



**TO:** P-12 Education Committee

**FROM:** Angelica Infante-Green *A. Infante - Green*

**SUBJECT:** Proposed Amendment of Sections 100.5 and 100.6 of the Regulations of the Commissioner of Education Relating to the Career Development Occupational Studies (CDOS) Pathway to Graduation

**DATE:** June 6, 2016

**AUTHORIZATION(S):** *Richard A. Trachtenberg* *Margellen Eis*

### SUMMARY

#### Issue for Decision

Should the Board of Regents adopt as a permanent rule the amendment of sections 100.5 and 100.6 of the Regulations of the Commissioner of Education to establish a Career Development Occupational Studies (CDOS) graduation pathway option for all students who meet the requirements to earn the New York State (NYS) CDOS Commencement Credential?

#### Reason(s) for Consideration

Implementation of policy.

#### Proposed Handling

The proposed amendment is being presented to the full Board for action at the June 2016 Regents meeting. In addition, a second emergency adoption is necessary at the June meeting to ensure that the emergency rule adopted at the March 2016 Regents meeting remains continuously in effect until the effective date of the permanent

rule. A copy of the statement of the facts and circumstances that necessitate emergency action is attached.

### **Procedural History**

The proposed amendment was adopted as an emergency action at the March 2016 Regents meeting, effective March 22, 2016. A Notice of Emergency Adoption and Proposed Rule Making was published in the State Register on April 6, 2016.

A copy of the proposed amendment is attached. Supporting materials are available upon request from the Secretary to the Board of Regents.

### **Background Information**

In April 2013, the Board of Regents adopted regulations that established that students with disabilities could exit school with a CDOS Commencement Credential as a supplement to a regular high school diploma or, for a student with a disability who is unable to earn a regular diploma, as the student's exiting credential.

At their January 2016 meeting, the Board of Regents discussed graduation rate results for NYS and options for expanding current opportunities for graduation without lowering the standard of academic excellence that is required for a diploma. One option discussed was a pathway that would expand the opportunity for all students to earn the CDOS commencement credential and establish a pathway to a regular high school diploma for students who earn the required course credits, pass four Regents exams, one in each of the four discipline areas, and meet the requirements to earn a CDOS Commencement Credential.

There is an extensive research base that supports multiple pathways to graduation that connect both work and learning<sup>1</sup> and work-based learning has become a focus of national discussion to prepare "career and college ready" graduates<sup>2</sup>. Explicit instruction in career development and work-based learning is useful to all students as it emphasizes that students must be able to apply classroom learning in the real world, engages them by using authentic tasks, and teaches them employability skills.

The NYS CDOS Commencement Credential is a credential recognized by the Board of Regents that certifies a student has the standards-based knowledge and skills necessary for entry-level employment. The requirements to earn the credential were developed consistent with research and the guiding principles established by the Regents. The requirements are rigorous in that the student must successfully complete

---

<sup>1</sup> Work-Based Learning Opportunities for High School Students Corinne Alfeld Ivan Charner Lisa Johnson Eric Watts FHI 360 National Institute for Work and Learning February 2013

<sup>2</sup> Symonds, W. C., Schwartz, R. B., & Ferguson, R. (2011). Pathways to prosperity: Meeting the challenge of preparing young Americans for the 21st century. Report issued by the Pathways to Prosperity Project, Harvard Graduate School of Education. Boston, MA: Harvard Graduate School of Education

additional courses of study and hours in work-based learning, demonstrate competency at the commencement level of the CDOS learning standards, participate in career planning and preparation and have an employability profile showing readiness for entry-level employment. There are two options available for students with disabilities to earn the credential:

OPTION 1: The student must meet each of the following:

