



Kenmore – Town Of Tonawanda UFSD Academic Intervention Services Plan

2013-2015

District BEDS Code: 14-26-01-03-0000

Approved by the Board of Education November 12, 2013



Kenmore – Town Of Tonawanda UFSD AIS Plan

The Kenmore-Tonawanda UFSD Academic Intervention Plan was updated by the following staff members:

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Nicole Hanagan, High School English Teacher	Kathryn Hoffstetter, Middle School ELA Teacher
Elizabeth Flynn, High School Special Education Teacher	Marybeth Emons-Joy, Curriculum Learning Specialist
	Jennifer Ertel, Curriculum Learning Specialist



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In designing our Academic Intervention Services program, the following website resources were used.

100.2 General School Requirements

<http://www.piz.nysed.gov/part100/pages/1002.html>

Part 100 Hot topics

<http://www.piz.nysed.gov/part100/pages/topics.html>



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I. Introduction

Academic Intervention Services (AIS) means additional instruction and/or student support services, which supplement the instruction provided in the general curriculum and assist students in meeting the State learning standards. Academic Intervention Services are intended to assist students who are at risk of not achieving the State learning standards in English language arts, mathematics, social studies and/or science, or who are at risk of not gaining the knowledge and skills needed to meet or exceed designated performance levels on State assessments. Academic Intervention Services shall be made available to students with disabilities on the same basis as students without disabilities. Such services shall be provided to students with disabilities and consistent with the student's Individualized Education Program, and students identified as Limited English Proficient as guided/determined by State Education Department.

All students should be afforded appropriate and targeted opportunities for academic assistance and intervention. Identification of students who are at-risk for learning is based upon multiple measures. Our goal is for all students to be successful in meeting the New York State Common Core State Standards.

Services will be provided to students in English language arts and mathematics in grades K-12 and social studies and science in grades 4-12. These services include two components:

- Additional instruction that supplements the general curriculum; and/or
- Student support services needed to address barriers to improve academic performance.



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II. Eligibility Criteria

Eligibility for AIS is determined by State assessment results in ELA, mathematics, science or social studies and by the use of multiple measures. Students who score below or at proficiency may receive AIS if multiple measures corroborate that they are at risk for failing future assessments. AIS services are mandatory for students who score below NYSED cut scores unless multiple measures indicate otherwise.

Students in grades 9-12 will be eligible for AIS if they score below the district-approved local passing grade on any Regents exam required for graduation in ELA, mathematics, science, or social studies or for those who fail to meet graduation requirements.

*Per the August 2013 NYSED Memo (2013-2014 school year only), those students scoring at or above the designated scale scored but below level 3/proficient are not required to receive academic intervention instructional and/or student support services unless the school district, in its discretion, deems it necessary by multiple measures.

In grades where no state assessments are given, students will be eligible for AIS if they are determined to be at risk of not meeting State standards, according to criteria established by the District. The district procedure will always be used when a student is absent for all or part of a State assessment, or when a student transfers from out-of-state or the country.

Multiple measures will be used in order to verify eligibility and intensity of services. These data will be used to triangulate findings. The criteria to be used in determining entry to and exit from services will include, but is not limited to, the following:



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English/Language Arts

Grade Level	Multiple Measures	Entry Criteria	Exit Criteria
K	DIAL	Below 16 th percentile	N/A
	Observation Survey: Letter ID, Concepts of Print, Word List, Writing Vocabulary subtests	Two or more scores at stanine 3 or below using age-based norms	Subtests scores at level 4 or above
	STAR Early Literacy	Red- Urgent Intervention	Yellow or above
	On-Demand Writing Rubric	More than 1 grade level below	Less than 1 grade level below
	Teacher recommendation	Classroom performance below benchmarks	Approaching grade level expectations
1	Observation Survey – all subtests	Three or more scores at stanine 3 or below	Subtests scores at level 4 or above
	Fountas & Pinnell level in September	Independent level B or below	On level according to Progress Monitoring chart
	STAR Early Literacy	Red- Urgent Intervention	Yellow or above
	On-Demand Writing Rubric	More than 1 grade level below	Less than 1 grade level below
	Teacher recommendation	Classroom performance below benchmarks	Approaching grade level expectations
2	Fountas & Pinnell level in September	Independent level G or below	On level according to Progress Monitoring chart
	STAR Reading	Red- Urgent Intervention	Yellow or above
	On-Demand Writing Rubric	More than 1 grade level below	Less than 1 grade level below
	Teacher recommendation	Projected to be reading at Independent level K or below in June	Approaching grade level expectations
3	Fountas & Pinnell level in September	Independent level K or below	On level according to Progress Monitoring chart
	STAR Reading	Red- Urgent Intervention	Yellow or above
	On-Demand Writing Rubric	More than 1 grade level below	Less than 1 grade level below
	Teacher recommendation	Projected to be reading at Independent level N or below in June	Approaching grade level expectations



