



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,  
NY 12234

ASSISTANT COMMISSIONER  
OFFICE OF SPECIAL EDUCATION

January 2017

TO: District Superintendents  
Superintendents of Public Schools  
Principals of Public, Charter and Special Act Schools

FROM: Christopher Suriano

SUBJECT: 2016-17 Application for Exception to the One Percent Cap on Proficient or  
Above Scores Based on Alternate Achievement Standards

Attached is the application by which local educational agencies (LEAs) may request an exception from the New York State Education Department (NYSED) to exceed the 1.0 percent cap in counting as proficient and advanced for accountability purposes, during the 2016-17 school year, the scores of students with the most significant cognitive disabilities based on alternate academic achievement standards. Only LEAs, including Charter Schools and Special Act School Districts, that are subject to accountability under the Elementary and Secondary Education Act (ESEA) and that are able to document extraordinary circumstances should submit this application.

In 2016-17, every LEA is automatically allowed to have one student counted as proficient or above on the New York State Alternate Assessment (NYSAA) in grades 3 through 8 combined or in the 2013 cohort, even if that one student would cause the LEA to exceed the 1.0 percent cap. These LEAs do **not** need to complete this exception application. In addition, LEAs that were approved in 2015-16 for both 2015-16 and 2016-17 do **not** need to reapply.

Completed applications must be received by **April 1, 2017** for consideration of exceptions for the 2016-17 school year. Questions regarding this application may be directed to [SPECED@nysed.gov](mailto:SPECED@nysed.gov) or Kelly Onorato in the P-12: Office of Special Education, Special Education Policy Unit at 518-473-2878.

Attachment