- Development of a **Career Plan** that includes documentation of the student's self-identified career interests; career-related strengths and needs; career goals; and career and technical coursework and work-based learning experiences that the student plans to engage in to achieve those goals.
- Demonstrated achievement of the **commencement level CDOS learning standards** in the areas of career exploration and development; integrated learning; and universal foundation skills (Standards 1, 2 and 3a). To earn this credential, the school must have documentation that the student demonstrated achievement of commencement level knowledge and skills relating to the CDOS learning standards in the areas of career development, integrated learning and universal foundation skills.
- Successful completion of at least 216 hours<sup>3</sup> of **CTE coursework and/or work-based learning experiences** (of which at least 54 hours must be in work-based learning experiences). Work-Based Learning (WBL) includes activities which collaboratively engage employers and schools in providing structured learning experiences for students. These experiences focus on assisting students to develop broad, transferable skills for postsecondary education and the workplace. Many students complete school with inadequate academic skills and few real-world workplace skills, thus limiting their understanding of how they fit into the adult work world. Therefore, WBL should be an integral aspect of any student's educational experience to prepare him/her for the school-to-career transition.
- Have a completed **employability profile** that documents the student's employability skills and experiences; attainment of each of the commencement level CDOS learning standards; and, as appropriate, attainment of technical knowledge and work-related skills, work experiences, performance on industry-based assessments and other work-related and academic achievements.

OPTION 2:

In lieu of a student meeting the requirements of Option 1 to be awarded the NYS CDOS Commencement Credential, a district may award a student this credential if the

---

<sup>3</sup> These hours are equivalent to two courses which are usually completed as two of the student's electives.

student has met the requirements for one of the nationally recognized rigorous work readiness credentials, including but not limited to:

- National Work Readiness Credential;
- SkillsUSA Work Force Ready Employability Assessment;
- National Career Readiness Certificate WorkKeys - (ACT); and
- Comprehensive Adult Student Assessment Systems Workforce Skills Certification System.

### **4+CDOS Pathway to a High School Diploma**

The proposed pathway would allow students to graduate with a regular diploma when they have demonstrated the State's standards for academic achievement in math, English, science, social studies, and the State's standards for essential work-readiness knowledge and skills necessary for successful employment after high school.

The proposed rule would:

1. Amend sections 100.5(a), (b) and (d) to add that all students, beginning in June 2016 and thereafter, could graduate with a regular high school diploma if they complete the credit requirements; meet the requirements to earn the CDOS commencement credential; and pass<sup>4</sup> four Regents assessments, one in each of the four discipline areas of math, English, science, and social studies; and
2. Amend section 100.6(b) to expand the opportunity to all students<sup>5</sup> to earn the CDOS commencement credential.

### **Recommendation**

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

VOTED: That subdivision (a) and subparagraph (iii) of paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education be amended; that a new paragraph (11) of subdivision (d) of section 100.5 be added; and that subdivision (b) of section 100.6 be amended, as submitted, effective June 29, 2016; and it is further

VOTED: That subdivision (a) and subparagraph (iii) of paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education be amended; that a new paragraph (11) of subdivision (d) of section 100.5 be added; and that subdivision (b) of section 100.6 be amended, as submitted, effective June 20, 2016, as an emergency action upon a finding by the Board of Regents that such action is

---

<sup>4</sup> Safety net provisions and appeal options would apply.

<sup>5</sup> Except for students with severe disabilities who take the New York State Alternate Assessment and would exit with the Skills and Achievement Commencement Credential.

necessary for the preservation of the general welfare to ensure that the emergency rule adopted at the March 2016 Regents meeting remains continuously in effect until the effective date of the permanent rule.

### **Timetable for Implementation**

The proposed amendment was adopted as an emergency action at the March 2016 Regents meeting, effective March 22, 2016. The March emergency rule will expire on June 19, 2016. If adopted at the June 2016 Regents meeting, the second emergency action will take effect on June 20, 2016 and the permanent rule will take effect on June 29, 2016.

**Attachment A**

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 208, 305, 4402 and 4403

1. Subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education is amended, effective June 20, 2016, as follows:

(a) General requirements for a Regents or a local high school diploma.

Except as provided in clauses (5)(i)(c), (e) and (f) of this subdivision, [paragraph] paragraphs (d)(6) and (11) and subdivision (g) of this section, the following general requirements shall apply with respect to a Regents or local high school diploma.

Requirements for a diploma apply to students depending upon the year in which they first enter grade nine. A student who takes more than four years to earn a diploma is subject to the requirements that apply to the year that student first entered grade nine. Students who take less than four years to complete their diploma requirements are subject to the provisions of subdivision (e) of this section relating to accelerated graduation.

(1) . . .

(2) . . .

(3) . . .

(4) . . .

