



STATE OF ALABAMA
DEPARTMENT OF EDUCATION



Thomas R. Bice
State Superintendent of Education

January 14, 2014

Alabama
State Board
of Education

MEMORANDUM

Governor
Robert Bentley
President

TO: City and County Superintendents

Tracy T. Roberts
District I

FROM: Thomas R. Bice 
State Superintendent of Education

Betty Peters
District II

RE: Alabama Accountability Act Revised Failing Schools Designation

Stephanie Bell
District III

Enclosed is the current annual list of "Failing Schools" as defined by the Alabama Accountability Act (AAA).

Yvette M.
Richardson, Ed.D.
District IV

Based on student assessment results, the following schools were officially removed from the list and are no longer designated "Failing Schools" under the AAA:

Ella B. Bell
District V
President Pro Tem

- Samson Middle School, Geneva County Schools
- Brighton Middle School, Jefferson County Schools
- Robinson Elementary School, Birmingham City Schools
- Martin Luther King Jr. Elementary School, Tuscaloosa City Schools

Charles E. Elliott, M.D.
District VI
Vice President

Other schools officially removed from the list due to the "school closure" provision are as follows:

Jeff Newman
District VII

- Center Street Middle School, Birmingham City Schools
- Hill Elementary School, Birmingham City Schools
- Tarrant Middle School, Tarrant City Schools

Mary Scott Hunter, J.D.
District VIII

Finally, the following are the newly identified schools that meet the criteria of a "Failing School" as defined by the AAA:

Thomas R. Bice, Ed.D.
Secretary and
Executive Officer

- Barbour County Intermediate School, Barbour County Schools
- Lafayette High School, Chambers County Schools
- Abbeville High School, Henry County Schools
- Jeremiah A. Denton Middle School, Mobile County Schools
- Bessemer City High School, Bessemer City Schools

City and County Superintendents
Page 2
January 14, 2014

All schools listed on the current annual list, including the newly identified schools, are subject to student transfers under the AAA. Those schools are required by the AAA to notify parents of their transfer options (see enclosed sample form).

As a reminder, eligibility for tax credit remains for students who transferred under a previously designated "Failing School" until the highest grade in which a student would have otherwise remained enrolled at that school.

Please note that any questions concerning the tax credit eligibility should be directed to the Alabama Department of Revenue (ADOR). Various tax guidance documents and references are available at <http://www.revenue.alabama.gov/accountability/>. If additional assistance is needed, parents may also contact the ADOR at 334-242-1099 or 334-353-9770. Questions related to scholarship availability, student selection, etc., should be directed to the appropriate scholarship granting organization. A list of approved scholarship granting organizations and their contact information is available at <http://www.revenue.alabama.gov/accountability/>.

Finally, should you have any questions about the "Failing Schools" designation, please contact Dr. Melinda Maddox for assistance at telephone number 334-242-9716 or via e-mail at mmaddox@alsde.edu.

TRB:LAK

Enclosures

cc: Dr. Melinda Maddox
Mrs. Shanthia Washington

FY14-1010

**ALABAMA ACCOUNTABILITY ACT
PARENTAL NOTIFICATION AND NOTICE OF TRANSFER
INSTRUCTIONS FOR LOCAL SUPERINTENDENTS**

I. Parental Notification Letter Regarding Choice and Transfers

1. The parental notification letter is a sample document that should be adapted to meet the specific legal obligations and requirements unique to your school system. This should not be construed to authorize the violation of or supersede the authority of any applicable court ruling, specifically any federal court order related to desegregation.
2. The notification letter should be copied from the Word-formatted document and placed on your school system letterhead.
3. Information about a school's "failing school" designation and reports of progress or improvement made at that school can be included in the notification letter.
4. The notification letter should be provided to the parents of all students enrolled in a "failing school" during the 2013-14 school year.
5. The parents of students being promoted from any school that feeds into a "failing school" should also receive the notification letter.
6. Similarly, a "failing school" with a kindergarten program is to provide the notification letter to parents who register to attend kindergarten for the 2014-15 school year.
7. The parents of students who attended other Alabama public school systems during the 2013-14 school year and who transfer into a "failing school" must also be provided with the notification letter.
8. The parental notification letter must be sent promptly to all parents and by no later than **January 31, 2014**.