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Grade Level	Multiple Measures	Entry Criteria	Exit Criteria
4	NY ELA grade 3 assessment	Performance below level 3	Level 3 on the Grade 3 NYS assessment
	Fountas & Pinnell level in September	Independent level N or below	On level according to Progress Monitoring chart
	STAR Reading	Red- Urgent Intervention	Yellow or above
	On-Demand Writing Rubric	More than 1 grade level below	Less than 1 grade level below
	Teacher recommendation	Projected to be reading at Independent level Q or below in June	Approaching grade level expectations
5	NY ELA grade 4 assessment	Performance below level 3	Level 3 on the Grade 4 NYS assessment
	Fountas & Pinnell level in September	Independent level Q or below	On level according to Progress Monitoring chart
	STAR Reading	Red- Urgent Intervention	Yellow or above
	On-Demand Writing Rubric	More than 1 grade level below	Less than 1 grade level below
	Teacher recommendation	Projected to be reading at Independent level S or below in June	Approaching grade level expectations
6	Students identified at end of 5 th grade	Prior identification based on multiple measures- not meeting benchmarks for 2 consecutive marking periods including any of the following: SRI level, CFA, Fountas & Pinnell	Meeting benchmark levels for 2 consecutive marking periods including, but not limited to the following: SRI level, CFA
	NYS ELA 5 Assessment	Performance below level 3	Level 3 on the Grade 5 NYS assessment
	Classroom performance	Below average	Evidence of progress
	IST recommendation	IST recommendation	IST recommendation
7	Students identified at end of 6 th grade	Prior identification based on multiple measures- not meeting benchmarks for 2 consecutive marking periods including any of the following: SRI level, CFA	Meeting benchmark levels for 2 consecutive marking periods including, but not limited to the following: SRI level, CFA



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Grade Level	Multiple Measures	Entry Criteria	Exit Criteria
	NYS ELA 6 Assessment	Performance below level 3	Level 3 on the Grade 6 NYS assessment
	Classroom performance	Below average	Evidence of progress
	IST recommendation	IST recommendation	IST recommendation
8	Students identified at end of 7 th grade	Prior identification based on multiple measures- not meeting benchmarks for 2 consecutive marking periods including any of the following: SRI level, CFA	Meeting benchmark levels for 2 consecutive marking periods including, but not limited to the following: SRI level, CFA
	NYS ELA 7 Assessment	Performance below level 3	Level 3 on the Grade 7 NYS assessment
	Classroom performance	Below average	Evidence of progress
	IST recommendation	IST recommendation	IST recommendation
9-12	Regents exams AND English Common Core Assessment (Students who enter Grade 9 prior to 2013-2014)	Score lower than 65 on Regents exam.	Score 65 or higher on Regents exam.
	English Common Core Regents Assessment (Students who enter Grade 9 in 2013-2014 or thereafter)	Score lower than 65 on Regents exam.	Score 65 or higher on Regents exam.
	RCT exams (2014)	Fail required RCT.	Pass required RCT.
	8 th grade State Assessments	Score level 1 or below the half way point of level 2 on 8 th grade State Assessments.	Passing grades in 9 th grade course.
	Teacher recommendations	Teacher recommends student to receive services.	Passing grades in course.
	Counselor recommendations	Counselor recommends student to receive services.	Passing grades in course.



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*Per the August 2013 NYSED Memo (2013-2014 school year only), those students scoring at or above the designated scale scored but below level 3/proficient are not required to receive academic intervention instructional and/or student support services unless the school district, in its discretion, deems it necessary by multiple measures.



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Math

Star: Red-Urgent Intervention; Yellow-Intervention; Blue-On Watch; Green-At/Above Benchmark