(5) State assessment system. (i) Except as otherwise provided in clause (f) of this subparagraph and subparagraphs (ii), (iii) and (iv) of this paragraph, all students shall demonstrate attainment of the New York State learning standards:

(a) . . .

(b) . . .

(c) . . .

(d) . . .

(e) . . .

(f) Requirements for pathway assessments:

(1) [In addition to the requirements of clauses (a), (b), (c), (d) and (e) of this subparagraph,] Except as provided in paragraph (d)(11) of this section, students who first enter grade nine in September 2011 and thereafter or who are otherwise eligible to receive a high school diploma pursuant to this section in June 2015 and thereafter[,] must meet the requirements of clauses (a), (b), (c), (d) and (e) of this subparagraph and also pass any one of the following assessments:

(i) . . .

(ii) . . .

(iii) . . .

(iv) . . .

(v) . . .

(vi) . . .

(ii) . . .

(iii) . . .

(iv) . . .

(v) . . .

(6) . . .

(7) . . .

(8) . . .

2. Subparagraph (iii) of paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education is amended, effective June 20, 2016, as follows:

(iii) Earning a Regents or local high school diploma shall be deemed to be equivalent to receipt of a high school diploma pursuant to Education Law, section 3202(1) and shall terminate a student's entitlement to a free public education pursuant to such statute. Earning a high school equivalency diploma [or], an Individualized Education Program diploma, or either a skills and achievement commencement credential or a New York State career development and occupational studies commencement credential as set forth in section 100.6 of this Part, shall not be deemed to be equivalent to receipt of a high school diploma pursuant to Education Law, section 3202(1) and shall not terminate a student's entitlement to a free public education pursuant to such statute.

3. A new paragraph (11) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education is added, effective March 22, 2016, as follows:

(11) Career development and occupational studies pathway. Students who first enter grade nine in September 2012 and thereafter or who are otherwise eligible to receive a high school diploma pursuant to this section in June 2016 and thereafter may meet the diploma requirements described in this section by:

(i) completing the applicable credit requirements pursuant to this section; and



(ii) completing the requirements for the New York State career development and occupational studies commencement credential as provided in section 100.6(b) of this Part; and

(iii) passing four assessments, one in each of the four subject areas of English, mathematics, science and social studies (United States history and government or global history and geography), as set forth in clauses (a)(5)(i)(a)-(e) of this section;

4. Subdivision (b) of section 100.6 of the Regulations of the Commissioner of Education is amended, effective June 20, 2016, as follows:

(b) New York State career development and occupational studies commencement credential.

(1) Eligible students. (i) Beginning July 1, 2013 [and thereafter] but prior to June 2016, the board of education or trustees of a school district shall, and the principal of a nonpublic school may, issue a New York State career development and occupational studies commencement credential to a student with a disability who meets the requirements of paragraph [(1)] (3) of this subdivision to document [preparation] readiness for entry-level employment after high school, except for those students deemed eligible for a skills and achievement commencement credential pursuant to subdivision (a) of this section.

(ii) Beginning June 2016 and thereafter, the board of education or trustees of a school district shall, and the principal of a nonpublic school may, issue a New York State career development and occupational studies commencement credential to any student who meets the requirements of paragraph (3) of this subdivision to document readiness for entry-level employment after high school, except for those students with

disabilities deemed eligible for a skills and achievement commencement credential pursuant to subdivision (a) of this section.

(2) Consistent with sections 100.2(q)(1) and 100.5 of this Part, the school district or nonpublic school shall ensure that the student has been provided with appropriate opportunities to earn a Regents or local high school diploma, including providing a student with meaningful access to participate and progress in the general curriculum to assist the student to meet the State's learning standards.

