5 for details) |

If a **school** identified for improvement, corrective action, or restructuring makes AYP for one year, it stays at the previous year’s status. If the school makes AYP for two years in a row, it is assigned to the positive *No Status* category. A **district** is newly identified for improvement if it fails to make AYP in the same subject area and all grade-spans, for students in the aggregate or any subgroup, for two consecutive years. A district will have no accountability status if it makes AYP in the same subject area for at least one grade-span for two consecutive years.

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| | | <p>Schools Receiving Title I Funds in 2009-10:</p> <ul style="list-style-type: none">• NCLB School Choice: Parents of all students in the school must be offered the option to transfer their children to another school in the district not identified for improvement (See pages 8-9 for details)• Supplemental Educational Services must be offered to all low-income students in the school (See pages 8-9 for details)• Professional Development: 10% of the school's Title I allocation must be dedicated to targeted professional development (See page 7 for details) |
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| If you are a... | Then your 2009-10 NCLB Accountability Status is as a... | And your responsibilities under NCLB in the 2009-10 school year are... |
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| <p>School Identified for Improvement – Year 2 in 2008-09 that did not make AYP in the same subject in 2009 (ELA or mathematics; aggregate or any subgroup)</p> | <p>School in Corrective Action</p> | <p>All Schools:</p> <ul style="list-style-type: none"> • Parent/Guardian Notification: Parents/guardians of each child enrolled in school must be notified of school’s NCLB Accountability Status (See page 5 for details) • Improvement Planning: School must revise school improvement plan based on new data and analysis of current findings (See pages 5-6 for details) • Technical Assistance: District must continue to provide technical assistance (See page 5 for details) • Corrective Actions: District must take at least one corrective action and disseminate information to public on corrective actions taken to improve student performance in the school (See pages 9-10 for details) <hr/> <p>Schools Receiving Title I Funds in 2009-10:</p> <ul style="list-style-type: none"> • NCLB School Choice & Supplemental Educational Services: District must continue to provide same NCLB School Choice and supplemental educational services supports and options as for schools Identified for Improvement – Year 2 (See pages 8-9 for details) |
| <p>School in Corrective Action in 2008-09 that did not make AYP in the same subject in 2009 (ELA or mathematics; aggregate or any subgroup)</p> | <p>School in Restructuring – Year 1</p> | <p>All Schools:</p> <ul style="list-style-type: none"> • Parent/Guardian Notification: Parents/guardians of each child enrolled in school must be notified of school’s Accountability Status (See page 5 for details) • Technical Assistance: District must continue to provide technical assistance (See page 5 for details) • Plan for Fundamental Reforms: The district, in concert with teachers and parents, must analyze the school’s needs and develop a plan for fundamental reforms, including change in the school’s governance and/or staffing, to improve student performance in the school (See page 10 for details) <hr/> <p>Schools Receiving Title I Funds in 2009-10:</p> <ul style="list-style-type: none"> • NCLB School Choice & Supplemental Educational Services: District must continue to provide same NCLB School Choice and supplemental educational services supports and options as for schools Identified for Improvement – Year 2 (See pages 8-9 for details) |

| If you are a... | Then your 2009-10 NCLB Accountability Status is as a... | And your responsibilities under NCLB in the 2009-10 school year are... |
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| <p>School in Restructuring – Year 1 in 2008-09 that did not make AYP in the same subject in 2009 (ELA or mathematics; aggregate or any subgroup)</p> | <p>School in Restructuring – Year 2+</p> | <p>All Schools:</p> <ul style="list-style-type: none"> • Parent/Guardian Notification: Parents/guardians of each child enrolled in school must be notified of school’s NCLB Accountability Status (See page 5 for details) • Technical Assistance: District must continue to provide technical assistance (See page 5 for details) • Implement Fundamental Reforms: District must continue to analyze the school’s needs and implement fundamental reforms, including change in the school’s governance and/or staffing, to improve student performance in the school (See page 10 for details.) <hr/> <p>School Receiving Title I Funds in the 2009-10 School Year:</p> <ul style="list-style-type: none"> • NCLB School Choice & Supplemental Educational Services: District must continue to provide same NCLB School Choice and supplemental educational services supports and options as for schools Identified for Improvement – Year 2 (See pages 8-9 for details) |