Grade Level	Multiple Measures	Entry Criteria	Exit Criteria
K	Tier I Services at this level		
1	IST recommendation	IST recommendation	Meeting grade level benchmarks
	Teacher recommendation based on classroom performance	Evidence from below level classroom performance and or HMX.	Meeting grade level benchmarks
	STAR Math	Red- Urgent Intervention	Yellow-Intervention or above
2	Students identified at end of 1 st grade	Prior identification based on multiple measures- not meeting benchmarks for 2 consecutive marking periods	Meeting criteria for 2 consecutive marking periods
	IST recommendation	IST recommendation	Meeting grade level benchmarks
	Teacher recommendation based on classroom performance	Evidence from below level classroom performance, HMX, and/or FASTT Math	Meeting grade level benchmarks
	STAR Math	Red-Urgent Intervention	Yellow/ Blue/Green – Benchmarks
3	Students identified at end of 2 nd grade	Prior identification based on multiple measures- not meeting benchmarks for 2 consecutive marking periods	Meeting criteria for 2 consecutive marking periods
	IST recommendation	IST recommendation	Meeting grade level benchmarks
	Teacher recommendation based on classroom performance	Evidence from below level classroom performance, HMX, and/or FASTT Math	Meeting grade level benchmarks



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Grade Level	Multiple Measures	Entry Criteria	Exit Criteria
	STAR Math	Red-Urgent Intervention	Yellow/ Blue/Green – Benchmarks
4	Students identified at end of 3 rd grade	Prior identification based on multiple measures- not meeting benchmarks for 2 consecutive marking periods	Meeting benchmark levels for 2 consecutive marking periods
	IST recommendation	IST recommendation	Meeting grade level benchmarks
	Teacher recommendation based on classroom performance	Evidence from below level classroom performance, HMX, and/or FASTT Math	Meeting grade level benchmarks
	NYS Math 3 Assessment	Below cut-off score	Level 3 on NYS Grade 3 Assessment
	STAR Math	Red-Urgent Intervention	Yellow/ Blue/Green – Benchmarks
5	Students identified at end of 4 th grade	Prior identification based on multiple measures- not meeting benchmarks for 2 consecutive marking periods	Meeting benchmark levels for 2 consecutive marking periods
	IST recommendation	IST recommendation	Meeting grade level benchmarks
	Teacher recommendation based on classroom performance	Evidence from below level classroom performance, HMX, and/or FASTT Math	Meeting grade level benchmarks
	NYS Math 4 Assessment	Below cut-off score	Level 3 on NYS Grade 4 Assessment
	STAR Math	Red-Urgent Intervention	Yellow/ Blue/Green – Benchmarks



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Grade Level	Multiple Measures	Entry Criteria	Exit Criteria
6	Students identified at end of 5 th grade	Prior identification based on multiple measures- not meeting benchmarks for 2 consecutive marking periods including any of the following: SMI level, CFA, FASTT Math, Fraction Nation	Meeting benchmark levels for 2 consecutive marking periods including any of the following: SMI level, CFA, FASTT Math, Fraction Nation
	NYS Math 5 Assessment	Performance below level 3	Achieved above the cut score on NYS assessment
	Classroom performance	Below average	Evidence of progress
	IST recommendation	IST recommendation	IST recommendation
7	Students identified at end of 6 th grade	Prior identification based on multiple measures- not meeting benchmarks for 2 consecutive marking periods including any of the following: SMI level, CFA, FASTT Math, Fraction Nation	Meeting benchmark levels for 2 consecutive marking periods including any of the following: SMI level, CFA, FASTT Math, Fraction Nation
	NYS Math 6 Assessment	Performance below level 3	Achieved above the cut score on NYS assessment
	Classroom performance	Below average	Evidence of progress
	IST recommendation	IST recommendation	IST recommendation
8	Students identified at end of 7 th grade	Prior identification based on multiple measures- not meeting benchmarks for 2 consecutive marking periods including any of the following: SMI level, CFA, FASTT Math, Fraction Nation	Meeting benchmark levels for 2 consecutive marking periods including any of the following: SMI level, CFA, FASTT Math, Fraction Nation
	NYS Math 7 Assessment	Performance below level 3	Achieved above the cut score on NYS assessment
	Classroom performance	Below average	Evidence of progress
	IST recommendation	IST recommendation	IST recommendation



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Grade Level	Multiple Measures	Entry Criteria	Exit Criteria
9-12	Regents exams in Math aligned to the 2005 Revised Core Curriculum (Students who prior to the 2013-2014 school year began or will complete a math course aligned to the Mathematics Core Curriculum (Revised 2005))	Score lower than 65 on Regents exam.	Score 65 or higher on Regents exam.
	Regents exams aligned to Math courses-Common Core (Algebra 1, Geometry, Algebra 2) (Students who in the 2013-2014 school year or thereafter, begin their first commencement-level math course culminating in a Regents Exam in June 2014 or later, as available)	Score lower than 65 on Regents exam.	Score 65 or higher on Regents exam
	RCT exams (2014)	Fail required RCT.	Pass required RCT.
	8 th grade State Assessments	Score level 1 or below the half way point of level 2 on 8 th grade State Assessments.	Passing grades in 9 th grade course.
	Teacher recommendations	Teacher recommends student to receive services.	Passing grades in course.
	Counselor recommendations	Counselor recommends student to receive services.	Passing grades in course.

