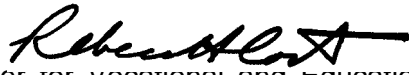





July 2005

TO: Superintendents of Public Schools
District Superintendents

FROM: Rebecca H. Cort 
Deputy Commissioner for Vocational and Educational Services for Individuals with Disabilities

James A. Kadamus 
Deputy Commissioner for Elementary, Middle, Secondary and Continuing Education

SUBJECT: New York State Alternate Assessment and Accountability

This guidance is being provided in response to questions received from school district administrators regarding student results on the New York State Alternate Assessment (NYSAA). This information is intended to assist school district administrators in understanding how student results on NYSAA are used when determining a school district's accountability status. Other NYSAA related information is also included. Please share this information with appropriate staff, including Directors of Special Education, Pupil Personnel Directors, Principals and Chairpersons of Committees on Special Education (CSE).

State and federal laws, the No Child Left Behind (NCLB) Act and Individuals with Disabilities Education Act (IDEA) require that all students, including students with severe disabilities, participate in state assessments. To comply with these laws, the State Education Department (SED) requires schools to assess students with severe disabilities using NYSAA. The CSE determines whether or not a student with a disability is eligible to take NYSAA based on the following criteria:

1. The student must have a severe cognitive disability, significant deficits in communication/language, or significant deficits in adaptive behavior; **and**
2. The student must require a highly specialized educational program that facilitates the acquisition, application, and transfer of skills across natural environments (home, school, community, and/or workplace); **and**
3. The student must require educational support systems, such as assistive technology, personal care services, health/medical services, or behavioral intervention.

These criteria are outlined in the March 2001 memo from Lawrence C. Gloeckler entitled *The State Alternate Assessment for Students with Severe Disabilities*, which is available on the Web at <http://www.vesid.nysed.gov/specialed/publications/policy/alterassess.htm>.

In the 2004–05 school year, students in the following age ranges who were eligible to take NYSAA were tested. Score reports will be distributed during the next few weeks. It will be necessary for each school administrator to report these scores to the LEAP/STEP system before the end of August.

**Date of Birth Ranges for the
2004–05 Administration of the NYSAA**

NYSAA Level	Birth Dates
Elementary	July 1, 1993–June 30, 1994
Intermediate	July 1, 1989–June 30, 1990
Secondary	July 1, 1986–June 30, 1987

Participation and Performance Requirements for Making Adequate Yearly Progress

To make Adequate Yearly Progress (AYP), districts/schools must test 95 percent of enrolled students (including NYSAA-eligible students with disabilities) in each accountability group with 40 or more students in English language arts (ELA) and mathematics. Each school superintendent is responsible for ensuring that students with severe disabilities who are the responsibility of the district CSE and who are eligible for NYSAA are tested when they are age appropriate, regardless of whether they attend district schools or are placed out of district. To make AYP, each accountability group with 30 or more students in the districts/schools must also achieve a Performance Index (PI) equal to or greater than its effective Annual Measurable Objective (AMO) (or make safe harbor) in ELA, mathematics, and science at the elementary and middle levels, and in ELA, mathematics, and graduation rate at the secondary level. NYSAA performance levels (Level 1, 2, 3, and 4) in ELA and mathematics are counted as received when PIs are calculated, with the exception of districts/schools affected by the 1.0 percent cap discussed below.

Calculating Performance Indices

A PI is a value of 0 to 200 that indicates how an accountability group performed on accountability criteria in ELA, mathematics, or science. PIs are determined using the following equations:

$$PI = \frac{a + b}{c} \times 100$$

Elementary and Intermediate Levels

a = number of continuously enrolled tested students (general education and students with disabilities) scoring at Levels 2, 3, and 4 on any of the assessments used for accountability at that grade level and in that subject

b = number of continuously enrolled tested students (general education and students with disabilities) scoring at Levels 3 and 4 on any of the assessments used for accountability at that grade level and in that subject

c = number of continuously enrolled tested students (general education and students with disabilities) scoring at any of the four levels (Level 1, 2, 3, or 4) on any of the same assessments mentioned in (a)

Secondary Level

a = number of accountability cohort members (general education and students with disabilities) scoring at Levels 2, 3, and 4 on any assessment used for accountability purposes

b = number of accountability cohort members (general education and students with disabilities) scoring at Levels 3 and 4 (same as above)

c = total number of accountability cohort members (general education and students with disabilities)

Calculating Performance Indices for Districts That Have Exceeded the 1.0 Percent Cap

NCLB limits the number of students in each district who can be counted as proficient in ELA or mathematics using alternate achievement standards to 1.0 percent of the district's enrollment in each tested grade. In New York State, this means that only 1.0 percent of student scores used to calculate the PI in ELA or mathematics at a grade level (at the elementary and middle levels) or for a cohort (at the secondary level) for a district can be NYSAA Levels 3 or 4. If a district exceeds the cap, one or more student NYSAA score(s) of Level 3 or 4 must be reduced to Level 2 for accountability purposes only.

