



2011–12 Accountability Status Appeal Application

To appeal an Adequate Yearly Progress (AYP) and/or accountability measure status determination for 2011–12 based on 2010–11 data, districts, public schools, and charter schools must submit a completed, signed, and dated *2011–12 Accountability Status Appeal Application*, with all required supporting evidence, to the following address by **November 11, 2011**:

New York State Education Department
Information and Reporting Services
Room 868 EBA
89 Washington Avenue
Albany, NY 12234

Data Verification and Certification Sources To Support Your Appeal

Districts and charter schools could send corrected data to the Student Information Repository System (SIRS) weekly until September 30, 2011, the deadline for submitting data that will be used for 2011–12 accountability determinations. Districts and charter schools were strongly encouraged to save copies of the materials listed below:

- **AVRs:** The first set of *High School Accountability Verification Reports (AVRs)*, which contained secondary-level data used to determine 2011–12 accountability, were made available on www.nySTART.gov on March 29, 2011 and in the Level 2 Reporting (L2RPT) environment on April 8, 2011. The first set of *Grades 3–8 AVRs*, which contained elementary/middle-level data used to determine 2011–12 accountability, were made available on nySTART on May 3, 2011 and in the L2RPT environment on May 5, 2011. The final set of AVRs, based on frozen data in the SIRS as of the reporting deadline, were available on nySTART and in L2RPT on October 4, 2011.
- **preAORs:** On June 2, 2011, the first set of high school *preview Accountability and Overview Reports (preAORs)*, which showed secondary-level 2010–11 AYP determinations and district 2011–12 accountability statuses, were made available on nySTART. On August 10, 2011, the first set of *preAORs* with elementary/middle- and secondary-level 2010–11 AYP determinations and district 2011–12 accountability statuses were made available on nySTART. The final set of *preAORs*, based on frozen data in the SIRS as of the reporting deadline, were posted on October 5, 2011.

- **Differentiated Accountability Worksheet:** In April 2011, a *DA Phase and Category Worksheet for 2011–12 Status*, which allowed schools to determine their 2011–12 Differentiated Accountability status using the 2010–11 AYP determinations shown in the preAORs was made available at http://www.p12.nysed.gov/accountability/APA/Differentiated_Accountability/DA_home.html.
- **Data Certification:** By October 7, 2011, superintendents and principals of charter schools were required to send to their RIC Director/Big 5 Data Coordinator a signed *2010–11 Statement of Certification of Verification Reports*, which was available at <http://www.p12.nysed.gov/irs/nystart/certification.html>.
- **Final Reports:** On October 4, 2011, the *3–8 Accountability and High School Accountability Verification Reports* that reflected the data in Level 2 of SIRS by the reporting deadline were made available on in L2RPT and on nySTART. On October 5, 2011, the *preAORs* that reflected the data in Level 2 of SIRS by the reporting deadline were made available on nySTART.
- **Differentiated Accountability Status Reports:** On October 13, 2011, Differentiated Accountability Phases and Categories for schools will be posted on the IRS portal (see <http://www.p12.nysed.gov/irs/irs-portal/>).

Appeal Justification

Appeals will *not* be granted on the sole basis of the failure of a district or charter school to submit correct data to Level 2 of the SIRS by the New York State Education Department (NYSED) reporting deadline (September 30, 2011).

Appeals *may* be granted if the district or charter school can prove to the satisfaction of NYSED that 1) though correct data were submitted to Level 2 of SIRS by the NYSED reporting deadline, the final AYP or status determination for the district or charter school does not reflect those data; or 2) though an attempt was made to upload correct data to Level 2 of the SIRS by the reporting deadline, the correct data were not uploaded due to technical difficulties encountered by the RIC, the repository system, or NYSED.

Submitting Multiple Appeals

Districts seeking an appeal for the district as well as component schools within the district may submit a single application; however, the district must identify the BEDS codes and the measures/subgroups being appealed and provide evidence to support each appeal for the district and each school seeking an appeal. Districts seeking an appeal for more than one of their component schools because of the same reporting error may submit a single application for all of the schools but must attach a list of the schools with BEDS codes and detailed descriptions of the impact on each school, including identification of the measure(s) and subgroup(s) impacted.

Security Issues When Submitting Supporting Evidence

Protecting personally identifiable information — including social security number (except the last 4 digits), date of birth, race/ethnicity, disability status, or other non-directory information — from unauthorized access is a legal requirement and an important priority for NYSED. To ensure the security of these data, if the supporting evidence for your appeal includes sensitive and protected information, please send this evidence to NYSED either (1) in an enclosed envelope via secure ground mail or (2) electronically over the internet via secure file transfer protocol (SFTP). Data sent via email and standard FTP (including FTP sites with password protection) are unencrypted and, therefore, are not secure. As such, these methods must not be used to transmit sensitive and protected data.