[(1)] (3) Except as provided in paragraphs [(2), (5) and (6)] (4), (7) and (8) of this subdivision, prior to awarding the career development and occupational studies commencement credential, the board of education or trustees of the school district, or the governing body of the nonpublic school, shall ensure that each of the following requirements have been met:

(i) the school district has evidence that the student has developed, annually reviewed and, as appropriate, revised a career plan to ensure the student is actively engaged in career exploration. Such plan shall include, but is not limited to, a statement of the student's self-identified career interests; career-related strengths and needs; career goals; and career and technical coursework and work-based learning experiences that the student plans to engage in to achieve those goals. School districts shall provide students with either a model form developed by the commissioner to document a student's career plan, or a locally-developed form that meets the requirements of this subdivision and, as appropriate, shall assist the student to develop his/her career plan. The student's career plan may not be limited to career-related activities provided by the school and may include activities to be provided by an entity

other than the school; provided that nothing in this subdivision shall be deemed to require the school to provide the student with the specific activities identified in the career plan. A student's preferences and interests as identified in his/her career plan shall be reviewed annually and, for a student with a disability, considered in the development of the student's individualized education program pursuant to section 200.4(d)(2)(ix) of this Title. A copy of the student's career plan in effect during the school year in which the student exits high school shall be maintained in the student's permanent record;

(ii) . . .

(iii) . . .

[(2)] (4) Notwithstanding the provisions of paragraph [(1)] (3) of this subdivision, a board of education or trustees of the school district, or the governing body of the nonpublic school, may award the career development and occupational studies commencement credential to a student who has met the requirements for a nationally-recognized work-readiness credential, including but not limited to SkillsUSA, the National Work Readiness Credential, the National Career Readiness Certificate – (ACT) WorkKeys and the Comprehensive Adult Student Assessment Systems Workforce Skills Certification System.

[(3)] (5) The credential shall be issued at the same time the student receives his/her Regents or local high school diploma or, for a student [whose disability prevents the student from earning] who is unable to meet the requirements for a Regents or local diploma, any time after such student has attended school for at least 12 years, excluding

kindergarten, or has received a substantially equivalent education elsewhere, or at the end of the school year in which a student attains the age of 21.

[(4)] (6) . . .

[(5)] (7) For students with disabilities who exit from high school prior to July 1, 2015, the district or nonpublic school may award the career development and occupational studies commencement credential to a student who has not met all of the requirements in subparagraph [(1)(ii)] (3)(ii) of this subdivision, provided that the school principal, in consultation with relevant faculty, has determined that the student has otherwise demonstrated knowledge and skills relating to the commencement level career development occupational studies learning standards.

[(6)] (8) For students [with disabilities] who transfer from another school district within the State or another state, the principal shall, after consultation with relevant faculty, evaluate the work-based learning experiences and coursework on the student's transcript or other records to determine if the student meets the requirements in subparagraph (ii) of paragraph [(1)] (3) of this subdivision.

[(7)] (9) . . .

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 208, 305, 4402 and 4403

1. Subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education is amended, effective June 29, 2016, as follows:

(a) General requirements for a Regents or a local high school diploma.

Except as provided in clauses (5)(i)(c), (e) and (f) of this subdivision, [paragraph] paragraphs (d)(6) and (11) and subdivision (g) of this section, the following general requirements shall apply with respect to a Regents or local high school diploma.

Requirements for a diploma apply to students depending upon the year in which they first enter grade nine. A student who takes more than four years to earn a diploma is subject to the requirements that apply to the year that student first entered grade nine.

Students who take less than four years to complete their diploma requirements are subject to the provisions of subdivision (e) of this section relating to accelerated graduation.

(1) . . .

(2) . . .

(3) . . .

(4) . . .

(5) State assessment system. (i) Except as otherwise provided in clause (f) of this subparagraph and subparagraphs (ii), (iii) and (iv) of this paragraph, all students shall demonstrate attainment of the New York State learning standards:

(a) . . .

(b) . . .

(c) . . .

(d) . . .

(e) . . .

(f) Requirements for pathway assessments:

(1) [In addition to the requirements of clauses (a), (b), (c), (d) and (e) of this subparagraph,] Except as provided in paragraph (d)(11) of this section, students who first enter grade nine in September 2011 and thereafter or who are otherwise eligible to receive a high school diploma pursuant to this section in June 2015 and thereafter[,] must meet the requirements of clauses (a), (b), (c), (d) and (e) of this subparagraph and also pass any one of the following assessments:

(i) . . .

(ii) . . .

(iii) . . .

(iv) . . .

(v) . . .

(vi) . . .

(ii) . . .

(iii) . . .

(iv) . . .

(v) . . .

(6) . . .

(7) . . .

(8) . . .

