



New York State Board of Regents

Dr. John B. King, Jr.

Commissioner of Education

The State Education Department

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NEWS

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NEW YORK GRANTED FEDERAL WAIVER TO ELIMINATE DOUBLE-TESTING IN MATH

State Education Commissioner John B. King, Jr. announced today that the United States Department of Education (USDE) has approved New York State's request for a waiver from the provisions of federal law that currently require students who take Regents exams in mathematics when they are in seventh or eighth grade to also take the state mathematics assessment. The waiver will effectively end the "double-testing" of these students, beginning with the spring 2014 assessments.

"USDE's approval of New York's waiver request means the end of double-testing for nearly 60,000 New York students," said King. "The Regents, the Chancellor and I are committed

to reducing the amount of time students spend on tests and eliminating any tests that don't inform instruction or improve student learning. Testing is an important part of the instructional cycle and good, sound assessments are necessary to monitor student academic progress. But we have repeatedly said that the amount of testing should be the minimum necessary to inform effective decision-making. Our successful waiver request is an example of New York's commitment to smarter, leaner testing."

At their October 2013 meeting, the Board of Regents directed the State Education Department (SED) to submit a request to USDE to waive provisions of the federal law that require states to measure the achievement of standards in mathematics using the same assessments for all students. The approved waiver will relieve teachers and schools from having to prepare students in seventh and eighth grade who are receiving instruction in Algebra I for multiple end of year assessments. Currently, seventh and eighth grade students who are receiving instruction in Algebra I and who take the Regents Examination in Algebra I (Common Core) are also required to take the NYS Common Core Mathematics Test for the grade in which they are enrolled. School districts will now be allowed to administer only the Regents Examination in Algebra I (Common Core) to these students, eliminating the need for double-testing in grades 7 and 8. This provision also applies to students in grades 7 and 8 who receive instruction in Geometry and who take the Regents Examination in Geometry.

Other than two high school history Regents exams, all required state tests – including all grades 3-8 assessments; secondary-level exams in English, math and science; alternate assessments for students with disabilities; and annual assessments for English language learners (ELLs) –

are required by federal law. The State has not created any additional tests as part of Common Core implementation, and the Department is currently developing “Teaching is the Core” Grants to encourage the reduction or elimination of locally selected pre-tests and locally bargained and selected achievement measures. With respect to the existing State tests, SED reduced the number of questions and testing time on the federally required assessments for grades 3-8, and our State budget request will include funding to eliminate multiple-choice stand-alone field tests. SED is also asking the U.S. Department of Education for flexibility to use for accountability purposes Native Language Arts tests for Spanish speaking ELLs who are newly or recently arrived to the United States and permission to allow testing at instructional level rather than chronological age for students with significant cognitive disabilities not eligible for the New York State Alternate Assessment (NYSAA).

Additional information about New York’s approved ESEA Flexibility Waiver, including FAQs, can be found at: <http://www.p12.nysed.gov/accountability/waivers/home.html>.

The Board of Regents item that directed the Department to submit a waiver request can be found at: <http://www.regents.nysed.gov/meetings/2013Meetings/October2013/1013p12d6.pdf>.