“Pending” Status

The overall status and/or status by measure of some districts may appear as “Pending” in the preAORs. Pending indicates that there were not enough students in the district to make an AYP and status determination using normal procedures. For districts with too few students at both the elementary/middle and secondary levels to use normal procedures to determine AYP and status, special evaluation procedures are used to determine overall status. These procedures will be completed in the fall, so the resulting statuses were not available in the preAORs on nySTART. However, the statuses will be available in the accountability list posted on the NYSED website and in the *Accountability and Overview Reports* (AORs) available on nySTART. For further information on these districts, contact the Accountability, Policy, and Administration Office at (718) 722-2796.

The overall status for districts and schools with an AYP and status determination that is not Pending at one grade level (elementary/middle or secondary) and a Pending status at the other grade level is the status for the grade level that is not Pending. Statuses for these districts appeared in the preAORs on nySTART and schools in the Differentiated Accountability Phase and Category Worksheet on http://www.p12.nysed.gov/accountability/APA/Differentiated_Accountability/DA_home.html.

NYSAA 1% Cap

In accordance with federal No Child Left Behind regulation, for accountability purposes only, districts that have more than 1.0 percent of their continuously enrolled tested students at the elementary/middle level or of the accountability cohort at the secondary level performing at Levels 3 and 4 on the NYSAA will have sufficient numbers of these students counted as performing at Level 2 when calculating PIs to reduce the percentage of proficient students to one. When possible, such students are chosen by NYSED so that the reduction will not impact accountability for the district and component schools in the district.

This 1.0 percent reduction has been completed at the elementary/middle and secondary levels and is reflected in the preAORs available on nySTART. For more information, see the SIRS Guidance at <http://www.p12.nysed.gov/irs/sirs/> or contact Information and Reporting Services at dataquest@mail.nysed.gov.

Date Appeal Submitted: _____

District/School(s) Name(s): _____

District/School(s) BEDS Code(s): _____

Name & Title of Contact: _____

Phone Number and Email Address of Contact: _____

Accountability Measure(s) Appealed:

Appeals to District AYP/Status ONLY

English Language Arts	<input type="checkbox"/>
Mathematics	<input type="checkbox"/>
Elementary/Middle-Level Science	<input type="checkbox"/>
Graduation Rate	<input type="checkbox"/>

Appeals to School(s) AYP/Status ONLY

Elementary/Middle-Level English Language Arts	<input type="checkbox"/>
Elementary/Middle-Level Mathematics	<input type="checkbox"/>
Elementary/Middle-Level Science	<input type="checkbox"/>
Secondary-Level English Language Arts	<input type="checkbox"/>
Secondary-Level Mathematics	<input type="checkbox"/>
Graduation Rate	<input type="checkbox"/>

Provide a brief explanation of the reason you believe an incorrect AYP and/or status determination was made for your district/school(s). For example, your Level 1 service provider established a deadline of 5:00 p.m. on September 27, 2011 to submit final data, you submitted data at 4:30 p.m. on that date, but the Level 1 service provider pulled the final data at 4:00 p.m.

Reason for Appeal: _____

Identify the supporting evidence you are attaching to support your appeal. For example, notification of the deadline to submit final data to your Level 1 service provider, a time stamped report of the time you submitted final data, and a copy of the data submitted that impacts the AYP/status being contested. (Other supporting evidence may include, but is not limited to, correspondence between the Local Education Agency and the Level 1 service provider, copies of the nySTART 3–8 *Accountability* and/or *High School Accountability Verification Reports*, copies of Level 2 Reports, copies of files provided on the IRS Portal, and a copy of a signed 2010–11 *Statement of Certification of Verification Reports*.)

Supporting Evidence: _____

Identify the data in the *preAOR* available on nySTART on October 5, 2011 that you believe to be inaccurate, and indicate what you believe the correct data should be. (Include attachments, as necessary.)

Data Clarification: _____

Appeal Submitter's Name: _____

Appeal Submitter's Title/Position: _____

Appeal Submitter's Phone Number & Email Address: _____

I certify that the information provided above and in the attached documents is true and accurate to the best of my knowledge.

Appeal Submitter's Signature: _____ Date: _____

For NYSED Use Only

Date Appeal Received: _____

Date Appeal Reviewed: _____

Reviewed By: _____

Date Appeal Decision Made: _____

Appeal Decision Made By: _____

Appeal Approved: YES NO Multiple Appeals Reviewed
(See Below)

Appeal Approved for: _____

Appeal Denied for: _____