*Per the August 2013 NYSED Memo (2013-2014 school year only), those students scoring at or above the designated scale scored but below level 3/proficient are not required to receive academic intervention instructional and/or student support services unless the school district, in its discretion, deems it necessary by multiple measures.



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Science

Grade Level	Multiple Measures	Entry Criteria	Exit Criteria
K-8 – Tier 1 services at this level			
9-12	Regents exams	Score lower than 65 on Regents exam.	Score 65 or higher on Regents exam.
	RCT exams (2014)	Fail required RCT	Pass required RCT
	8 th grade State Assessments	Score level 1 or below the half way point of level 2 on 8 th grade State Assessments.	Passing grades in 9 th grade course.
	Teacher recommendations	Teacher recommends student to receive services.	Passing grades in course.
	Counselor recommendations	Counselor recommends student to receive services.	Passing grades in course.

Social Studies

Grade Level	Multiple Measures	Entry Criteria	Exit Criteria
K-8 – Tier 1 services at this level			
9-12	Regents exams	Score lower than 65 on Regents exam.	Score 65 or higher on Regents exam.
	RCT exams (2014)	Fail required RCT.	Pass required RCT.
	8 th grade State Assessments	Score level 1 or below the half way point of level 2 on 8 th grade State Assessments.	Passing grades in 9 th grade course.
	Teacher recommendations	Teacher recommends student to receive services.	Passing grades in course.



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Grade Level	Multiple Measures	Entry Criteria	Exit Criteria
	Counselor recommendations	Counselor recommends student to receive services.	Passing grades in course.

Student Support Services

Grade Level	Multiple Measures	Entry Criteria	Exit Criteria
K-12	Collection and analysis of data to determine the existence of behaviors and conditions that may interfere with academic achievement	<ul style="list-style-type: none"> Reports from IST Teacher/Staff Reports Parent referral Chronic legal and/or illegal absences Chronic tardiness Repetitive office referrals, in-school/out-of-school suspensions, or bus referrals Excessive visits to Nurse's office 	<p>Achievement of academic standards</p> <p>Improvement in targeted area of concern (i.e., attendance)</p>



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III. Implementation and Intensity of Services

Academic Intervention Services shall commence no later than the beginning of the semester following a determination that a student needs such services. Services shall continue until a student's performance:

- a) meets or exceeds the State designated performance level on the next State assessment; or
- b) is shown to be likely to meet or exceed the State designated performance level on the next State assessment through achievement on the district-selected assessments as specified in above tables.

The services for qualifying students will vary in intensity and duration based upon their level of need as determined through multiple measures and sources of evidence. Students with the most intense needs would receive more scheduled academic and support services, for a longer duration, and with more individualization. Students with the least intensive needs might only receive progress monitoring as a student support service, or extra classroom assistance.



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Examples of STUDENT INSTRUCTIONAL SUPPORT SERVICES

Student instructional support services may be provided and/or coordinated by, but not limited to:

- School-Based Instructional Support Teams
- Classroom Teachers
- AIS teachers
- Support Teachers
- Administrators
- RTI Teams

Instructional support strategies could include, but would not be limited to, the following:

- Monitoring with classroom teacher
- Peer Tutoring
- Regularly scheduled additional instruction in the classroom
- Pre-teaching
- Reduced group size
- Instructional modifications
- Collaboration with Parents
- Extra periods/time during the day
- One-on-one or small group tutoring during the day
- Reading Recovery
- Read 180
- Technology-based interventions
- Academic Study Hall
- Learning Center
- Reading/writing classes
- Targeted, skill-specific interventions through supplemental materials
- Academic Centered Enrichment
- Extended day opportunities
- Credit Recovery Program



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Examples of STUDENT SUPPORT SERVICES

Student support services may be provided and/or coordinated by, but not limited to:

- Psychologists
- Social Workers
- School counselors
- School-Based Instructional Support Teams
- School Nurses
- Teachers
- Administrators
- School Resource Officers

Support service strategies could include, but would not be limited to, the following:

- Individual/Group Counseling and other support services to address issues such as:
 - emotional issues
 - social skills
 - test anxiety
 - organizational skills
 - anger management
 - divorce
- School-wide programs (Second Step, Caring Community, Chain Links Club, Rachel's Challenge, etc)
- Peer tutoring
- Consultation between Student Service staff and teachers
- Parent/Teacher/Student Conferencing
- Mentoring
- Conflict Resolution
- Peer Mediation
- Identification and addressing of medical needs (e.g., vision, hearing, medication)
- Parent groups (PTA, Home School Association)
- Direct linkage with outside agencies
- Family Support Center
- Adult volunteer programs
- Home visits
- Monitoring of progress (Behavioral Observations, contracts, etc) / updates for students and parents
- Attendance support/truancy prevention
- Youth Court
- Career Education/Exploration programs



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IV. Parent Notification

Each district school will be responsible for parental notification indicating a need for Academic Intervention Services. This notification will be made in writing and will include a summary of the services being provided to the student, including when the services will be provided. The reason(s) for AIS will be reviewed, and the consequences of not achieving the standards will be stated. Parents will also be kept apprised of their child's progress. When AIS is discontinued, the parent will be notified of the criteria for discontinuation of services, the current performance level of the student, and the assessment(s) that were used in determining the student's level of performance. (See appendix for sample letters.)

Student Progress Reports: Quarterly reports will document the progress of each student, and the information contained therein may be used to determine when the student warrants being discontinued from AIS.



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V. Glossary

CFA	Common Formative Assessment
DIAL	Developmental Indicators for the Assessment of Learning
IST	Instructional Support Team
Performance Levels	Performance Level 1: well below proficient in CCLS for this grade level Performance Level 2: below proficient (partial but insufficient) in the CCLS for this grade level Performance Level 3: proficient in the CCLS for this grade level Performance Level 4: excels in the CCLS for this grade level
RCT	Regents Competency Test
RTI	Response to Intervention
Tier 1	Service designed to provide for the instructional needs of the majority of students with three major components: a research-based Core reading program, progress monitoring 3 times per year, and ongoing Professional development
Tier 2	Service for students for whom Tier 1 instruction is insufficient; small group instruction to supplement, enhance and support Tier 1, generally for 10-20 weeks.
Tier 3	Intensive, strategic, supplemental instruction, often longer in duration than the Tier 2 model, customized, small group instruction focused on individual needs.



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VI. Appendix

Parental/Guardian Notification letters

- Need for Academic Intervention Services
- Need for Academic Intervention Services (for ESL students)
- Academic Intervention Services Progress Report
- A Discontinuance of Academic Intervention Services

Academic Intervention Services: Regulations

August 30, 2013 NYSED Memo: Academic Intervention Services (AIS) Requirements for 2013-2014



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**Kenmore-Tonawanda UFSD
1500 Colvin Blvd.
Buffalo, NY 14223
(716) 874-8400**

Need for Academic Intervention Services

To the Parent/Legal Guardian of

Re:

Dear Parent/Legal Guardian of

The New York State Education Department has mandated that school districts provide Academic Intervention Services to students who are at risk of not achieving the Common Core State Standards. Academic Intervention Services are designed to help students achieve the standards in English/Language Arts, Mathematics, Science and Social Studies by providing additional instruction or support services.

As a result of periodic reviews and assessments at various grade levels, it has been determined that your child has been identified as a student at risk of not achieving the standards. Attached is a summary report of the additional services scheduled to be provided.

Your child will receive the services and/or supports from a faculty member, which may include your child's teacher, a reading specialist, a math specialist, a teaching assistant or other support staff. The school personnel will work to provide your child with the necessary skills and supports to be more successful in achieving the expected learning standards.

The grouping of students and instructors responsible for direct teaching may vary throughout the year as your child's needs change. Your child's progress will continue to be monitored to determine the continued need of services.

If you have any questions or wish to request additional information about your child's progress, please contact the service provided(s) listed on the attached Summary of Academic Services.

Sincerely,



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**Kenmore-Tonawanda UFSD
1500 Colvin Blvd.
Buffalo, NY 14223
(716) 874-8400**

Need for Academic Intervention Services

To the Parent/Legal Guardian of

Re:

Dear Parent/Legal Guardian of

The New York State Education Department has mandated that school districts provide Academic Intervention Services to students who are at risk of not achieving the Common Core State Standards due to limited English proficiency (LEP) or being an English language learner (ELL). Academic Intervention Services are designed to help students achieve the standards in English/Language Arts, Mathematics, Science and Social Studies by providing additional instruction or support services.

Our AIS Team has reviewed your child's daily classroom performance and any standardized and/or diagnostic testing results. It has been determined that your child has been identified as a student who is at risk of not achieving the expected performance standards. Therefore, Academic Intervention Services will be provided for your child. Attached is a summary report of the services to be provided.

