



NEWSLINE

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EVERY STUDENT SUCCEEDS ACT (ESSA) PLAN IMPLEMENTATION: AMENDMENTS AND ADDITIONS TO THE COMMISSIONER'S REGULATIONS

During its September 2018 meeting, the Board of Regents adopted amendments of the Commissioner's Regulations relating to the implementation of the state's approved Every Student Succeeds Act (ESSA) Plan. Amendments were made to ESSA regulations regarding:

- Participation Rate Requirements,
- N-Size,
- Out-of-School Suspensions,
- School Interventions,
- Participatory Budgeting,
- Translations of Notifications,
- District Report Cards and
- Accountability for New York City High Schools

The proposed amendments were adopted by the Board of Regents as an emergency action and were published in the State Register on Wednesday, October 3, 2018.

The September 2018 Regents Item regarding the amendments and additions to Commissioner's Regulations relating to the implementation of the state's approved ESSA Plan may be found at:

<http://www.regents.nysed.gov/common/regents/files/918P12A6REVISED.pdf>. In addition, the September 2018 ESSA Plan presentation, shared at the Regents Meeting may be found at:

http://www.regents.nysed.gov/common/regents/files/P-12%20-%20ESSA%20Presentation_0.pdf.

Should you have any ESSA related questions, please send them to: ESSA@nysed.gov.

THIS JUST IN...

The Board of Regents discussed the following during its last meeting in September and October 2018:

- [Proposed Emergency Adoption of Amendments to Sections of the Commissioner's Regulations and the Addition of a New Section Relating to the Implementation of the State's Approved Every Student Succeeds Act \(ESSA\) Plan](#)
 - Supplemental Presentation: [Proposed Draft Commissioner's Regulations Related to New York's Approved ESSA Plan](#)
- [2018 Grades 3-8 ELA and Math Test Results](#)
 - Supplemental Presentation: [Measuring Student Proficiency in Grades 3-8 English Language Arts and Mathematics](#)
- [2019 Non-State Aid Budget and Legislative Priorities](#)
- [Discussion of Priorities for the 2019-2020 Board of Regents State Aid Proposal](#)
 - Supplemental Presentation: [2019-2020 Regents State Aid Proposal - Continuing Discussions](#)
- [Report of Regents P-12 Education/Professional Practice Joint Meeting Committee to The Board of Regents](#)
- [Proposed Addition of Section 114.5 to the Regulations of the Commissioner Relating to the Prohibition Against Meal Shaming](#)
- [Child Nutrition Programs](#)



UPDATES FROM COMMISSIONER ELIA

- [Parent Update: Student Health and Well-being](#)
- [Parent Update: NYSED Releases Results of Grades 3-8 ELA & Math Tests](#)
- [News & Notes: 2019 New York State Teacher of the Year](#)
- [Parent Update: Proposed Changes to Every Student Succeeds Act Regulations](#)
- [Video Message: Welcome Back to School 2018](#)



To Double Test or Not to Double Test: Is that Even a Question?

One question I am frequently asked is how the results for middle school students who take Regents exams are factored into the State accountability system. The answer depends in large part on whether the student has taken the Regents examination in lieu of the grade level examination or in addition to the grade level mathematics examinations in grades 7 and 8 or the grade 8 science examination. Below is a summary that captures how the results for middle and high school students are included in the State accountability system.

Middle School Accountability

- If a student takes a Regents examination in mathematics in Grade 7 or Grade 8 or a Regents examination in science in grade 8 in lieu of the grade level assessment, those results will be used for middle school accountability. A student’s score on the Regents examination will be converted to an Accountability Performance Level as follows:

Assessments	Level	2017-18 Score
Regents Algebra I & Geometry*	Level 4	85–100
	Level 3	80–84
	Level 2	65–79
	Level 1	0–64
Regents Algebra II*	Level 4	85–100
	Level 3	78–84
	Level 2	65–77
	Level 1	0–64
Regents Living Environment, Physical Setting/Earth Science, Physical Setting/Chemistry, & Physical Setting/Physics	Level 4	85–100
	Level 3	65–84
	Level 2	55–64
	Level 1	0–54

*Cut points for levels may change from year to year and are available in the Student Information Repository System (SIRS) Manuals at <http://www.p12.nysed.gov/irs/sirs/home.html>.

It should be noted that results on Regents exams that are taken in place of grade level exams are incorporated into the computation of any Demonstrable Improvement indicators for middle schools in Receivership that are based on mathematics or science assessments. It should also be noted that state report cards show results that combine student performance on grade level and Regents examinations so that schools that double test do not “look better” on report cards than those that do not.