II. Student Transfer Form for the 2014-15 School Year

1. School systems should designate a contact person in the school system to answer questions regarding the Student Transfer Form or the transfer option. Transfer forms should be readily available upon request at the school system or individual school's central office.
2. The school system should develop and have accessible to parents at the central office a list of "non-failing" schools in the school system that are available to accept transfer students.
3. If a parent completes a Student Transfer Form, a copy of the form should be retained by the local superintendent, and the local school superintendent should send a copy of all completed Student Transfer Forms to the attention of Ms. Beverly Davis, Office of the State Superintendent, at the Alabama State Department of Education.
4. The deadline for parents to return the Student Transfer Form to the local school system for the 2014-15 school year should be **May 2, 2014**, so that you may properly evaluate the potential impact of transfers on the provision of educational services for that school year.

“Failing” Schools as Defined by the Alabama Accountability Act of 2013

Definition per Section 4(3) of ACT 2013-265: A public K-12 school (i) that is labeled as persistently low-performing by the State Department of Education, in the then most recent United States Department of Education School Improvement Grant application; (ii) that is designated as a failing school by the State Superintendent of Education; or (iii) that does not exclusively serve a special population of students and, until June 1, 2017, has been listed three or more times during the then-most recent six years in the lowest six percent of public K-12 schools on the state standardized assessment in reading and math or, on or after June 1, 2017, has during the then-most recent three years, earned at least one grade of “F” or, during the then-most recent four years, earned at least three grades of “D” on the school grading system developed pursuant to Section 16-6C-2, Code of Alabama 1975.

Business Rules for Calculation to meet Section 4(3)i of ACT 2013-265:

- 1. Determine current/open schools as of March 14, 2013.**
- 2. Determine the public K12 schools that were labeled as persistently low-performing by the State Department of Education, in the then most recent United State Department of Education School Improvement Grant (FY2011 Identified for Tier I and II Lowest-Achieving 5%).**

Business Rules for Calculation to meet Section 4(3)iii of ACT 2013-265:

- 1. Determine current/open schools and remove any school that exclusively serves a special population as of March 14, 2013.**
- 2. Determine the bottom 6% of Alabama schools for each of the following years 2008, 2009, 2010, 2011, 2012, and 2013 based on the state standardized assessment in reading and math.**
- 3. Compile a list of schools that met the bottom 6% in any three of the six years listed above.**

PARENTAL NOTIFICATION LETTER REGARDING CHOICE AND TRANSFERS

Date _____

Dear Mr./Ms. and/or Mr. and Mrs. _____ (as appropriate):

On March 14, 2013, Governor Robert Bentley signed into law the *Alabama Accountability Act of 2013*, which sets forth new flexibility requirements for school systems and schools. The Act also includes a provision for financial assistance through an income tax credit to a parent who transfers a student from a failing public school to a non-failing public or a non-public school of the parent's choice.

Your child's school, _____, has been designated a "failing school" pursuant to the Act. This designation does not reflect progress that is in fact occurring at your school. Strategies are currently being implemented to ensure that your child receives the best education possible. In fact, _____ School has seen the following achievements _____.
[Local school system may insert more information about particular school achievements.]

Due to your child's school meeting the definition of a "failing school," we are required to notify you of your options as follows:

- **Option 1** – Your child may remain or enroll in his or her assigned school and may continue to take advantage of the programs provided by the _____ Board of Education.
- **Option 2** – Your child may transfer to a comparable school that is not included on the annual list of "failing schools" in the same local school system that has available space and is willing to accept the student.
- **Option 3** – If your local school system has not made Option 2 available, your child may transfer to a comparable school that is not included on the annual list of "failing schools" in another local school system that has available space and is willing to accept the student.
- **Option 4** – Your child may transfer to a qualifying non-public school in Alabama that is willing to accept the student.

Parents who elect to utilize the transfer process (Options 2, 3, or 4) must complete an appropriate Student Transfer Form. This form is available by contacting _____.

This Student Transfer Form must be submitted to _____ *[the originating school system]* by **May 2, 2014**, for the 2014-2015 school year.

Finally, please be aware that this letter is an important income tax document. Please retain a copy of it and the Student Transfer Form for preparation of your upcoming state income tax return. You will need to submit the Student Transfer Form with your state tax return to the Alabama Department of Revenue if you request a tax credit pursuant to Alabama Act No. 2013-265.

If you have any questions regarding this notification, please feel free to contact _____ or me at (telephone number).

