
Superintendent Determination Option and Safety Net Options for Students with Disabilities

Committee of Practitioners'
Presentation
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New York State
EDUCATION DEPARTMENT
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Safety Net Options

- **55-64 Low Pass Option**
 - Score of 55-64 on any or all required Regents examinations
- **52-54 Low Pass Option with Appeal**
 - Successfully appeal up to two Regents Exams (score between 52-54)
- **Compensatory Option**
 - A score of 65 or higher on one Regents exam can compensate for 45-54 on another Regents exam
 - Minimum score of 55 (or an appealed 52) on English and Math Regents exams
- **Regents Competency Tests Option**
 - Students may meet graduation testing requirements by passing the corresponding RCT(s) in a subject area
 - only for students who first entered grade 9 prior to Sept 2011)

Superintendent Determination of Graduation with a Local Diploma

- Allows superintendent to make local determination that a student with a disability has otherwise met the standards for graduation with a local high school diploma when:
 - Student has not been successful at demonstrating proficiency on one or more of the Regents examinations required for graduation
 - Student does not meet graduation requirements through low pass (55-64) or compensatory safety net options

Superintendent Determination (cont.)

- Eligible student may only be considered for this option upon receipt of a **written request from the student's parent**
- For purposes of the Superintendent Determination option, the definition of superintendent includes the principal or head of school of charter schools and non-public schools
- Only available to students with disabilities with a current IEP
 - Does **NOT INCLUDE** students with a Section 504 accommodation plan or declassified students

Eligibility Conditions for the Superintendent Determination Option

PREVIOUS ELIGIBILITY REQUIREMENTS

1. Parent submitted written request;
2. Student has current IEP and is receiving special education services;
3. Student achieved **minimum score of 55 on ELA and mathematics Regents examinations** or successfully appealed score between 52 and 54;
4. Student **scored <55 on up to three other Regents examinations** (science, social studies and/or additional Regents examination used for +1 pathway assessment); and
5. Student earned required 22 course credits and passed all courses required for graduation

REVISED ELIGIBILITY REQUIREMENTS (effective 12-12-17)

1. Parent submitted written request;
2. Student has current IEP and is receiving special education services;
3. Student **scored <55 on up to five Regents examinations** (ELA, mathematics, science, social studies and/or additional Regents examination used for +1 pathway assessment);
4. If the student **scored <55 or did not appeal a 52-54 in ELA and/or mathematics**, he/she **met the requirements for the CDOS Commencement Credential**; and
5. Student earned required 22 course credits and passed all courses required for graduation

Superintendent's Review

- Upon written request from an eligible student's parent, superintendent must conduct a review to determine whether the student has otherwise met proficiency in the subject area(s) where he/she was not able to demonstrate proficiency of the State's learning standards through the corresponding Regents examination(s) required for graduation
 - Superintendent must consider evidence the student passed the course(s) required for graduation in the subject area(s) under review; and
 - Student actively participated in the Regents examinations required for graduation in the subject area(s) under review.

CDOS Commencement Credential Requirements

OPTION 1

- Career Plan
- Commencement level CDOS learning standards for:
 - 1. Career Development
 - 2. Integrated Learning
 - 3a. Universal Foundation Skills
- 216 hours of instruction in Career and Technical Education and/or work-based learning (WBL) (at least 54 hours must be in WBL)
- Employability Profile

or

OPTION 2

- Meets requirements for nationally-recognized work readiness credential approved by Commissioner
 - National Work Readiness Credential
 - SkillsUSA Work Force Ready Employability Assessment
 - National Career Readiness Certificate WorkKeys - (ACT)
 - Comprehensive Adult Student Assessment Systems Workforce Skills Certification System

Exception to Option 1 for Award of CDOS Commencement Credential

- For students with disabilities who are eligible to graduate in either the 2017-18 school year or the 2018-19 school year only
 - District (or registered nonpublic high school or charter school) may award a CDOS Commencement Credential to a student who has not met all requirements of Option 1.
 - Principal, in consultation with relevant faculty, must determine student has otherwise demonstrated knowledge and skills relating to commencement level CDOS learning standards 1, 2 and 3a.
 - Principal must have evidence student successfully completed relevant instructional and work-based learning activities that demonstrates student has readiness skills for entry-level employment.
 - Students awarded CDOS Commencement Credential under exception may not use the credential to meet requirements for CDOS graduation pathway to a local or Regents diploma.

Next Steps

- Public comment on the amendment is being accepted through Feb. 26, 2018
 - spedpubliccomment@nysed.gov
- Anticipated that the amendment will be presented to the Board of Regents for permanent adoption at the April 2018 meeting
- Additional guidance materials, including the prescribed Superintendent Determination form will be available on the Office of Special Education webpage
 - <http://www.p12.nysed.gov/specialed/gradrequirements/home.html>