The district offers a variety of academic and support services to meet the instruction needs of our students. Please be advised that Academic Intervention Services for limited English proficient (LEP)/English language learners (ELL) are supplementary and do not replace any bilingual or ESL instruction program your child currently receives. The Academic Intervention Services have been planned and implemented in coordination with the LEP/ELL student's general education program.

The goal is to use our available resources to support your child in his or her efforts to be successful in meeting the Common Core State Standards and Graduation requirements. The grouping of students and instructors for Academic Intervention Services may vary throughout the year as your child's needs change. Your child's progress will continue to be monitored to determine the continued need of services.

If you have any questions or wish to request additional information about your child's progress, please do not hesitate to call the school.

Sincerely,



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**Kenmore-Tonawanda UFSD
1500 Colvin Blvd.
Buffalo, NY 14223
(716) 874-8400**

Academic Intervention Services Progress Report

To the Parent/Legal Guardian of

Re:

Dear Parent/Legal Guardian of

The New York State Education Department has mandated that school districts provide Academic Intervention Services to students who are at risk of not achieving the Common Core State Standards in English/Language Arts, Mathematics, Science and Social Studies.

As a result of previous assessments, your child was identified to be at risk of not achieving the Common Core State Standards and has been receiving academic intervention services. Attached is a quarterly progress report which describes your child's academic progress.

If you have any questions or wish to request additional information about your child's progress, please contact the service provider(s) listed on the attached sheet.

Sincerely,



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**Kenmore-Tonawanda UFSD
1500 Colvin Blvd.
Buffalo, NY 14223
(716) 874-8400**

A Discontinuance of Academic Intervention Services

To the Parent/Legal Guardian of

Re:

Dear Parent/Legal Guardian of

As a result of previous assessments, your child was identified to be at risk of not achieving the Common Core State Standards in English/Language Arts, Mathematics, Science or Social Studies, and has been receiving academic interventions.

I am pleased to report that your child has made sufficient progress and is no longer at risk and Academic Intervention Services will be discontinued as per the attached summary.

Please be advised that your child's progress will continue to be monitored at various grade levels to meet the expected learning standards.

If you have any questions or wish to request additional information about your child's progress, please do not hesitate to call the AIS service provider listed on the attached Discontinuance of Academic Intervention Services.

Sincerely,



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Academic Intervention Services: Regulations

Section 100.1(g) [Definitions] of Commissioner’s Regulations adopted by the Board of Regents in July 1999.

(g) *Academic intervention services* means additional instruction which supplements the instruction provided in the general curriculum and assists students in meeting the State learning standards as defined in subdivision (t) of this section and/or student support services which may include guidance, counseling, attendance, and study skills which are needed to support improved academic performance; provided that such services shall not include services provided to students with limited English proficiency pursuant to Part 154 of this Title or special education services and programs as defined in Education Law section 4401 (1) and (2). Academic intervention services are intended to assist students who are at risk of not achieving the State learning standards in English language arts, mathematics, social studies and/or science, or who are at risk of not gaining the knowledge and skills needed to meet or exceed designated performance levels on State assessments. Academic intervention services shall be made available to students with disabilities on the same basis as nondisabled students, provided, however, that such services shall be provided to the extent consistent with the individualized education program developed for such student pursuant to section 4402 of the Education Law.

Section 100.2 (ee) of Commissioner’s Regulations adopted by the Board of Regents in July 1999.

(ee) Academic intervention services.

(1) Requirements for providing academic intervention services in kindergarten to grade three. Schools shall provide academic intervention services to students in kindergarten to grade three when such students:

- (i) are determined, through a district-developed or district-adopted procedure that meets State criteria and is applied uniformly at each grade level, to lack reading readiness based on an appraisal of the student, including his/her knowledge of sounds and letters; or
- (ii) are determined, through a district-developed or district-adopted procedure applied uniformly at each grade level, to be at risk of not achieving the State designated performance level in English language arts and/or mathematics. This district procedure may also include diagnostic screening for vision, hearing and physical disabilities pursuant to Article 19 of the Education Law, as well as screening for possible limited English proficiency or possible disability pursuant to Part 117 of this Title.

