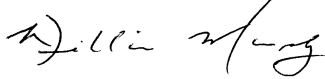





TO: Higher Education Committee

FROM: William P. Murphy 

SUBJECT: Update of Approved Ability-to-Benefit (ATB) Tests for Purposes of Eligibility for State Financial Aid

DATE: September 26, 2024

AUTHORIZATION(S): 

SUMMARY

Issue for Decision

Should the Board of Regents update the list of approved Ability-to-Benefit Tests for the purposes of eligibility for State Financial Aid?

Reason(s) for Consideration

Review of Policy and Required by State Statute (Education Law §661).

Proposed Handling

This issue will come before the Higher Education Committee and for recommendation to the Full Board for action at its October 2024 meeting.

Procedural History

Not applicable.

Background Information

Under Section 661 of the Education Law, as amended by Chapter 57 of the Laws of 2007, a student seeking Tuition Assistance Program (TAP) aid and other State financial aid for the first time, beginning with the 2007-2008 academic year, must pass a federally approved Ability-To-Benefit (ATB) test approved by the Board of Regents if the student does not possess a U.S. high school diploma or its recognized equivalent.

One of the requirements of Education Law §661 is that the Board of Regents identify which federally approved ATB tests will satisfy eligibility requirements for any New York State institution of higher education seeking TAP assistance for its students.

In June 2024, USDOE released [federal guidance](#) updating the field on which ATB tests are now approved for federal financial aid purposes: Combined English Language Skills Assessment (CELSA) and ACCUPLACER Reading, Writing, and Arithmetic.

The Tuition Assistance Program (TAP) Work Group, comprised of representatives from the Commission on Independent Colleges & Universities (CICU), Higher Education Services Corporation (HESC), Association of Private Colleges (APC), The State University of New York (SUNY), The City College of New York (CUNY), New York State Financial Aid Administrators Association (NYSFAA), and the Department, reviewed the federal guidance and recommends that the Board of Regents amend the current list of approved ATB tests to match the ATB tests approved for federal financial aid purposes (see Attachment A for updated details related to ATB requirements and the list of recommended ATB tests for approval by the Board of Regents).

Related Regents Items

[June 2007: Proposed Amendment to the Regulations of the Commissioner of Education Relating to the Administration of Ability-to-Benefit Tests for Eligibility for Awards and Loans](#)

(<http://www.regents.nysed.gov/meetings/2007Meetings/June2007/0607heppa2.htm>)

[September 2007: Proposed Amendment to the Regulations of the Commissioner of Education Relating to the Administration of Ability-to-Benefit Tests for Eligibility for Awards](#)

(<http://www.regents.nysed.gov/meetings/2007Meetings/September2007/0907bra3.htm>)

[March 2012: Federal Legislative Changes to the Use of Ability to Benefits Tests for Title IV Purposes](#)

(<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2012Meetings/March2012/312hed4.pdf>)

[March 2015: Approval of Certain Ability- to-Benefit Tests for Purposes of Eligibility for State Financial Aid](#)

(<http://www.regents.nysed.gov/common/regents/files/meetings/Mar%202015/315access1.pdf>)

[October 2015: Approval of Certain Ability- to-Benefit Tests for Purposes of Eligibility for State Financial Aid](#)

(<http://www.regents.nysed.gov/common/regents/files/meetings/Oct%202015/1015brca9.pdf>)

[October 2018: Update of Approved Ability-to-Benefit \(ATB\) Tests for Purposes of Eligibility for State Financial Aid](#)

(<https://www.regents.nysed.gov/sites/regents/files/1018hea1.pdf>)

Recommendation

It is recommended that the Board of Regents take the following action:

VOTED: That the Board of Regents approve the updated list of federally approved ATB tests listed in Attachment A for eligibility for the Tuition Assistance Program (TAP) and other eligible State financial aid.

Timetable for Implementation

If approved at the October 2024 meeting, the updated list will be effective immediately.

Ability-to-Benefit (ATB) Testing Requirements for State Financial Aid

A student seeking State financial aid (including TAP) for the first time, beginning with the 2007-08 academic year, must pass a federally approved ATB test identified by the Board of Regents if the student does not possess a U.S. high school diploma or its recognized equivalent. (Section 661 of the Education Law, as amended by Chapter 57 of the Laws of 2007)

The purpose of this and related ATB requirements is to ensure the effective use of financial aid funds and to help align admission requirements, level of curricula, and academic support.

Recommended list of approved tests and passing scores

ATB test:

ACCUPLACER Computer-adaptive tests and COMPANION ACCUPLACER Forms J and K: Reading Test, Writing Test, and Arithmetic Test

Passing scores:

Reading Test (233), Writing Test (235), Arithmetic Test (230)

Test publisher contact information:

The College Board, 250 Vesey Street, New York, NY 10281. Contact: ACCUPLACER Program. Telephone: (800) 607-5223. Email: accuplacer@collegeboard.org.

ATB test:

* Combined English Language Skills Assessment (CELSA), Forms 1 and 2 Effective Date: November 1, 2002

Passing scores:

CELSA Form 1 (97), CELSA Form 2 (97)

Test publisher contact information:

Association of Classroom Teacher Testers (ACCT), 1187 Coast Village Road, Suite 1, #378, Montecito, CA 93108. Contact: Telephone: (805) 965-5704. Fax: (805) 965-5807. Email: actt@cappassociates.com.

* Note: As provided in 34 CFR 668.153(a)(2), the CELSA test is approved as the additional ATB English language proficiency test that must be taken by students whose native language is not English and who are not fluent in English if the academic program includes an ESL component.

Annual Certification

Beginning in 2011, each institution that offers ATB tests to qualify students for financial aid will certify annually, by July 1, that its procedures meet the requirements of Section 145-2.15 of Commissioner's Regulations, which implements the amended ATB requirements.

By July 1 each year, degree-granting institutions must submit the [Statement on Ability-to-Benefit Tests \(NYSED ATB Form 1\)](#), to identify the following:

- the approved ATB tests the institution will use for students without U.S. high school diplomas or the equivalent and who wish to qualify for State student aid;
- minimum passing scores on those tests, consistent with admissions criteria, curricula and academic support; and
- how the institution will administer the tests.

The following tests are being sought for approval by the Regents for ATB purposes:

- Accuplacer
- Combined English Language Skills Assessment (CELSA)*

* Note: The minimum passing score an institution sets on an approved ATB test must first be approved by the Board of Regents. Determinations about minimum passing scores on approved ATB tests should be strongly linked to the institution's admission and financial aid policies, as well as with the level of curricula and academic support provided to students.

- Annual certification ([NYSED ATB Form 2](#))

Questions and Answers

Please review our [ATB questions and answers](#) for additional guidance.

<https://www.nysed.gov/college-university-evaluation/ability-benefit-atb-testing-requirements-state-financial-aid>

For more information related to Federal requirements, please go the following [link](#).