- If a student takes both a Regents examination in math in Grade 7 or Grade 8 or a Regents examination in science in grade 8 and also takes the associated grade level exam in those subjects, the results from the grade level examination will be used for middle school accountability, even if the student obtained a higher level on the Regents exam. For example, if the student scored Level 3 on the grade 8 science exam and 85 on the Living Environment Regents, the middle school will get credit for the student achieving Level 3, not Level 4.

DID YOU KNOW...?

That on October 4, 2018 the United States Department of Education unveiled the Parents' Guide to ESSA Flexibilities?

[Read More Here](#)

- At present, students who take Regents examinations in mathematics in lieu of taking the grade level assessment in mathematics do not have their results included in the student growth measure for mathematics. On average, this will have no effect on a school’s Mean Growth Percentile. However, had these students taken the grade level math assessment, their student growth percentiles would be computed by comparing these students’ results to those of other high performing students in the State.

High School Accountability

- If a student had taken a Regents examination in mathematics in Grade 7 or Grade 8 or a Regents examination in science in grade 8 in lieu of the grade level assessment, the student must take a different exam in high school in order for the high school to receive accountability credit for the student. For example, if a student took the Algebra I exam in Grade 8, the student must take either the Geometry or Algebra exam in high school, or an approved alternative to the Regents, in order for the high school to receive accountability credit for the student. Otherwise, the student is considered Level 1 for accountability purposes. The one exception is if the student took a Regents exam in middle school and failed the examination; in that case, the student can earn accountability credit for the high school by passing that exam in high school.
- If a student took both a Regents examination in math in Grade 7 or Grade 8 or a Regents examination in science in grade 8 and also took the associated grade level exam in those subjects, the Regents examination result is “banked” and can be used for high school accountability. For example, if the student took the grade 8 science exam and scored 80 on the Living Environment Regents, the high school will get credit for the student achieving Level 3, even if the student does not take any additional Regents examinations in science. If the student does take a science Regents in high school and scores 85 or higher, the school will get credit for the student achieving Level 4.

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While the New York State Education Department recognizes that each district has the flexibility to decide whether or not to “double test” middle school students, the Department strongly encourages districts to test students using either the grade level examinations in math and science or the Regents examinations, not both. Having students take only one assessment allows instruction to be focused upon the content tested by that examination and reduces the amount of time that must be devoted to preparing students for and administering assessments to students. If schools have properly selected students for participation in high school coursework, data collected by Department shows that these students will almost always achieve at least a Level 3 for accountability purposes.

Since a middle school student who is taking high school coursework derives no benefit in also sitting for the grade level exam, the answer to the question of whether to double test or not seems clear to me: in this case, one and done is best.

ESSA-FUNDED PROGRAMS

Local education agencies (LEAs) must use State and local funds to provide services in Title I schools that are comparable to the services provided in non-Title I schools. All LEAs that submitted a 2018 - 19 LEA Application for ESSA-Funded Programs provided assurances that services would be comparable within their LEA. NYSED will use the 2018 - 19 Comparability Report to monitor each LEA’s implementation of those assurances. Please note the following:

1. Many LEAs are eligible for an exemption.
2. LEAs should use the Comparability Workbooks to review student-to-staff ratios that are used to demonstrate Comparability.

For more information, LEAs may call the Title I Office at 518-473-0295 or e-mail questions/concerns to conappta@nysed.gov.

THINGS TO NOTE

- Press Release: [New York State Education Department and State Office of Mental Health Awarded \\$1.8 Million for Advancing Wellness and Resilience in Education Project](#)
- Press Release: [State Education Department Announces No-Cost Children's Eye Exams, Glasses and Resources](#)
- Press Release: [Commissioner Elia Reappoints Distinguished Educator for Hempstead Union Free School District](#)
- Press Release: [State Education Department Releases Spring 2018 Grades 3-8 Ela & Math Assessment Results](#)
- Press Release: [State Education Department Launches Paths to The Professions Website](#)
- Press Release: [State Education Department Announces Bronx International Community High School Teacher Named 2019 Teacher of the Year](#)
- Press Release: [Board of Regents Early Childhood Workgroup's Blue Ribbon Committee Presents Final Recommendations](#)
- Press Release: [State Education Department Announces Proposed Changes to Every Student Succeeds Act Regulations](#)
- Press Release: [State Education Department Awards \\$2 Million to 25 Mentor Teacher Internship Programs](#)
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