



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

OFFICE OF VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES
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February 2008

TO: Public School Districts, Charter Schools and Special Act School Districts

FROM: James P. DeLorenzo *James P. DeLorenzo*

SUBJECT: Application for Exception to the One Percent Cap on Proficient or Above Scores Based on Alternate Achievement Standards for the 2007–08 School Year

Attached is the application by which local educational agencies (LEAs) may request an exception from the New York State Education Department (NYSED) to exceed the 1.0 percent cap in counting as proficient and advanced for accountability purposes the scores of students with the most significant cognitive disabilities based on alternate academic achievement standards. Only LEAs, including Charter Schools and Special Act School Districts, that are subject to accountability under the No Child Left Behind Act (NCLB) and are able to document extraordinary circumstances should submit this application.

In 2007–08, every LEA is automatically allowed to have one student counted as proficient or above on the New York State Alternate Assessment (NYSAA) in grades 3 through 8 combined or in the 2004 cohort, even if that one student would cause the LEA to exceed the 1.0 percent cap for continuously enrolled tested students. These LEAs do not need to complete this exception application.

LEAs who were previously granted an exception for the 2007–08 school year, based on an application submitted in 2003-04, must submit a new application.

Completed applications must be received by **April 18, 2008** for consideration of exceptions for the 2007–08 school year. Questions regarding this application may be directed to vesidcar@mail.nysed.gov or by calling Cynthia Wilson in the Special Education Policy Unit at 518-473-2878.

Attachment

c: District Superintendents