2. Subparagraph (iii) of paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education is amended, effective June 29, 2016, as follows:

(iii) Earning a Regents or local high school diploma shall be deemed to be equivalent to receipt of a high school diploma pursuant to Education Law, section 3202(1) and shall terminate a student's entitlement to a free public education pursuant to such statute. Earning a high school equivalency diploma [or], an Individualized Education Program diploma, or either a skills and achievement commencement credential or a New York State career development and occupational studies commencement credential as set forth in section 100.6 of this Part, shall not be deemed to be equivalent to receipt of a high school diploma pursuant to Education Law, section 3202(1) and shall not terminate a student's entitlement to a free public education pursuant to such statute.

3. A new paragraph (11) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education is added, effective March 22, 2016, as follows:

(11) Career development and occupational studies pathway. Students who first enter grade nine in September 2012 and thereafter or who are otherwise eligible to receive a high school diploma pursuant to this section in June 2016 and thereafter may meet the diploma requirements described in this section by:

(i) completing the applicable credit requirements pursuant to this section; and

(ii) completing the requirements for the New York State career development and occupational studies commencement credential as provided in section 100.6(b) of this Part; and

(iii) passing four assessments, one in each of the four subject areas of English, mathematics, science and social studies (United States history and government or global history and geography), as set forth in clauses (a)(5)(i)(a)-(e) of this section;

4. Subdivision (b) of section 100.6 of the Regulations of the Commissioner of Education is amended, effective June 29, 2016, as follows:

(b) New York State career development and occupational studies commencement credential.

(1) Eligible students. (i) Beginning July 1, 2013 [and thereafter] but prior to June 2016, the board of education or trustees of a school district shall, and the principal of a nonpublic school may, issue a New York State career development and occupational studies commencement credential to a student with a disability who meets the requirements of paragraph [(1)] (3) of this subdivision to document [preparation] readiness for entry-level employment after high school, except for those students deemed eligible for a skills and achievement commencement credential pursuant to subdivision (a) of this section.

(ii) Beginning June 2016 and thereafter, the board of education or trustees of a school district shall, and the principal of a nonpublic school may, issue a New York State career development and occupational studies commencement credential to any student who meets the requirements of paragraph (3) of this subdivision to document readiness for entry-level employment after high school, except for those students with



disabilities deemed eligible for a skills and achievement commencement credential pursuant to subdivision (a) of this section.

(2) Consistent with sections 100.2(q)(1) and 100.5 of this Part, the school district or nonpublic school shall ensure that the student has been provided with appropriate opportunities to earn a Regents or local high school diploma, including providing a student with meaningful access to participate and progress in the general curriculum to assist the student to meet the State's learning standards.

[(1)] (3) Except as provided in paragraphs [(2), (5) and (6)] (4), (7) and (8) of this subdivision, prior to awarding the career development and occupational studies commencement credential, the board of education or trustees of the school district, or the governing body of the nonpublic school, shall ensure that each of the following requirements have been met:

(i) the school district has evidence that the student has developed, annually reviewed and, as appropriate, revised a career plan to ensure the student is actively engaged in career exploration. Such plan shall include, but is not limited to, a statement of the student's self-identified career interests; career-related strengths and needs; career goals; and career and technical coursework and work-based learning experiences that the student plans to engage in to achieve those goals. School districts shall provide students with either a model form developed by the commissioner to document a student's career plan, or a locally-developed form that meets the requirements of this subdivision and, as appropriate, shall assist the student to develop his/her career plan. The student's career plan may not be limited to career-related activities provided by the school and may include activities to be provided by an entity

other than the school; provided that nothing in this subdivision shall be deemed to require the school to provide the student with the specific activities identified in the career plan. A student's preferences and interests as identified in his/her career plan shall be reviewed annually and, for a student with a disability, considered in the development of the student's individualized education program pursuant to section 200.4(d)(2)(ix) of this Title. A copy of the student's career plan in effect during the school year in which the student exits high school shall be maintained in the student's permanent record;

(ii) . . .

(iii) . . .

[(2)] (4) Notwithstanding the provisions of paragraph [(1)] (3) of this subdivision, a board of education or trustees of the school district, or the governing body of the nonpublic school, may award the career development and occupational studies commencement credential to a student who has met the requirements for a nationally-recognized work-readiness credential, including but not limited to SkillsUSA, the National Work Readiness Credential, the National Career Readiness Certificate – (ACT) WorkKeys and the Comprehensive Adult Student Assessment Systems Workforce Skills Certification System.