| If you are a... | Then your 2009-10 Accountability Status is as a... | And your responsibilities under NCLB in the 2009-10 school year are... |
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| <p>District that did not make AYP in 2008 and in 2009 for all grade spans (grades 3-5, 6-8, 9-12) in the same subject (ELA or mathematics; aggregate or any subgroup)</p> | <p>District Identified for Improvement – Year 1</p> | <ul style="list-style-type: none"> • Parent/Guardian Notification: Parents/guardians of each child enrolled in district must be notified of district’s NCLB Accountability Status (See page 5 for details) • Improvement Planning: District must revise district improvement plan to address the reasons for low student performance in the grade(s), content area(s), and student group(s) in which the district did not make AYP (See page 5 for details) |
| <p>District Identified for Improvement – Year 1 in 2008-09 that did not make AYP for all grade spans (grades 3-5, 6-8, 9-12) in 2009 in the same subject (ELA or mathematics; aggregate or any subgroup)</p> | <p>District Identified for Improvement – Year 2</p> | <ul style="list-style-type: none"> • Professional Development: District must reserve not less than 10% of its Title I, Part A funds for high-quality professional development specifically designed to address the academic achievement problems that caused the district to be identified (See page 7 for details) • Limitations on Transferability of Funds: Districts identified for improvement may transfer no more than 30% of the funds allocated to them under Titles II-A, II-D, and IV. Moreover, all transferred funds must be used for improvement activities as outlined in the district’s improvement plan. (See federal transferability guidance at www.ed.gov/programs/transferability/finalsummary04.doc for details) |
| <p>District Identified for Improvement – Year 2 in 2008-09 that did not make AYP for all grade spans (grades 3-5, 6-8, 9-12) in 2009 in the same subject (ELA or mathematics; aggregate or any subgroup)</p> | <p>District in Corrective Action</p> | <ul style="list-style-type: none"> • Parent/Guardian Notification: Parents/guardians of each child enrolled in district must be notified of district’s NCLB Accountability Status (See page 5 for details) • Corrective Actions: State must take at least one corrective action required under NCLB (See page 10 for details) • Prohibition on Transferability of Funds: Districts in Corrective Action status may not transfer funds between Titles II-A, II-D, and IV while in Corrective Action. (See federal transferability guidance at www.ed.gov/programs/transferability/finalsummary04.doc for details) |
| <p>District in Corrective Action in 2008-09 that did not make AYP for all grade spans (grades 3-5, 6-8, 9-12) in 2009 in the same subject (ELA or mathematics; aggregate or any subgroup)</p> | <p>District in Corrective Action</p> | |

Parent/Guardian Notification

When a school is identified for improvement, corrective action, or restructuring, the district must promptly provide parents or guardians of each student enrolled in the school an explanation of what the identification means, the reason(s) for the identification, what the district and school is doing to address the problem of low achievement, how parents/guardians can become involved in addressing the academic issues that led to identification, and – for Title I schools – information on NCLB School Choice and supplemental educational services (SES).

The district must ensure the parents/guardians of students in Title I schools that—because of their performance in 2007-08, will have an improvement status in 2009-10—are notified at least 14 days prior to the start of the school year. (Parents/guardians of children attending other schools must receive this information no later than the start of the school year.) Sample parent/guardian notification letters are available at:

www.doe.mass.edu/titlei/monitoring/.

When the district is identified for improvement or corrective action, the district must promptly notify the parents of each student enrolled in the schools served by the district. In the notification, the district must explain the reasons for the identification, how parents can participate in improving the district, and what corrective actions the district will take to improve student performance.

Technical Assistance

When a school is identified for improvement, corrective action or restructuring, the district must ensure that it receives assistance that addresses specific areas of instructional improvement as the schools develop or revise their improvement plans and throughout the implementation of the plans. Technical assistance based on scientifically based research must be provided in data analysis, identification and implementation of strategies, and budget analysis. In turn, Massachusetts regulations (603 CMR 2.0 §3) require the superintendent and the school committee to “develop a written plan detailing actions district officials will take, including allocation of the necessary human and financial resources, to support and oversee implementation of the school’s improvement plan” when a school does not make AYP.