Sincerely,

_____ Superintendent, _____ Board of Education

**Student Transfer Form for the 2014-2015 School Year
Alabama Accountability Act of 2013**

Student's Name: _____ SSID No.: _____

Name of School Student Attends for the Second Semester of the 2013-2014 School Year:

_____ State School Code No.: _____

Name of School Student Is Assigned to Attend for the First Semester of the 2014-2015 School Year:

_____ State School Code No.: _____

PLEASE BE AWARE THAT YOUR CHILD MAY REMAIN IN HIS/HER ASSIGNED SCHOOL. IF YOUR CHILD REMAINS IN THE SCHOOL FOR WHICH HE/SHE IS ASSIGNED OR ENROLLED, NO FURTHER ACTION IS REQUIRED BY YOU.

As a parent or guardian of the above-named student who attends the second semester of a failing school for the 2013-2014 school year, or who is assigned to attend a failing school for the 2014-2015 school year, I hereby make the transfer decision indicated below:

- Option 2 – The student will transfer to an available school that is not included on the annual list of failing schools within the same local school system.

Name of School Student Will Attend for the 2014-2015 School Year:

_____ State School Code No.: _____

Signature of Authorized School System Official Accepting Student *Date*

- Option 3 – The student will transfer to an available school that is not included on the annual list of failing schools within another Alabama local school system. A school under Option 2 was not available for student transfer.

Name of School Student Will Attend for the 2014-2015 School Year:

_____ State School Code No.: _____

Signature of Authorized School System Official Accepting Student *Date*

- Option 4 – The student will transfer to a qualifying non-public Alabama school.

Name of School Student Will Attend for the 2014-2015 School Year:

_____ State Certificate No.: _____

Signature of Nonpublic School Official *Date*

Signature of Parent/Guardian

Date

Print Name of Parent/Guardian

Best Telephone Number

IMPORTANT: Please retain this notice for preparation of your state income tax return. You will need to submit a copy of this completed form with your tax return to the Alabama Department of Revenue if you request a tax credit pursuant to Alabama Act No. 2013-265.

Failing Schools as Defined by the Alabama Accountability Act of 2013 4(3)iii

Schools in the Lowest 6% of Schools at Least 3 of the Past 6 Years

70 Total Schools - January 2014

System Code	School Code	System Name	School Name	2013 Percent Level 3 and 4	2012 Percent Level 3 and 4	2011 Percent Level 3 and 4	2010 Percent Level 3 and 4	2009 Percent Level 3 and 4	2008 Percent Level 3 and 4
003	0035	Barbour County	Barbour County Intermediate School	62	NULL(71)	60	NULL(63)	59	NULL(63)
003	0040	Barbour County	Barbour County Junior High School	40	62	51	48	44	45
006	0050	Bullock County	Bullock County High School	NULL(76)	61	60	54	52	49
009	0070	Chambers County	Lafayette Eastside Elementary School	NULL(70)	NULL(67)	NULL(69)	61	51	49
009	0080	Chambers County	Lafayette High School	63	57	NULL(82)	NULL(78)	NULL(90)	54
009	0100	Chambers County	John P Powell Middle School	57	62	54	48	49	44
024	0010	Dallas County	Brantley Elementary School	NULL(72)	NULL(77)	NULL(75)	61	48	51
024	0080	Dallas County	Keith Middle-High School	55	54	47	57	51	50
024	0120	Dallas County	Southside High School	NULL(77)	NULL(72)	60	52	NULL(76)	58
024	0130	Dallas County	Tipton Durant Middle School	51	51	49	60	56	54
032	0030	Greene County	Greene County High School	NULL(72)	58	61	54	NULL(69)	NULL(72)
032	0040	Greene County	Carver Middle School	NULL(65)	NULL(73)	61	60	59	NULL(63)
033	0043	Hale County	Greensboro High School	NULL(70)	63	55	54	NULL(ND)	NULL(ND)
034	0020	Henry County	Abbeville High School	63	64	63	NULL(64)	NULL(70)	NULL(71)
037	0280	Jefferson County	Center Point High School	NULL(72)	NULL(70)	63	61	NULL(65)	56
043	0040	Lowndes County	Hayneville Middle School	57	58	62	NULL(66)	59	54
043	0050	Lowndes County	Lowndes County Middle School	55	58	60	50	60	58
044	0060	Macon County	Notasulga High School	NULL(67)	NULL(73)	59	58	51	40
044	0100	Macon County	Tuskegee Institute Middle School	60	58	53	54	50	50
046	0050	Marengo County	John Essex High School	NULL(73)	NULL(71)	60	60	58	52
046	0060	Marengo County	Marengo High School	56	54	51	47	43	52
049	0070	Mobile County	Jeremiah A Denton Middle School	63	NULL(70)	NULL(67)	62	NULL(61)	58
049	0090	Mobile County	Booker T Washington Middle School	63	65	55	58	NULL(68)	NULL(61)
049	0440	Mobile County	Mae Eanes Middle School	50	62	64	62	NULL(67)	NULL(66)
049	0500	Mobile County	Mobile County Training Middle School	59	66	55	52	NULL(66)	NULL(63)
049	0650	Mobile County	CL Scarborough Middle School	57	61	56	57	59	NULL(68)
051	0050	Montgomery County	Bellingrath Middle School	50	52	55	51	52	46

