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August 30, 2013

TO: BOCES District Superintendents  
School Superintendents  
School Principals  
Leaders of Charter Schools

FROM: Ken Slentz, Deputy Commissioner

SUBJECT: Academic Intervention Service (AIS) Requirements for 2013-14

As noted by Commissioner King in his August 7, 2013, letter to superintendents, this year's state assessments are the first administered to New York students that measure the Common Core Learning Standards (CCLS) adopted by the State Board of Regents in 2010. As anticipated, the percentage of students who scored at or above proficient on the 2013 assessments was significantly lower than for the assessments administered in 2012. This reduction in the percentage of students achieving proficiency effectively creates a new baseline measurement of student learning and largely results from the shift in the assessments to measure the Common Core Standards, which more accurately reflect students' progress toward college- and career-readiness.

To ensure that existing support services, including AIS and Title I compensatory services, remain relevant and appropriate as New York implements the CCLS, the Board at its July 22, 2013, meeting directed the State Education Department to develop proposed amendments to Commissioner's Regulations to provide flexibility to districts in the provision of Academic Intervention Services (see <http://www.regents.nysed.gov/meetings/2013Meetings/July2013/713p12d1.pdf>).

Accordingly, at the September 16, 2013, Board of Regents meeting, the Department will recommend that the Regents approve amendments to regulations that require that districts provide Academic Intervention Services to students scoring below the following scale scores on the 2013 Grade 3-8 English language arts and mathematics assessments:

- Grade 3 English language arts, a scale score of 299
- Grade 4 English language arts, a scale score of 296
- Grade 5 English language arts, a scale score of 297
- Grade 6 English language arts, a scale score of 297
- Grade 7 English language arts, a scale score of 301

- Grade 8 English language arts, a scale score of 302
  
- Grade 3 mathematics, a scale score of 293
- Grade 4 mathematics, a scale score of 284
- Grade 5 mathematics, a scale score of 289
- Grade 6 mathematics, a scale score of 289
- Grade 7 mathematics, a scale score of 290
- Grade 8 mathematics, a scale score of 293

The Department will further recommend that those students scoring at or above these designated scale scores but below level 3/proficient not be required to receive academic intervention instructional and/or student support services during the 2013-14 school year unless the school district, in its discretion, deems it necessary. As you know, while remediation for students who are struggling the most is critical, implementation of the Common Core requires key shifts in classroom instruction (see <http://www.engageny.org/resource/common-core-shifts/>). The proposed regulations would require each school district to develop a uniform process by which the district determines whether to offer AIS during the 2013-2014 school year to such students and, no later than November 1, 2013, to either post to its Website or distribute to parents in writing a description of this process.

If you have any questions regarding the requirements for provision of AIS or Rtl services to students during the 2013-14 school year please contact David Bryant in the office of Student Support Services at 518-486-6801.

I wish you a productive and successful new school year.