School Improvement Planning

Once identified for improvement, the school must revise its 2-year improvement plan to address the subjects, grade levels and student groups in which the school did not make AYP. In developing or revising this plan, the school must consult with parents, school staff, and others. The plan must be completed no later than three months after the school has been identified for improvement, and districts should be prepared to make these improvement plans available to the Department upon request. School improvement plans should include the following elements:

1. Incorporate strategies based on scientifically based research that will strengthen the core academic subjects in the school and address the specific academic issues that caused the school to be identified;

2. Adopt policies and practices concerning the school's core academic subjects that have the greatest likelihood of ensuring that all groups of students enrolled in the school will meet the State's proficiency level of achievement;
3. Directly addresses the academic achievement problem that caused the school to be identified;
4. Establish specific, annual, measurable objectives for continuous and substantial progress by each group of students enrolled in the school;
5. Specify the implementation responsibilities of the school, the district, and the state serving the school under the plan;
6. Include strategies to promote effective parental involvement in the school;
7. Incorporate, as appropriate, activities before school, after school, during the summer, and during the extension of the school year;
8. Incorporate strategies to promote high quality professional development; and,
9. Incorporate a teacher mentoring program.

NOTE: If the school implements a Schoolwide Program under Title I, Part A, school improvement plans must incorporate certain required components:

www.doe.mass.edu/titlei/programs/.

Resources for School Improvement Planning

Under the Commonwealth's accountability system, schools identified for corrective action or restructuring for English language arts and/or mathematics based on the results of students in the aggregate are designated *Commonwealth Priority Schools*. District plans to improve performance in Commonwealth Priority Schools must include the following elements, or a compelling rationale for alternative approaches designed to achieve comparable or superior results:

1. The school's principal has authority to select and assign staff to positions in the school without regard to seniority;
2. The school's principal has control over financial resources necessary to successfully implement the school improvement plan;
3. The school is implementing curricula that are aligned to state frameworks in core academic subjects;
4. The school implements systematically a program of interim assessments (4-6 times per year) in English language arts and mathematics that are aligned to school curriculum and state frameworks;
5. The school has a system to provide detailed tracking and analysis of assessment results and uses those results to inform curriculum, instruction and individual interventions;
6. The school schedule for student learning provides adequate time on a daily and weekly basis for the delivery of instruction and provision of individualized support as needed in English language arts and math, which for students not yet proficient is presumed to be at least 90 minutes per day in each subject;
7. The school provides daily after-school tutoring and homework help for students who need supplemental instruction and focused work on skill development;
8. The school has a least two full-time subject-area coaches, one each for English language arts/reading and for mathematics, who are responsible to provide faculty

- at the school with consistent classroom observation and feedback on the quality and effectiveness of curriculum delivery, instructional practice, and data use;
9. School administrators periodically evaluate faculty, including direct evaluation of applicable content knowledge and annual evaluation of overall performance tied in part to solid growth in student learning and commitment to the school's culture, educational model, and improvement strategy;
 10. The weekly and annual work schedule for teachers provides adequate time for regular, frequent, department and/or grade-level faculty meetings to discuss individual student progress, curriculum issues, instructional practice, and school-wide improvement efforts. As a general rule no less than one hour per week shall be dedicated to leadership-directed, collaborative work, and no fewer than 5 days per year, or hours equivalent thereto, when teachers are not responsible for supervising or teaching students, shall be dedicated to professional development and planning activities directed by school leaders.

The Performance Improvement Mapping (PIM) process has been developed by the Massachusetts Department of Elementary and Secondary Education to assist low-performing schools in raising student performance in English language arts and mathematics. Further information on PIM is available at www.doe.mass.edu/sdi/pim/. Further information on NCLB and Title I is available at www.doe.mass.edu/nclb/.

District Improvement Planning

The district must develop or revise an improvement plan no later than three months after identification for improvement. The district must consult with parents, school staff, and others, and be prepared to make this improvement plan available to the Department upon request.