(2) Requirements for providing academic intervention services in grade four to grade eight. Schools shall provide academic intervention services when students:



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- (i) score below the State designated performance level on one or more of the State elementary assessments in English language arts, mathematics, social studies or science;
- (ii) are limited English proficient (LEP) and are determined, through a district-developed or district-adopted procedure uniformly applied to LEP students, to be at risk of not achieving Common Core State Standards in English language arts, mathematics, social studies and/or science, through English or the student's native language. This district procedure may also include diagnostic screening for vision, hearing, and physical disabilities pursuant to Article 19 of the Education Law, as well as screening for possible disability pursuant to Part 117 of this Title; or
- (iii) are determined, through a district-developed or district-adopted procedure uniformly applied, to be at risk of not achieving Common Core State Standards in English language arts, mathematics, social studies and/or science. This district procedure may also include diagnostic screening for vision, hearing, and physical disabilities pursuant to Article 19 of the Education Law, as well as screening for possible limited English proficiency or possible disability pursuant to Part 117 of this Title.

(3) Requirements for providing academic intervention services in grade nine to grade twelve.

Schools shall provide academic intervention services when students:

- (i) score below the State designated performance level on one or more of the State intermediate assessments in English language arts, mathematics, social studies or science, or score below the State designated performance level on any one of the State examinations required for graduation; or
- (ii) are limited English proficient (LEP) and are determined, through a district-developed or district-adopted procedure uniformly applied to LEP students, to be at risk of not achieving State learning standards in English language arts, mathematics, social studies and/or science, through English or the student's native language. This district procedure may also include diagnostic screening for vision, hearing, and physical disabilities pursuant to Article 19 of the Education Law, as well as screening for possible disability pursuant to Part 117 of this Title; or
- (iii) are determined, through a district-developed or district-adopted procedure uniformly applied, to be at risk of not achieving Common Core State Standards in English language arts, mathematics, social studies and/or science. This district procedure may also include diagnostic screening for vision, hearing, and physical disabilities pursuant to Article 19 of the Education Law, as well as screening for possible limited English proficiency or possible disability pursuant to Part 117 of this Title.

(4) Description of academic intervention services.

- (i) By July 1, 2000, a school district shall develop a description of academic intervention instructional and/or student support services to be provided in schools to students in need of such services pursuant to paragraphs (2), (3) and (4) of



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subdivision (ee) of this section. The description shall include any variations in services in schools within the district, and shall specifically describe:

- (a) the district-wide procedure(s) used to determine the need for academic intervention services;
 - (b) academic intervention instructional and/or student support services to be provided pursuant to paragraph (5) of subdivision (ee) of this section;
 - (c) whether instructional services and/or student support services are offered during the regular school day or during an extended school day or year; and
 - (d) the criteria for ending services, including, if appropriate, performance levels that students must obtain on district-selected assessments.
- (ii) The description of academic intervention services shall be approved by each local board of education by July 1, 2000. In the New York City School District, the New York City Board of Education may designate that the plans be approved by the Chancellor or his designee or by community school boards for those schools under their jurisdiction. Beginning July 1, 2002 and every two years thereafter, each school district shall review and revise its description of academic intervention services based on student performance results.
 - (iii) In lieu of a separate description of academic intervention services, the district may incorporate the description of academic intervention services into a comprehensive district education plan. In this instance, the preparation date for the description of academic intervention services shall conform to the date of the preparation of the comprehensive district education plan.
 - (iv) Based on performance criteria established by the Commissioner, certain school districts may be required to submit their description of academic intervention services for specific schools to the Department for review and approval.
- (5) Provision of academic intervention services.
- (i) School districts may use time available for academic intervention instructional and/or student support services during the regular school day.
 - (ii) School districts may provide students with extended academic time beyond the regular school day and school year.
 - (iii) In public schools, academic intervention instructional and/or support services shall be provided by qualified staff who are appropriately certified pursuant to Part 80 of this Title.



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- (iv) Beginning September 1, 2000, academic intervention instructional and/or student support services shall commence no later than the beginning of the semester following a determination that a student needs such services. Services shall continue until a student's performance:
- (a) meets or exceeds the State designated performance level on the next State assessment; or
 - (b) is shown to be likely to meet or exceed the State designated performance level on the next State assessment through achievement on the district-selected assessments of the levels specified in the district description of academic intervention services pursuant to paragraph (4) of subdivision (ee) of this section.

(6) Parental notification and involvement.

- (i) Notification of commencement of services. The parent or person in parental relation to a student who has been determined to need academic intervention services shall be notified in writing by the principal. Such notice shall be provided in English and translated, when appropriate, into the native language or mode of communication of the parent. The notice shall include a summary of the academic intervention services to be provided to the student, the reason the student needs such services and the consequences of not achieving expected performance levels.
- (ii) Notification of the ending of academic intervention services. Parents or persons in parental relation shall be notified in writing when academic intervention services are no longer needed. Such notice shall be provided in English and translated, when appropriate, into the native language or mode of communication of the parent.
- (iii) Ongoing communication with parents or persons in parental relation. Parents or persons in parental relation to students receiving academic intervention services shall be provided with:
 - (a) an opportunity to consult with the student's regular classroom teacher(s), and other professional staff providing academic intervention services, at least once per semester during the regular school year;
 - (b) reports on the student's progress at least once each quarter during the regular school year by mail, telephone, telecommunications or other means, in a language or mode of communication understood by the parents or person in parental relation; and
 - (c) information on ways to work with their child to improve achievement; monitor their child's progress; and work with educators to improve their child's achievement.



