

Mandated Services Aid/Comprehensive Attendance Policy Reimbursement for 2021-22 School Year Services: Special Instructions to address COVID-19 Impact on Testing

This document outlines the standards (parameters) that will be utilized to address COVID-19 as it relates to the 2021-22 Mandated Services Aid (MSA)/Comprehensive Attendance Policy (CAP) nonpublic school reimbursement. The New York State Education Department (NYSED) and the Division of Budget (DOB) have approved a hold-harmless provision for the 2021-22 school/claim year. This document describes how that provision will be implemented.

MSA/CAP Claiming Guidance

Hourly Compensation Rate:

- The number of hours and days must include both remote and in-person instruction, and any significant year-to-year increase in the hourly rate will be held for review by NYSED.
- Nonpublic schools will utilize the number of hours and days (Standard Workday or Actual hours of employees are varied) in the 2021-22 school year for their average hourly calculations.
- Nonpublic schools will utilize 2021-22 school year salary and fringe costs.
- The hourly compensation rate will be calculated using 2021-22 salary/fringe costs and 2021-22 hours/days for all applicable mandates.

Claiming Parameters:

Reimbursement for all mandates performed during the 2021-22 school year will be calculated using the same parameters/time and effort standards that were in place for 2020-21 school year costs (i.e., none of the parameters/time and effort standards will change).

Hold-Harmless for Regents Exam Cancellations:

The following Regents exams were cancelled and granted exemption status and will be held-harmless in 2021-22 due to the ongoing COVID-19 pandemic:

- August 2021 Regents (Mandate 4)
- January 2022 Regents (Mandate 4)
- June 2022-Regents US History and Government (Framework) ONLY (Mandate 4). The Board of Regents approved a graduation exemption for

students scheduled to take the Regents Exam in United States History and Government (Framework). All other Regents exams scheduled June 2022 were administered.

For Regents exams that were cancelled and granted exemption status, a hold-harmless will be provided for reimbursement based on the number of students that completed the required coursework and were eligible to sit for the exam.

In addition to Regents exams that were granted hold-harmless status, NYSED will provide a hold-harmless in cases where individual students who were in the course and were expected to take the exam were unable to participate due to a documented illness, including isolation restrictions due to COVID-19. Schools are expected to document such illness in accordance with the Centers for Disease Control and Prevention (CDC) and or local guidelines for quarantine. In these cases, reimbursement will be based on the number of students that completed the required coursework and were thus eligible to sit for the exam but were unable to take the exam due to a documented illness.

As part of hold harmless, NYSED will also reimburse costs for workshops, supplies/materials, testing kits, printing, shipping, travel to test storage site (TSS), RIC test scoring and scanning costs. Nonpublic schools are directed to enter the Staff (teacher, administrator, support) that would have participated in the administration, scoring, or the interpretation of results for any of the cancelled exams into the MSA-CAP system.

Nonpublic schools were required to enter into the NYSED's database the students who were eligible and scheduled to take the August 2021, January 2022, and June 2022 Regents exams in a special category called "exempt". The MSA system will have the data related to the 2021-22 Regents "exempt" exams already populated in the system.

No Hold-Harmless for Non-Regents Exams:

The following non-Regents exams were administered in 2021-22 and therefore not granted hold-harmless status. These exams include:

- Mandate 2: Elementary and Intermediate Assessments in English Language Arts and Math (EIA) (Grade 3-8 exams)
- Mandate 11: Grade Four Science Test (GFST)
- Mandate 14: Grade Eight Science Test (GEST)

- Mandate 18: New York State English as a Second Language Achievement Test (NYSESLAT) and New York State Identification Test for English Language Learners (NYSITELL)

NYSED will provide a hold-harmless in cases where individual students who were in the course and were expected to take the exam were unable to participate due to a documented illness, including isolation restrictions due to COVID-19. Schools are expected to document such illness in accordance with the Centers for Disease Control and Prevention (CDC) and or local guidelines for quarantine. In these cases, reimbursement will be based on the number of students that completed the required coursework and were thus eligible to sit for the exam but were unable to take the exam due to a documented illness.