The district improvement plan should be data-driven, evidence-based and results-oriented. The purpose of the plan is to address problems in the district that prevent low-achieving students from reaching proficiency, including, but not limited to, problems in the areas of leadership, governance, finance, curriculum, and instruction. The plan must:

1. Address the fundamental teaching and learning needs of schools in the district, particularly the academic problems of low-achieving students in the student groups that caused the district to be identified for improvement;
2. Define specific measurable achievement goals and targets for each of the student subgroups whose disaggregated results are included on the district's AYP report;
3. Include improvement strategies, based on scientifically based research, that address the causes of poor student performance and make the necessary changes in district practices and programs to meet improvement objectives;
4. Specify the high-quality professional development needed to implement the district's improvement objectives (see additional information below);
5. Include parental involvement tied to the district's improvement objectives;
6. Include extended time programs, as necessary, to meet the district's improvement objectives;
7. Include a determination of why the district's previous plan did not bring about increased student academic achievement; and

8. Specify the fiscal responsibilities of the district and detail the required technical assistance that the State will provide.

Professional Development

When a school or district receiving funds under Title I, Part A is identified for improvement, it must *reserve not less than 10 percent of its Title I Part A funds* for high-quality professional development specifically designed to address the academic achievement problems that caused the school or district to be identified. The school or district must continue to reserve and use these funds for this purpose during each fiscal year it is identified for improvement. The requirement does not apply to schools identified for corrective action or restructuring, or to districts identified for corrective action.

NOTE: Districts may include in this 10 percent total the Title I, Part A funds that schools in the district reserve for professional development when they are in school improvement status. However, the district may not include in the total any part of the funds designated to help teachers who are not highly qualified become highly qualified, as specified in §1119(1).

Resources for Professional Development Funding

In a policy letter to Chief State School Officers dated October 12, 2004, the U.S. Department of Education (ED) provided additional guidance on the use of Title I funds for districts and schools identified for improvement:

<http://www.ed.gov/print/policy/elsec/guid/stateletters/uofcssos.html>.

NCLB School Choice and Supplemental Educational Services

NCLB School Choice The district must give parents of all students enrolled in Title I schools identified for improvement, in corrective action, or in restructuring the choice of two schools in the district that are not identified for improvement, in corrective action, or in restructuring to which such parents may transfer their children. The choices may include non-Title I schools that are not identified for improvement, in corrective action, or in restructuring. These choices must include non-Title I schools if less than two Title I schools not identified for improvement, in corrective action, or in restructuring are available as transfer options. The district must ensure that parents/guardians are notified in writing of the option to exercise choice prior to the first day of school. In addition to mailing notices directly to parents, the district must provide information about choice options through broader means, including newspapers, posters, and the Internet. This notification must:

- Be in a comprehensive, easy-to-understand format and, to the extent practicable, in a language the parents can understand;
- Inform parents that their child is eligible to attend another public school due to the identification of the current school as in need of improvement;
- Describe the district's policy for funding choice-related transportation costs. For instance, students whose parents/guardians exercised the choice option one year may remain enrolled in the new school the next year, even if the sending school is no longer identified for improvement, corrective action, or restructuring. However, districts are not required to pay for choice-related transportation beyond the period in which the sending school is identified for improvement, corrective action, or restructuring;
- Name each public school that the parent can select;
- Include information on the academic achievement of the schools that the parent may select; and
- Include an explanation of why the choices made available to parents may have been limited.

This notice, along with related district policies, may be incorporated into other "back-to-school" communications if appropriate.

NOTE: If necessary, districts may prioritize students with low student performance from low-income families who wish to transfer. In addition, to the extent practicable, districts must inform parents/guardians of arrangements with neighboring districts to accept students who wish to transfer if the district cannot offer receiving schools *not* in improvement status at the appropriate grade level(s).

Supplemental Educational Services Districts must make supplemental educational services (free tutoring in the areas of math, reading, language arts, and science)

available to low-income students in Title I schools identified for improvement (year 2), corrective action, or restructuring from a provider approved by the Department. Parents of eligible students must be informed in writing at the beginning of the school year of the continuing status of the school and of the availability of services for their child. This notification must:

- Be in a comprehensive, easy-to-understand format and, to the extent practicable, in a language the parents can understand;
- Identify each approved service provider in or near the district able to serve;
- Describe the services, qualifications and evidence of effectiveness for each provider;
- Describe the procedures and timelines parents must follow in selecting a provider, including contact information; and
- Prioritize eligible students with low student performance if needed.