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Section 100.4(b) (4) [Program requirements for grades seven and eight] of the Commissioner’s Regulations adopted by the Board of Regents in July 1999

(4) Students who have been determined to need academic intervention services as set forth in section 100.2(ee)(2)(i) of this Part may have the unit of study requirements for one or more of their subjects reduced, provided that:

- (i) academic intervention services shall be coordinated with and supplement instruction in the general curriculum;
- (ii) requirements for subjects set forth in paragraph (1) of this subdivision and for languages other than English instruction set forth in section 100.2(d) of this Part may be reduced but not eliminated. Academic intervention services shall be provided in a manner that does not diminish instructional time to a degree that may prevent a student from achieving the State learning standards in any area required for graduation or from meeting local standards for promotion. A principal shall consider a student's abilities, skills and interests in determining the subjects for which the unit of study requirements may be reduced;
- (iii) a student's parent or guardian shall be notified in writing, by the principal, of a school's intention to implement the provisions of this paragraph; and
- (iv) the reduction of unit of study requirements shall remain in effect only to the extent that the provisions of subparagraph (i) of this paragraph are being met.



Ken Slentz, Deputy Commissioner
Office of P-12 Education
Room 2M EB (518) 474-3862

August 30, 2013

TO: BOCES District Superintendents
School Superintendents
School Principals
Leaders of Charter Schools

FROM: Ken Slentz, Deputy Commissioner

SUBJECT: Academic Intervention Service (AIS) Requirements for 2013-14

As noted by Commissioner King in his August 7, 2013, letter to superintendents, this year's state assessments are the first administered to New York students that measure the Common Core Learning Standards (CCLS) adopted by the State Board of Regents in 2010. As anticipated, the percentage of students who scored at or above proficient on the 2013 assessments was significantly lower than for the assessments administered in 2012. This reduction in the percentage of students achieving proficiency effectively creates a new baseline measurement of student learning and largely results from the shift in the assessments to measure the Common Core Standards, which more accurately reflect students' progress toward college- and career-readiness.

To ensure that existing support services, including AIS and Title I compensatory services, remain relevant and appropriate as New York implements the CCLS, the Board at its July 22, 2013, meeting directed the State Education Department to develop proposed amendments to Commissioner's Regulations to provide flexibility to districts in the provision of Academic Intervention Services (see <http://www.regents.nysed.gov/meetings/2013Meetings/July2013/713p12d1.pdf>).

Accordingly, at the September 16, 2013, Board of Regents meeting, the Department will recommend that the Regents approve amendments to regulations that require that districts provide Academic Intervention Services to students scoring below the following scale scores on the 2013 Grade 3-8 English language arts and mathematics assessments:

- Grade 3 English language arts, a scale score of 299
- Grade 4 English language arts, a scale score of 296
- Grade 5 English language arts, a scale score of 297
- Grade 6 English language arts, a scale score of 297
- Grade 7 English language arts, a scale score of 301

- Grade 8 English language arts, a scale score of 302

- Grade 3 mathematics, a scale score of 293
- Grade 4 mathematics, a scale score of 284
- Grade 5 mathematics, a scale score of 289
- Grade 6 mathematics, a scale score of 289
- Grade 7 mathematics, a scale score of 290
- Grade 8 mathematics, a scale score of 293

The Department will further recommend that those students scoring at or above these designated scale scores but below level 3/proficient not be required to receive academic intervention instructional and/or student support services during the 2013-14 school year unless the school district, in its discretion, deems it necessary. As you know, while remediation for students who are struggling the most is critical, implementation of the Common Core requires key shifts in classroom instruction (see <http://www.engageny.org/resource/common-core-shifts/>). The proposed regulations would require each school district to develop a uniform process by which the district determines whether to offer AIS during the 2013-2014 school year to such students and, no later than November 1, 2013, to either post to its Website or distribute to parents in writing a description of this process.

If you have any questions regarding the requirements for provision of AIS or Rtl services to students during the 2013-14 school year please contact David Bryant in the office of Student Support Services at 518-486-6801.

I wish you a productive and successful new school year.