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

From: Maribeth Barney, Director *Maribeth Barney*

Subject: Academic Intervention Services (AIS) Scale Scores for the 2023-24  
School Year Based on Spring 2023 Grades 3-8 English Language Arts  
and Mathematics Assessment Scores

Each school year, districts/schools must develop a policy or review the existing policy for providing Academic Intervention Services (AIS). The median scale score between Levels 2 and 3 for the Grades 3-8 ELA and Mathematics assessments are provided below for the purpose of identifying students to receive AIS.

Due to the delayed [availability of the 2023 Grades 3-8 English Language Arts \(ELA\) and Mathematics test results](#) the New York State Board of Regents approved a change to Commissioner's Regulation 100.2 (ee) regarding the process for identifying students to receive AIS. Effective July 18, 2023, districts/schools may, but are not required to, conduct the two-step identification process (outlined below) for grade 3-8 students during the 2023-2024 school year. Those districts/schools that do not use the two-step identification process may make an identification based solely on district/school-developed procedures applicable to all grade 3-8 students during the 2023-2024 school year.

**2023 Grades 3-8 English Language Arts and Mathematics Tests  
Median Scale Score between Level 2 and Level 3**

Grade	English Language Arts	Mathematics
3	441	437
4	440	440
5	441	441
6	440	440
7	441	440
8	440	443

**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 district/school discretion, this step does not have to be used for SY

2023-2024.

As a second step for districts/schools using state assessment scores, or for all other districts/schools, a procedure that considers multiple measures of student performance must be used for deciding which students shall receive AIS. The district/school-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/schools considers a student's scores on multiple measures of student performance, they 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/school website and/or distributed to parents in writing.

Questions about AIS can be directed to the Office of Student Support Services at (518) 486-6090 or [StudentSupportServices@nysed.gov](mailto:StudentSupportServices@nysed.gov).