Funds for Choice-related Transportation and Supplemental Educational Services Each school district shall reserve up to an amount equal to 20 percent of its Title I, Part A allocation, from which the district shall spend:

- An amount equal to 5 percent for choice-related transportation;
- An amount equal to 5 percent to provide supplemental educational services; and
- An amount equal to the remaining 10 percent for choice-related transportation, supplemental educational services, or both, as the district determines.

The district shall spend these sums unless a lesser amount is needed to meet demand for choice-related transportation and to satisfy all requests for supplemental educational services.

NOTE: “An amount equal to” means that the funds required to pay the costs of choice-related transportation and supplemental educational services need not come from Title I, Part A allocations, but may be provided from other Federal, State, local, and private sources. A district may spend an amount exceeding 20 percent of its Title I, Part A allocation if additional funds are needed to meet all demands for choice-related transportation and supplemental educational services. Moreover, the district may spend up to 1 percent of its 20 percent obligation on parent outreach and assistance.

NOTE: If the district intends to spend less than the amount needed to meet its 20 percent obligation on choice-related transportation and supplemental educational services in a given school year, it must meet the following criteria: (1) The district must partner, to the extent practicable, with outside groups to help inform eligible students and their families of the opportunities to transfer or to receive supplemental educational services; (2) The district must ensure that eligible students and their parents had a genuine opportunity to sign up to transfer or to obtain supplemental educational services; (3) The district must ensure that eligible supplemental educational services providers were given access to school facilities using a fair, open, and objective process, on the same basis and terms as are available to other groups that seek access to school facilities; and (4) The district must maintain records that it has met these criteria.

Resources for NCLB School Choice and Supplemental Educational Services

- U.S. Department of Education (ED) guidance on school choice: www.ed.gov/policy/elsec/guid/schoolchoiceguid.doc
- ED guidance on supplemental educational services: www.ed.gov/policy/elsec/guid/suppsvcsguid.doc
- Department's SES Web site: www.doe.mass.edu/ses/
- Department's NCLB School Choice Web site: www.doe.mass.edu/sda/choice.html

Corrective Actions for Schools

Corrective Actions for schools specified by the statute include the following:

- *Curriculum and Professional Development* - Institute a new curriculum relevant to the school's low performance, that is grounded in scientifically based research, and provide appropriate professional development to support its implementation for all relevant staff
- *Extended Time* - Extend the length of the school year or school day
- *Staffing* - Replace the school staff who are deemed relevant to the school not making adequate progress
- *Management Authority* - Significantly decrease management authority at the school
- *School Structure* - Restructure the internal organization of the school
- *Expert Assistance in Planning and Implementation* - Appoint one or more outside experts to advise the school (1) how to revise and strengthen the improvement plan it created while in school improvement status; and (2) how to address the specific issues underlying the school's continued inability to make AYP (§1116(b)(7)(C); §200.42)

School Restructuring

The intent of Restructuring under NCLB is to significantly alter school governance and/or structures to ensure that student learning and performance results are sufficiently improved. The statute provides the following options for restructuring:

- Reconstitute the school by replacing all or most of the school staff who are relevant to the school's inability to make adequate progress (this may include the principal);
- Enter into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to operate the school as a public school;
- Turn the operation of the school over to the State, if the State agrees;
- Re-open the school as a charter school (in Massachusetts, Horace Mann or Commonwealth); or

Implement "[a]ny other major restructuring of the school's governance arrangement that makes fundamental reforms, such as significant changes in the school's staffing and governance, to improve student academic achievement in the school and that has substantial promise of enabling the school to make adequate yearly progress...." (§1116(b)(8)(B)(v)).

Corrective Actions for Districts

Corrective Actions for districts specified by the statute include the following:

- Defer programmatic funds or reduce administrative funds;
- Institute and fully implement a new curriculum based on State and local content and academic achievement standards that includes appropriate, scientifically research-based professional development for all relevant staff;
- Replace district personnel who are relevant to the inability of the district to make adequate progress;
- Remove individual schools from the jurisdiction of the district and arrange for their public governance and supervision;
- Appoint a receiver or trustee to administer the affairs of the district in place of the superintendent and school board; and/or
- Abolish or restructure the district.

Additional Resources

- ED Guidance on District and School Improvement:
www.ed.gov/policy/elsec/guid/schoolimprovementguid.doc
- Department's School and District Accountability and Assistance website:
www.doe.mass.edu/sda