

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 210, 215, 305, 309 and 3713

Paragraphs (1) and (2) of subdivision (i) of section 100.18 of the Regulations of the Commissioner of Education are amended, effective June 24, 2014, as follows:

(1) Removal of priority school designation. Based upon 2011-2012 and 2012-2013 school year results, and each two consecutive school year period thereafter, a school district or charter school may petition for a school to be removed from priority status if the school meets performance targets established by the commissioner, [which will at a minimum require that] and the school [have] has a combined performance index in ELA and mathematics for the all students group that exceeds the thresholds for identification as a priority school in the second year of the two year period [for two consecutive years by at least 10 index points]. For high schools, the four year or five year cohort graduation rate must equal at least [70] 60 percent for two consecutive years, the four year graduation rate cohort must equal or exceed 60 percent in the second year of the two year period and the school must meet the performance targets established by the commissioner, except for transfer high schools, for which the commissioner will establish a graduation rate goal and progress targets based on the specific conditions and circumstances present at each transfer high school. The school must also meet the participation rate requirement in ELA and mathematics for all groups for which it is accountable in the most current school year results that are being used as the basis for the petition.

(i) A school that begins to fully implement a whole-school reform model must complete implementation of the model even after removal from priority designation.

(ii) Schools that are removed from priority status before they begin implementation of a model will not be required to implement the model.

(2) Removal of focus district and focus school designation.

(i) Commencing with 2011-2012 and 2012-2013 school year results, and each consecutive two year period thereafter, a school district may petition to have its focus designation revised if the school district meets the participation requirement in ELA and math for all accountability groups and the performance targets established by the commissioner, [which will at a minimum require that] and the school district [have] has a combined performance index in ELA and mathematics for each group for which the school district [was identified] is accountable that exceeds the thresholds for identification [for two consecutive years by at least 10 index points and by at least 10 percent for all groups for which the school district was identified for graduation rate] in the second year of the two year period. For all groups for which the school district is accountable for graduation rate, the district must also exceed the graduation rate threshold for identification in both years of the two year period. The school district may petition for the removal of focus designation for any focus school in the school district that meets these same performance targets and participation rate requirements for ELA and mathematics.

(ii) . . .

(iii) . . .

(iv) . . .

(v) . . .

(vi) Removal of focus charter school designation.

(a) Commencing with 2011-2012 and 2012-13 school year results and for each

consecutive two year period thereafter, a charter school may petition for the charter school to be removed from focus status if the charter school meets the participation requirement in ELA and math for all accountability groups and the performance targets established by the commissioner, which will at a minimum require that the charter school have a combined performance index in ELA and mathematics for each group for which the charter school was identified that exceeds the thresholds for identification in the second year of the two year period. The charter school must also exceed the graduation rate threshold for identification for two consecutive years [by at least 10 index points and by at least 10 percent] for all accountability groups for which the[school district was identified] charter school is accountable for graduation rate.

(b) . . .