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TO: Superintendents of Schools

DATE: October 5, 2011

FROM: Ken Slentz 

SUBJECT: 2011-12 Academic Intervention Services Requirements-ONE YEAR WAIVER ENDS

Students who scored below the Level 3 Proficiency Standard (i.e., Level 1 or Level 2) on the 2010–11 New York State Testing Program (NYSTP) Grades 3–8 English Language Arts (ELA) or Mathematics assessment must be provided with Academic Intervention Services (AIS) or Response to Intervention (RtI) during the 2011-12 school year. The AIS waiver that permitted districts not to provide services during the 2010-11 school year to students scoring above a scale score of 650 but below the Level 3/Proficiency Standard on the 2009-10 NYTP Grades 3-8 ELA or math assessments was for one year only and is no longer in effect. As you will recall, this and other flexibilities were put in place as a transition to the new college and career ready aligned scores and the anticipated increase in AIS eligible students.

Some students who score below the State designated performance level on State assessments in the upper range of Level 2 and show relatively little risk of not meeting State learning standards might not need additional instruction. However, they must be offered some form of AIS. In those cases, monitoring of a student's performance by school staff would be an appropriate student support service. This could include such activities as regular progress checks, further assessments, and meetings with the classroom teacher to adjust instruction, if necessary. Records of this service, as for all AIS services, must be kept.

The cut point on scale scores to determine proficiency has varied over the past few years. During the 2009–10 school year, AIS was required for students with a scale score below 650 (Proficient) on the 2008–09 assessments. In the 2010–11 school year, AIS was required for students based on new proficiency cuts (not a 650 universal cut). In the 2011–12 school year, AIS will be required for students based on 2010–11 scale scores with new proficiency cuts applied.

The 2010–11 proficiency scale score cuts vary by grade level and can be found at <http://www.p12.nysed.gov/irs/ela-math/2011/2011ScaleScoreELA.pdf> for ELA and <http://www.p12.nysed.gov/irs/ela-math/2011/2011ScaleScoreMath.pdf> for math.

If you have any questions regarding this issue, please contact David Bryant at dbryant@mail.nysed.gov or by phone at 518-486-6801.

c: District Superintendents