[(3)] (5) The credential shall be issued at the same time the student receives his/her Regents or local high school diploma or, for a student [whose disability prevents the student from earning] who is unable to meet the requirements for a Regents or local diploma, any time after such student has attended school for at least 12 years, excluding

kindergarten, or has received a substantially equivalent education elsewhere, or at the end of the school year in which a student attains the age of 21.

[(4)] (6) . . .

[(5)] (7) For students with disabilities who exit from high school prior to July 1, 2015, the district or nonpublic school may award the career development and occupational studies commencement credential to a student who has not met all of the requirements in subparagraph [(1)(ii)] (3)(ii) of this subdivision, provided that the school principal, in consultation with relevant faculty, has determined that the student has otherwise demonstrated knowledge and skills relating to the commencement level career development occupational studies learning standards.

[(6)] (8) For students [with disabilities] who transfer from another school district within the State or another state, the principal shall, after consultation with relevant faculty, evaluate the work-based learning experiences and coursework on the student's transcript or other records to determine if the student meets the requirements in subparagraph (ii) of paragraph [(1)] (3) of this subdivision.

[(7)] (9) . . .

**8 NYCRR §§100.5 & 100.6**

STATEMENT OF FACTS AND CIRCUMSTANCES WHICH NECESSITATE  
EMERGENCY ACTION

The proposed amendment expands the Career Development and Occupational Studies (CDOS) graduation pathway option to all students who meet the requirements to earn a CDOS Commencement Credential, meet graduation course and credit requirements, and pass four required Regents Exams. Currently, this option is only available to students with disabilities.

At the March 2016 Regents meeting, the proposed amendment was adopted as an emergency action, effective March 22, 2016. A Notice of Emergency Adoption and Proposed Rule Making was published in the State Register on April 6, 2016.

The proposed amendment has now been adopted as a permanent rule at the June 13-14, 2016 Regents meeting. Pursuant to SAPA §203(1), the earliest effective date of the proposed amendment, if adopted at the February meeting, would be June 29, 2016, the date a Notice of Adoption will be published in the State Register. However, the March emergency rule will expire on June 19, 2016, ninety days after filing the Notice of Emergency Adoption and Proposed Rule Making with the Department of State on March 22, 2016. A lapse in the rule could disrupt administration of the Career Development and Occupational Studies (CDOS) graduation pathway option to eligible students.

Emergency action is therefore necessary for the preservation of the general welfare in order to ensure that the emergency rule adopted at the March 2016 Regents meeting remains continuously in effect until the effective date of the rule's permanent adoption.

## **Attachment D**

Since publication of a Notice of Proposed Rule Making in the State Register on April 6, 2016, the State Education Department (SED) received the following comments on the proposed amendment.

### **1. COMMENT:**

Many commenters supported Career Development Occupational Studies (CDOS) pathway as additional graduation pathway. Students are diverse and diploma pathways should be too. CDOS pathway will: prepare students to be college/career ready; increase opportunity for students to graduate/graduation rates; allow students to continue Career and Technical Education (CTE) pathway without being limited by traditional graduation pathway; recognize students for work-based learning (WBL); provide valuable work-readiness credential; help increase students' skill levels and work-based practices; allow students to participate in WBL opportunities that build on strengths, interests and preferences; provide increased flexibility to meet graduation requirements (e.g., substitute credential for Global or US History Regents exams) while holding students to high standards; help students gain meaningful education; and put students in strong position to get jobs.

### **DEPARTMENT RESPONSE:**

Comments supportive; no response necessary.

### **2. COMMENT:**

Support expanding CDOS credential to all students. Districts will be more committed to developing robust coursework and WBL experiences and not have separate courses for students with disabilities. Important to place emphasis on CDOS;

all students can benefit from WBL. Proposal gives general education students opportunity to develop entry-level employment skills. Limiting credential to students with disabilities and documenting credential on transcript unfairly stigmatized students and forced disclosure of disability to employers.

**DEPARTMENT RESPONSE:**

Comments supportive; no response necessary.

