



December 2010

**To:** District Superintendents  
Superintendents of Public Schools  
Superintendents of State-Operated and State-Supported Schools  
Administrators of Charter Schools  
Superintendents of Special Act School Districts  
Administrators of Nonpublic Elementary and Secondary Schools  
New York City Department of Education  
Impartial Hearing Officers  
Special Education Parent Centers  
Regional Special Education Technical Assistance Support Centers  
Commissioner's Advisory Panel for Special Education Services  
Organizations, Parents and Individuals Concerned with Special Education

**From:** Rebecca H. Cort   
Associate Commissioner, Office of Special Education

Ken Wagner   
Assistant Commissioner, Data Systems

**Subject:** Guidelines for Grade 9 Entry Data for Ungraded Students with Disabilities in the 2006 and Later Cohorts

This memorandum provides guidelines for determining the first entry date into grade 9 for ungraded students with disabilities for graduation rate reporting beginning with the 2010-11 school year results and accountability reporting beginning with the 2011-12 school year results.

Graduation rate and accountability at the secondary level are determined for a cohort of students. Pursuant to federal requirements, a student cohort consists of all students who first entered grade 9 in a particular year. While this guidance does not require school districts to change the instructional grade level assignments of students, it does require the school district to enter the student into the appropriate cohort in the Student Information Repository System (SIRS) based upon one of the criteria outlined below for accountability reporting purposes.

Students with disabilities, who are coded as "ungraded" for enrollment purposes, must be assigned a first date of entry into grade 9 not later than the first school year during which the student:

1. is enrolled in a school where the earliest grade is grade 9; OR when a school has grades earlier than grade 9 (e.g., K-12, 7-12), the first school year during which the student participates in any instructional and/or noninstructional activities with his/her same grade 9 aged nondisabled peers (e.g., student participates in extracurricular activity with 9<sup>th</sup> grade peers; student enrolled in music class with 9<sup>th</sup> grade peers; student attends grade 9 special or general education classes); OR
2. turns age 17, whichever occurs first.

As previously directed in the August 2006 memorandum, "Revised Guidelines for Participation of Students with Disabilities in State Assessments for 2006-07" (<http://www.p12.nysed.gov/specialed/publications/policy/ungraded.htm>), all students with disabilities must either participate in the general State assessments or the New York State Alternate Assessment (NYSAA), as appropriate. This memorandum requires that all students with disabilities, including those who are eligible to take NYSAA must be assigned a "first date of entry into grade 9" if they are in the 2006 or later cohorts using the criteria outlined above. For example, if an ungraded student first entered a grade 9-12 high school in September of 2006 at age 15, the school district must provide the first date of entry into 9th grade as 09/01/06 (or first day of school in the 2006-07 school year), which will result in the student being assigned to the 2006 cohort. Previously, in the absence of a date of first entry into 9th grade, the student would have been assigned to the 2008 cohort if that student's 17th birthday occurred during the 2008-09 school year.

Please share this memorandum with appropriate staff, including Directors of Special Education, Committee on Special Education Chairpersons, Directors of Pupil Personnel Services and Principals. If you have any questions regarding data collection and reporting, please contact the Office of Information and Reporting Services at (518) 474-7965. All other questions may be directed to the Special Education Policy Unit at (518) 473-2878 or your Special Education Quality Assurance Regional Associate at one of the following Regional Offices:

Central Region	(315) 476-5081
Eastern Region	(518) 486-6366
Hudson Valley Region	(518) 473-1185
Long Island Region	(631) 884-8530
New York City	(718) 722-4544
Western Region	(585) 344-2002