



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

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To: Religious and Independent School Administrators

From: Althea Johnson, Director, Office of Religious & Independent School Support (ORISS)

Date: February 10, 2025

Office of Religious and Independent School Support (ORISS)
Mandated Services Aid (MSA) & Comprehensive Attendance Policy (CAP) Reimbursement Programs

Purpose: The Mandated Services Aid (MSA) & Comprehensive Attendance Policy (CAP) programs provide New York State (NYS) Religious and Independent (R&I) schools with reimbursement for some expenditures related to specific mandates.

Governance: The MSA-CAP program is a NYS capital funded program and administered by the New York State Education Department (NYSED) and is based on the following laws/rules/regulations:

1. 8 CRR-NY 3.36
2. 8 CRR-NY 104.1
3. Section 912 of the Education Law
4. Section 3204 of the Education Law
5. Section 3205 of the Education Law
6. 8 CRR-NY 104.1(i)

Eligibility: Eligibility has been pre-determined based on New York State Education Department (NYSED) data. The criteria used for pre-determination include:

1. Open/operational during the application claim year
2. Religious & Independent school (non-profit or not-for-profit R&I schools only)
3. Provide instruction in accordance with section 3204 of the Education Law
4. Require students to attend full time instruction according to section 3205 of the Education Law (kindergarten through twelfth grade, only)
5. Religious and Independent Schools (non-profit or not-for-profit schools only). 853 or Approved Special Education Schools are ineligible.
6. Not be the recipients of other State or local aid, directly or indirectly, (e.g. tuition payments). This includes 853 and Approved Special Education Schools.
7. Possession of (or will obtain) a valid [Office of the State \(OSC\) Vendor ID](#)
8. Possess a NYSED issued [Basic Education Data System \(BEDS\)](#) code

9. Filed a timely BEDS report with NYSED's [Office of Information and Reporting Services \(IRS\)](#) with enrollment data for the 2023-2024 School Year (SY). For the purposes of this program, the SY is defined as July 1st -June 30th.

Individual Mandates

A comprehensive list of the MSA-CAP Mandates can be found on the [MSA-CAP website](#). While each mandate has specific eligibility criteria, the eligibility listed below provides a general overview:

1. Individual Mandates
 - a. To be eligible for each individual mandate, the school must have complied with the corresponding NYSED guidelines, reporting, and submission process and requirements, and affiliated deadlines.
 - b. For individual mandates requiring test scores, schools must have their test scores on file with the [Office of Information and Reporting Services \(IRS\)](#) and follow the procedures established by the [Regional Information Centers \(RICs\)](#) and NYSED.
2. CAP
 - a. To be eligible for CAP reimbursement, the school's attendance policy must encompass the nine points outlined in [Commissioner's Regulations 104.1\(i\)\(link is external\)](#), within the NYSED website. The R&I school must have such a policy on file and may be asked to produce the policy during a site visit or claim review.
 - b. A CAP claim may not be filed independently. A CAP claim must occur in conjunction with/after the MSA claim for any given school year.

If a school has a question regarding mandate eligibility, we highly recommend visiting the [MSA-CAP Frequently Asked Questions](#) page to learn more.

Changes for the 2023-24 School year:

Updated [forms and guidance documents](#) including a workbook which will replace the Schedule A and MSA-CAP 1 form and attestation certification form.

Fiscal Certification and Authorized Organizational:

Authorized Organizational Representative (AOR) serves as the formal mechanism for the eligible applicant (school) to designate a third party to work on/submit applications on their behalf. Each R&I should complete the AOR form. The completed form should be submitted by the consultant on behalf of the R&I.

- Any R&I looking to use a third party throughout the grant process, may complete and submit the AOR.
- The lifecycle of the AOR is limited to one school year (currently, the SY24-25 ORISS application cycle). A new AOR will need to be completed with each application submission.
- The AOR Certification Form can limit permissions to one fiscal program or allow permissions for all ORISS Funding Opportunities.
- The R&I can revoke an AOR at any time.

Attestation Certification Form serves as the formal mechanism for the eligible applicants (R&I) to verify the accuracy of the application and its contents AND confirm agreement to the grant's terms/conditions.

- Every ORISS Funding Opportunity application has an Attestation Certification section.
 - Portal applications: the form is “built-in” and will not require an additional form.
 - Emailed applications: the completed Attestation Certification will be due at the time of application submission.

• **During the 2023-24 school year, the following exams were administered:**

- Grades 3-8 Elementary & Intermediate Exams for ELA & Math (Mandate 2)
- August 2023, January 2024, June 2024 Regents (Mandate 4)
- Grades 5 & 8 Science (Mandates 11 & 14)
 - Grade Four Science Test will be replaced by Grade 5 permanently in 2023-24.
- K-12 NYSESLAT/NYSITELL (Mandate 18)

During the 2023-24 school year, the following field tests were administered:

- Grades 3 through 8 Math and English Language Arts (Mandate 2)
- Regents Examinations (Mandate 4)
 - Regents Common Core English Language Arts
 - Algebra I
 - Regents Common Core Algebra I and Algebra II
 - Regents Common Core Geometry
 - Regents Global History & Geography II (Framework)
 - Regents US History and Government (Framework)
 - Regents Phy Setting/Chemistry, Physics & Earth Science
 - Living Environment
 - Biology (new exam to be administered in 2025)
 - Earth and Space (new exam to be administered in 2025)
- Grade 5 Science (Mandate 11) and Grade 8 Science (Mandate 14)
- K-12 NYSESLAT (Mandate 18)

• **Mandate 8 rate increase** – The SSIP, State School Immunization Program, rate has been set at \$4.50. The new appropriation limits participation in this program to New York City, Rochester, and Buffalo schools that have immunization records on file with the New York State Department of Health.

• **Mandate 13 SAE** - For the first time, SAE scholarship nominations will be accepted through [SED Monitoring](#) only beginning in 2025. This new online process discontinues the paper form and will increase the efficiency and management of this vital scholarship program for the students receiving the award. Any questions on SAE, its survey, or submission may be sent via email to scholar@nysed.gov. Submissions for 2025 are due February 28, 2025.

Application: Guidance, application instructions, calculation definitions, list of active mandates and other related information are available at:
[Mandated Services Aid \(MSA\) & Comprehensive Attendance Policy \(CAP\) | New York State Education Department](#)

Deadline: In accordance with the law, all claims must be submitted in the NYSED Business Portal or emailed to MSA-CAP-ORISS@nysed.gov by close of business **4/1/2025**.

Contact: For all questions regarding the MSA-CAP program, please contact:
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