**SED Update**

**June 2019 update**

**Updated 6-5-19**

**Justification for School Districts Exceeding the 1.0 Percent Cap on Students Participating in the New York State Alternate Assessment (NYSAA)**

The Every Student Succeeds Act (ESSA) places a State-level cap on the total number of students with significant cognitive disabilities who are assessed with an alternate assessment at 1.0 percent of the total number of students in the State who are assessed in the subject. States may not prohibit a local educational agency (LEA) from assessing more than 1.0 percent of its assessed students with an alternate assessment. However, states must require LEAs that assess more than 1.0 percent of their assessed students in any subject with an alternate assessment to submit information to the State justifying the need to exceed the 1.0 percent threshold.

* All LEAs (public school districts, charter schools, and Special Act School Districts) must review their 2017-2018 NYSAA participation data posted on the [Office of Special Education’s (OSE) webpage](http://www.p12.nysed.gov/specialed/timely.htm) at <http://www.p12.nysed.gov/specialed/timely.htm> to determine if they exceed the 1.0 percent cap in English language arts, mathematics, and/or science for students participating in the NYSAA. The final data column on the right (titled PCT tested) is the LEAs NYSAA participation rate. Those LEAs exceeding the 1.0 percent cap on participation in the NYSAA are indicated in red. LEAs exceeding the 1.0 percent cap on participation in the NYSAA in one or more subject areas must complete the online [Justification for Exceeding 1.0 Percent Cap](https://www.jotform.us/form/90714806966164) form at <https://www.jotform.us/form/90714806966164> no later than **June 30, 2019**.
* In accordance with ESSA, NYSED will review and make publicly available all justifications received. LEAs submitting a justification are subject to further review and oversight by NYSED.
* LEAs are reminded of their ongoing obligation to ensure that committees on special education are utilizing NYS’s [Eligibility and Participation Criteria-NYSAA](http://www.p12.nysed.gov/assessment/nysaa/2017-18/nysaa-eligibilityb.pdf) at <http://www.p12.nysed.gov/specialed/ publications/eligibility-criteria-for-participation-nysaa.html> and reviewing and determining annually a student’s eligibility to participate in the NYSAA so that students are appropriately assessed.
* *Additional information is available in the Policy brief “Eligibility Criteria for Participation in the New York State Alternate Assessment” posted on the* [*OSE’s webpage*](http://www.p12.nysed.gov/specialed/timely.htm)*.  Questions regarding the Justification for Exceeding the 1.0 Percent Cap form may be directed to the OSE Policy Unit at 518-473-2878 or* [*speced@nysed.gov*](mailto:speced@nysed.gov). *Questions regarding the NYSAA participation data may be directed to Office of Information and Reporting Services at* 518-474-7965*.*

**Special Education Policy Brief on Eligibility Criteria for Participation in the New York State Alternate Assessment (NYSAA)**

This is to inform school districts of the release of NYSED’s Special Education Policy Brief on *Eligibility Criteria for Participation in NYSAA*.  This guidance document will be posted on the [Office of Special Education’s webpage](http://www.p12.nysed.gov/specialed/timely.htm) at [http://www.p12.nysed.gov/specialed/ publications/eligibility-criteria-for-participation-nysaa.html](http://www.p12.nysed.gov/specialed/%20publications/eligibility-criteria-for-participation-nysaa.html)

* The information in this Policy Brief is to support Committees on Special Education (CSEs) in the decision-making process to ensure that only those students with the most severe cognitive disabilities are taking the NYSAA.
* Attached to the Policy Brief is a decision-making flowchart and checklist to further assist CSEs in making appropriate recommendations on a student’s participation in the New York State Assessment Program.  Also attached is a *Parent Notification of Participation in the New York State Alternate Assessment (Sample Letter)* developed by NYSED to assist school districts in ensuring that parents are appropriately informed that their child’s achievement will be measured based on alternate standards and how participation in the NYSAA will delay or otherwise affect their child from completing the requirements for a regular New York State high school diploma.
* *For additional information, contact the Office of Special Education Policy Unit at (518) 473-2878 or* [speced@nysed.gov](mailto:speced@nysed.gov).

