



Kathleen R. DeCataldo, Esq.
Assistant Commissioner
Office of Student Support Services
89 Washington Avenue, Room 318-M EB
Phone: (518) 486-6090
Email: StudentSupportServices@nysed.gov
Web: <http://www.p12.nysed.gov/sss/>

August 19, 2021

To: BOCES District Superintendents
Superintendents of Public School Districts
Principals of Public Schools
Charter School Leaders

From: Kathleen R. DeCataldo

Subject: Academic Intervention Services for the 2021-22 School Year

Each school year, districts must develop a policy or review existing policy for providing Academic Intervention Services (AIS). In the 2021-2022 school year, it will be critical to decide which students will receive AIS to address the challenges to learning resulting from the COVID-19 pandemic.

In response to these conditions and the limited administration of state assessments during the 2020-2021 school year, [Commissioner's Regulation 100.2 \(ee\) was amended as an emergency action, effective June 8, 2021](#), to provide flexibility for the two-step identification process for AIS for students enrolled in grades 3-8 in the 2021-2022 school year.

Specifically, schools may, but are not required to, conduct the two-step identification process (outlined below) for grade 3-8 students during the 2021-2022 school year. Those schools that do not use the two-step identification process may make an identification based solely on district-developed procedures applicable to all grade 3-8 students during the 2021-2022 school year.

Note: Due to the extraordinary circumstances under which the 2021 assessments were administered and the need for additional analyses to support appropriate interpretations of the results, the release of 3-8 assessment scores is expected in mid to late September 2021. It is expected that the cut scores for use in deciding eligibility for AIS will also not be available until that time.

Description of the Two-Step Process for Identifying Students to Receive AIS

All students performing below the median scale score between a Level 2/partially proficient and a Level 3/proficient on a Grade 3-8 ELA or Mathematics state assessment shall be considered for AIS. At a district's option, this step does not have to be used for SY 2021-2022

As a second step for districts using state assessment scores or for all other districts, a district-developed procedure that considers multiple-measures of student performance

must be used for deciding which students shall receive AIS. The district-developed procedure must be applied uniformly and equitably at each grade level. These multiple measures may include, but are not limited to the following:

- 1) Developmental reading assessments for grades K-6;
- 2) New York State English as a Second Language Achievement Test (NYSESLAT);
- 3) Benchmark and lesson-embedded assessments for reading and math in grades K-6 based on teacher designed and selected assessments;
- 4) Common formative assessments that provide information about students' skills;
- 5) Unit and lesson assessments for ELA, mathematics, science, social studies and Languages Other than English (LOTE) for grades 7-8; and/or
- 6) Results of psychoeducational evaluations based on a variety of assessments and inventories.

After the district considers a student's scores on multiple measures of student performance, the district will decide whether the student must receive AIS. District policies for providing AIS, including a description of which student performance measures and associated scores will be used to decide eligibility, must be posted on the district website and/or distributed to parents in writing.

Please contact the Office of Student Support Services if you have questions at (518) 486-6090 or StudentSupportServices@nysed.gov.