



RENEE L. RIDER, ASSISTANT COMMISSIONER  
OFFICE OF STUDENT SUPPORT SERVICES  
89 Washington Avenue, Room 319-M EB  
Phone: (518) 474-4817  
E-mail: [renee.rider@nysed.gov](mailto:renee.rider@nysed.gov); Web: [www.p12.nysed.gov/sss](http://www.p12.nysed.gov/sss)

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

From: Renee L. Rider

Subject: Academic Intervention Services for the 2016-17 School Year Based on 2015-16  
School Year 3-8 ELA and Math Scores

At the July 2016 meeting of the Board of Regents, the Board voted to amend Commissioner's Regulations § 100.2 regarding the methodology by which school districts identify students in grades 3-8 to receive Academic Intervention Services (AIS) (<http://www.regents.nysed.gov/common/regents/files/716brca7.pdf>). These changes became effective on July 27, 2016.

For the 2016-17 school year, districts shall identify students to receive AIS through a two-step process. First, all students performing below the median scale score between a level 2/partially proficient and a Level 3/proficient on a grade 3-8 English language arts (ELA) or mathematics state assessment shall be considered for AIS. Upon identification of a student for consideration for AIS, districts shall then use a district-developed procedure, to be applied uniformly at each grade level, for determining which students shall receive AIS. After the district considers a student's scores on multiple measures of student performance, the district determines whether the student is required to receive AIS.

Districts must develop a policy no later than September 1, 2016 for providing AIS during the 2016-17 school year. District policies for providing AIS, including a description of which student performance measures and associated scores will be utilized to determine eligibility, must be posted on the district website or distributed to parents in writing.

The tables on the next page show the scale score ranges and median scale score between levels 2 and 3 for the ELA and mathematics assessments in grades 3 to 8.

**Grades 3-8 ELA Scale Score Ranges by Performance Level and  
Median Scale Score between Level 2 and Level 3**

Grade	NYS Level 1	NYS Level 2	NYS Level 3	NYS Level 4	Median Scale Score between Level 2 and Level 3
3	177-290	291-319	320-357	358-414	305
4	172-286	287-319	320-342	343-410	303
5	112-288	289-319	320-345	346-415	304
6	128-282	283-319	320-337	338-419	301
7	147-286	287-317	318-346	347-413	302
8	130-283	284-315	316-342	343-395	300

**Grades 3-8 Mathematics Scale Score Ranges by Performance Level and  
Median Scale Score between Level 2 and Level 3**

Grade	NYS Level 1	NYS Level 2	NYS Level 3	NYS Level 4	Median Scale Score between Level 2 and Level 3
3	137-284	285-313	314-339	340-401	299
4	143-282	283-313	314-340	341-405	298
5	153-293	294-318	319-345	346-416	306
6	132-283	284-317	318-339	340-423	301
7	150-292	293-321	322-347	348-409	307
8	132-286	287-321	322-348	349-407	304

Students who score below the median scale score between level 2 and level 3 (see shaded column in tables above) are identified as eligible for AIS. Districts must then apply local measures to determine which students shall receive AIS. 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.

Regardless of the measures used, they must be applied uniformly at each grade level and in each content area when determining which students shall receive AIS.

For the 2017-18 school year, the Department will convene a panel of educators, including teachers, principals and other school personnel, to participate in a standard setting process to identify scale scores for determining eligibility for AIS, in accordance with Commissioner's Regulations § 100.2 that became effective on July 27, 2016.

Should you have any questions, please contact the Office of Student Support Services at (518)486-6090 or [StudentSupportServices@nysed.gov](mailto:StudentSupportServices@nysed.gov).