* Null - School was not on the bottom 6% of failing schools for that year

**ND - School was not open for the applicable year

Failing Schools as Defined by the Alabama Accountability Act of 2013 4(3)iii

Schools in the Lowest 6% of Schools at Least 3 of the Past 6 Years

70 Total Schools - January 2014

System Code	School Code	System Name	School Name	2013 Percent Level 3 and 4	2012 Percent Level 3 and 4	2011 Percent Level 3 and 4	2010 Percent Level 3 and 4	2009 Percent Level 3 and 4	2008 Percent Level 3 and 4
051	0090	Montgomery County	Brewbaker Middle School	56	53	56	53	58	53
051	0100	Montgomery County	Capitol Heights Middle School	50	47	62	52	52	42
051	0255	Montgomery County	Floyd Elementary School	62	59	65	NULL(66)	NULL(68)	NULL(61)
051	0300	Montgomery County	Goodwyn Middle School	64	63	65	NULL(71)	60	52
051	0458	Montgomery County	McKee Middle School	60	54	56	62	52	52
051	0535	Montgomery County	Southlawn Middle School	52	43	56	49	47	45
053	0035	Perry County	Francis Marion High School	52	65	65	61	60	NULL(72)
054	0080	Pickens County	Pickens County High School	NULL(72)	NULL(71)	NULL(68)	61	56	52
057	0075	Russell County	Russell County Middle School	NULL(73)	NULL(68)	60	60	56	57
060	0020	Sumter County	Kinterbish Junior High School	61	NULL(70)	61	54	57	NULL(62)
060	0040	Sumter County	North Sumter Junior High School	NULL(70)	NULL(72)	55	46	49	49
060	0070	Sumter County	York West End Junior High School	57	57	49	48	51	51
063	0115	Tuscaloosa County	Davis-Emerson Middle School	59	63	57	60	60	59
065	0050	Washington County	McIntosh High School	49	57	56	61	60	NULL(68)
066	0140	Wilcox County	Camden School Of Arts & Technology	61	64	63	55	50	57
105	0015	Anniston City	Anniston Middle School	59	60	57	54	59	52
113	0080	Bessemer City	Bessemer City High School	60	53	54	NULL(63)	NULL(72)	NULL(78)
114	0070	Birmingham City	Bush K-8	61	NULL(66)	49	55	55	NULL(61)
114	0320	Birmingham City	Green Acres Middle School	58	50	58	54	49	53
114	0505	Birmingham City	Martha Gaskins K-5	57	64	61	54	NULL(71)	NULL(66)
114	0710	Birmingham City	WE Putnam Middle School-Magnet	58	62	53	45	51	46
114	0735	Birmingham City	Ossie Ware Mitchell Middle School	64	60	57	53	51	47
114	0802	Birmingham City	Arrington Middle School	65	NULL(71)	NULL(67)	NULL(68)	54	50
114	0930	Birmingham City	Wylam K-8	NULL(71)	65	64	61	61	53
127	0021	Decatur City	Brookhaven Middle School	NULL(75)	65	NULL(66)	58	56	52
137	0035	Fairfield City	Forest Hills Middle School	62	58	52	60	59	53
144	0040	Gadsden City	Litchfield Middle School	NULL(65)	50	59	60	56	53