The district's 2004–05 LEAP and STEP reports will show the percentage of student scores used to calculate the PI that are NYSAA Levels 3 and 4 for ELA and mathematics at the elementary, middle and secondary levels. These percentages show whether or not the district has exceeded the 1.0 percent cap on students counted as proficient on NYSAA. STEP allows a district to choose which secondary-level student scores the district wants reduced to bring the district below the cap. If the district does not choose a student score, SED will choose one at random for the district. SED will choose student scores in LEAP to reduce at the elementary and middle levels, such that the reduction will have the least negative effect on the district. SED will notify the district of the choice made. For more information about the 1.0 percent cap reduction as it applies to data collection and reporting, contact Carolyn Bulson in the Information and Reporting Services (IRS) office at (518) 474-7965. More information on determining AYPs for a district/school is available on the IRS web site at www.emsc.nysed.gov/irts.

Granting Exceptions to the 1.0 Percent Cap

In January 2005 SED announced that it would accept applications from Local Educational Agencies (LEAs) for an exception to the 1.0 percent cap, permitting the LEA to exceed the cap in counting as proficient and advanced for district accountability the scores of students with the most significant disabilities based on alternate academic achievement standards. Only LEAs, including charter schools and special act school districts, that were able to document extraordinary circumstances were granted an exception. LEAs with small student enrollment and for whom having one student performing at the proficient level or above on NYSAA would automatically put them over the cap were automatically granted an exception for that one student. These districts did not need to submit an application and were notified of the exception by SED.

NYSAA Not Tested Conditions

Districts were required to complete a "Not Tested" form for each 2004–05 NYSAA-eligible student whom the district registered with its Regional Information Center (RIC) or Big 5 coordinator but had no datafolio or an incomplete datafolio to send to the scoring center. These forms were to be sent to the scoring center and are available in the November 2004 memorandum *Identification and Registration of Students Eligible for the 2004–05 NYSAA* available at: <http://www.vesid.nysed.gov/specialed/alterassessment/home.html>

The five options on the “Not Tested” form are Absent, Administrative Error, Not Enrolled (at Time of Test Administration), Took Another Assessment (in lieu of NYSAA to fulfill the testing requirement), and Medically Excused. To be medically excused from taking NYSAA, the student must be too incapacitated to be assessed because of illness or injury resulting from a significant medical emergency, as documented by a medical practitioner, for more than 30 school days between October 4, 2004 and February 11, 2005 (the data collection and administration period of NYSAA for 2004–05).

NYSAA in 2005–06

NCLB requires that by 2005–06 New York State assess all students, including students with severe disabilities, in grades 3 through 8 and once in high school in ELA and mathematics. Additionally, students with severe disabilities eligible for the NYSAA are assessed in grades 4, 8 and high school in science and social studies. The Office of Vocational and Educational Services for Individuals with Disabilities (VESID) is partnering with a contractor to develop a grade 3-8 and high school NYSAA that will ensure that the standards and competencies assessed are individualized and reflect appropriately high expectations for even the most severely disabled students. Please work with your BOCES or Big Five City NYSAA training specialists to be sure appropriate teachers attend training in early fall to learn about the changes in NYSAA. As teacher guides, key dates, age eligibility criteria and other guidance materials are developed, they will be posted on the NYSAA web page. In-person attendance at the training and a careful review of the guidance and training materials will be needed to assure complete understanding of how to conduct the NYSAA in 2005-06. For further information regarding NYSAA, contact Cynthia Wilson of VESID at (518) 474-7566.

Resources for Additional Information

SED’s home page for the New York State Alternate Assessment:
<http://www.vesid.nysed.gov/specialed/alterassessment/home.html>

SED’s home page for Information and Reporting Services:
<http://www.emsc.nysed.gov/irts/>

SED’s home page for the Office of State Assessment:
<http://www.emsc.nysed.gov/osa/>