**Restorative Circles Trainings Summer 2019**

Registration is open for free Community Building Circles and Conferences and Circles Responding to Conflict and Harm

Community Building Circles – 8 Offerings Statewide

Designed for faculty, school social workers, principals, and other student support staff.  This 3-day training offers hands-on and skill-focused learning experiences.

* Participants will learn:
  + Basic principles and values of restorative justice and how they relate to restorative circles, and
  + Circle design and facilitation practices that promote a sense of community, honest sharing, and deeper listening.
* Participants must be registered by a Building Principal or District Superintendent.
* For more information or click on the link [**Community Building Circles**](https://docs.google.com/forms/d/e/1FAIpQLSe6MdcMoty75c68RzLEC3qj8DIvNoAL7qDbl4NBtNY4nCH7yQ/viewform?usp=sf_link) at <https://docs.google.com/forms/d/e/1FAIpQLSe6MdcMoty75c68RzLEC3qj8DIvNoAL7qDbl4NBtNY4nCH7yQ/viewform> to register.

Responding to Conflict and Harm in Schools Utilizing Restorative Circles + Conferences – Albany and New York City

Designed for staff and faculty previously trained in restorative practices and circle keeping and involved with student discipline.  This intensive 4-day training offers hands-on and skill-focused learning experience.

* Participants will gain the understanding, skills, and mindset needed to become confident circle keepers and conference facilitators in their school communities.
* Schools are strongly encouraged to send two staff members to this training.
* Participants must be registered by a Building Principal or District Superintendent.
* For more information or click on the link [**Responding to Conflict and Incidents of Harm**](https://docs.google.com/forms/d/e/1FAIpQLSevmVlPKq6ACCi3UY-0H9Q3WxhXsbIl7XkL3-EliMyLkGmnOQ/viewform?usp=sf_link)at[**https://docs.google.com/forms/d/e/1FAIpQLSevmVlPKq6ACCi3UY-0H9Q3WxhXsbIl7XkL3-EliMyLkGmnOQ/viewform**](https://docs.google.com/forms/d/e/1FAIpQLSevmVlPKq6ACCi3UY-0H9Q3WxhXsbIl7XkL3-EliMyLkGmnOQ/viewform)to register.

**New York State Preschool Development Birth to Five Needs Assessment Survey**

The New York State Council on Children and Families (CCF) recently was awarded an $8.7 million Preschool Development Birth to Five grant from the U.S. Department of Health and Human Services.  The one-year initiative seeks to assess statewide early care and education needs, coordinate systems, expand parent choice, share best practices, and increase quality so that all children in NYS receive equitable and comprehensive services to ensure lifelong success.

* As a first step, CCF, in partnership with the State University at Albany Center for Human Services Research has released an early care and education survey to be completed by administrators, early care and education staff, and parents.  The survey is easy, quick, and confidential.  Please share the survey link widely!
* *If you experience any technical difficulties with the survey, please contact Amanda Rózsavölgyi at* [*arozsavolgyi@albany.edu*](mailto:arozsavolgyi@albany.edu) *or (518) 442-5758.*

[CLICK HERE TO BEGIN THE SURVEY.](https://albany.az1.qualtrics.com/jfe/form/SV_6QKaGQqjMLHw15X) or access at <https://albany.az1.qualtrics.com/jfe/form/SV_6QKaGQqjMLHw15X>

**OSE Listserv**

* You can receive **notification** by electronic mail of the latest **memoranda and other technical assistance documents** available on the Special Education website.
* <http://www.p12.nysed.gov/specialed/publications/register.htm>
* **NYS Education Department Office of Special Education**

**Special Education Quality Assurance**

**Central Regional Office**

**333 East Washington Street, Suite 210, Syracuse, New York 13202**

**(315) 428-4556 Office (315) 428-4555 Fax**

**Special Education Website –** [**http://www.p12.nysed.gov/specialed/**](http://www.p12.nysed.gov/specialed/)