* Null - School was not on the bottom 6% of failing schools for that year

**ND - School was not open for the applicable year

Failing Schools as Defined by the Alabama Accountability Act of 2013 4(3)iii

Schools in the Lowest 6% of Schools at Least 3 of the Past 6 Years

70 Total Schools - January 2014

System Code	School Code	System Name	School Name	2013 Percent Level 3 and 4	2012 Percent Level 3 and 4	2011 Percent Level 3 and 4	2010 Percent Level 3 and 4	2009 Percent Level 3 and 4	2008 Percent Level 3 and 4
159	0020	Huntsville City	SR Butler High School	NULL(72)	62	58	59	NULL(63)	NULL(61)
159	0050	Huntsville City	Chapman Middle School	49	57	57	58	55	51
159	0060	Huntsville City	Martin Luther King Jr Elementary School	NULL(74)	NULL(87)	NULL(78)	60	57	54
159	0090	Huntsville City	Davis Hills Middle School	NULL(66)	62	55	62	51	47
159	0110	Huntsville City	Edward White Middle School	51	61	NULL(67)	NULL(69)	NULL(66)	57
159	0176	Huntsville City	JO Johnson High School	62	54	62	NULL(70)	59	NULL(68)
159	0190	Huntsville City	Lakewood Elementary School	NULL(73)	NULL(77)	64	62	60	54
159	0370	Huntsville City	James Dawson Elementary	NULL(68)	NULL(81)	NULL(77)	57	55	53
159	0380	Huntsville City	Westlawn Middle School	58	52	52	50	50	46
165	0040	Lanett City	Lanett Junior High School	NULL(74)	NULL(66)	49	49	51	50
168	0010	Linden City	George P Austin Junior High School	64	65	NULL(66)	59	49	48
168	0020	Linden City	Linden Elementary School	NULL(65)	NULL(66)	65	60	60	NULL(60)
191	0120	Selma City	R.B.Hudson Middle School	52	58	59	58	56	57
194	0085	Talladega City	Zora Ellis Junior High School	62	61	62	NULL(65)	NULL(62)	NULL(60)
200	0160	Tuscaloosa City	Central High School	NULL(65)	52	NULL(67)	58	58	NULL(66)
200	0200	Tuscaloosa City	Westlawn Middle School	NULL(67)	NULL(66)	NULL(65)	52	50	43

* Null - School was not on the bottom 6% of failing schools for that year

**ND - School was not open for the applicable year

Failing Schools as Defined by the Alabama Accountability Act of 2013 Section 4(3)j						
14 Total Schools -- January 2014						
System Code	School Code	System Name	School Name	Tier I	Tier II	
114	0331	Birmingham City	Hayes K-8 (formerly Whatley K-8 School)	X		
006	0050	Bullock County	Bullock County High School	X		
022	0035	Cullman County	Cullman Child Development Center		X	
024	0010	Dallas County	Brantley Elementary School	X		
024	0120	Dallas County	Southside High School			X
159	0020	Huntsville City	SR Butler High School			X
159	0370	Huntsville City	James Dawson Elementary (formerly West Mastin Lake Elem School)	X		
159	0380	Huntsville City	Westlawn Middle School	X		
037	0280	Jefferson County	Center Point High School (formerly Erwin High School)			X
171	0020	Midfield City	Midfield High School			X
049	0050	Mobile County	Augusta Evans School			X
051	0150	Montgomery County	Children's Center			X
059	0035	Shelby County	Linda Nolen Learning Center			X
200	0160	Tuscaloosa City	Central High School			X

Removed Failing Schools as Defined by the Alabama Accountability Act of 2013 4(3)iii

Schools in the Lowest 6% of Schools at Least 3 of the Past 6 Years

7 Total Schools Removed - January 2014

System Code	School Code	System Name	School Name	2013 Percent Level 3 and 4	2012 Percent Level 3 and 4	2011 Percent Level 3 and 4	2010 Percent Level 3 and 4	2009 Percent Level 3 and 4	2008 Percent Level 3 and 4	2007 Percent Level 3 and 4
Closed Schools										
114	0100	Birmingham City	Center Street Middle	NULL (65)	62	63	60	57	58	NULL (61)
114	0350	Birmingham City	Hill Elementary School	NULL (71)	NULL (78)	NULL (72)	62	53	56	NULL (65)
197	0025	Tarrant City	Tarrant Middle School	47	52	55	46	NULL (61)	NULL (60)	NULL (61)
Schools Removed Due to 2013 Assessment Results										
031	0045	Geneva County	Samson Middle School	NULL (75)	NULL (78)	NULL (72)	NULL (69)	60	57	57
037	0110	Jefferson County	Brighton Middle School	NULL (75)	NULL (78)	NULL (67)	NULL (65)	56	53	56
114	0750	Birmingham City	Robinson Elementary School	NULL (71)	NULL (75)	NULL (76)	NULL (73)	60	52	58
200	0140	Tuscaloosa City	Martin L King Jr Elementary School	NULL (79)	NULL (85)	NULL (75)	60	NULL (63)	52	51

* Null - School was not on the bottom 6% of failing schools for that year

**ND - School was not open for the applicable year