**3. COMMENT:**

CDOS pathway: lacks sequential/focused coursework and does not provide foundation to fully prepare students to be college/career ready and enter workforce; requires minimal unrelated coursework and limited WBL and career guidance; 216 hours of WBL without specific instruction in CTE coursework is insufficient to ensure career readiness; has potential to affect expansion and improvement of original five pathways by allowing districts to offer less rigorous pathway; may result in fewer students participating in more rigorous pathways; requires no measure of student achievement and conflicts with time and money spent ensuring 4+1 pathway exams were comparably rigorous to Regents exams; requires no evaluation of WBL experiences; requires no career programming; and does not address needed financial management skills. Pathway must have defined coursework and WBL (216 hours of both CTE coursework and WBL) aligned with students' interests to strengthen work-readiness knowledge and skills.

**DEPARTMENT RESPONSE:**

We do not agree the CDOS pathway is less rigorous. Pathway allows students to earn a diploma when they have demonstrated State's standards for academic

achievement in math, English, science, social studies, and for essential work-readiness knowledge and skills necessary for successful employment. While not requiring 5th assessment, pathway is comparably rigorous because it is based upon successful completion of instruction and educational experiences that prepare students to meet commencement-level CDOS Learning Standards and demonstrate work-readiness knowledge and skills. In addition to meeting CDOS credential requirements, students must earn required course credits and pass four Regents exams, one in each of four discipline areas.

4. COMMENT:

Change CDOS credential to diploma.

DEPARTMENT RESPONSE:

Standards for a diploma must be comparably rigorous to assessment pathways and represent readiness for employment and/or postsecondary education. Requirements for CDOS credential only relate to minimum standards necessary for students to demonstrate entry-level work-readiness skills.

5. COMMENT:

Current WBL opportunities may be limited and placements will quickly reach capacity; affecting schools' ability to offer range of experiences for students with disabilities who may require additional supports/accommodations. Concerned how students will be selected to participate in limited WBL experiences. Opportunities planned for students with disabilities may be reduced as proposal does not indicate that students with disabilities must be afforded equal opportunity for placements.

DEPARTMENT RESPONSE:



Schools must ensure that all students, including students with disabilities, have meaningful access to CTE courses and WBL experiences necessary to earn CDOS credential.

6. COMMENT:

Support CDOS pathway as dual exit criteria, not as graduation option for general education students. Exiting students without a diploma limits employment and post-secondary education opportunities.

DEPARTMENT RESPONSE:

Districts remain responsible for ensuring students are provided appropriate opportunities to earn a diploma. We believe the proposal will expand these opportunities. Although the credential could be a student's only exiting credential, we expect this number will be small. Credential documents student attainment of CDOS learning standards and preparation for entry-level employment; many entry-level positions do not require a diploma.

7. COMMENT:

Work-readiness exams to earn credential (Option 2) is test substitution and does not ensure students received instruction to build workforce skill and knowledge.

DEPARTMENT RESPONSE:

Although districts may allow students to earn CDOS credential by meeting requirements of a nationally recognized work readiness credential, this should not be the only option available. Schools are expected to prepare students for Option 2 assessments. All four credentials offer suggested resources and/or recommend comprehensive curriculum to assist schools in preparing students.

8. COMMENT:

CDOS pathway does not ensure rigor of WBL placement. Recommend WBL be SED approved/registered programs and supervised by NYS certified WBL coordinator, who is knowledgeable of Labor laws and operates under SED's guidelines, to increase quality of WBL experience; prevent districts from accepting unsupervised work experience hours; ensure safe work environments; and add rigor and relevance to pathway. Certified teacher required for all other programs; require same for WBL component of CDOS pathway.

DEPARTMENT RESPONSE:

Individuals providing WBL experiences through SED registered programs must, depending upon type of program, be certified WBL coordinators. Although those supervising locally approved community-based work programs do not require certification, SED recommends certification.

9. COMMENT:

To ensure CDOS pathway rigor and serve as alternative to Regents exam, require both Option 1 (i.e., develop career plan; achieve CDOS learning standards 1, 2 and 3a; complete 216 hours of CTE coursework and/or WBL; and employability profile and Option 2 (i.e., nationally recognized work-readiness credential) plus additional performance-based assessment using CDOS standards and range of strategies that provides learners interactive role and incorporates WBL into CDOS pathway.

DEPARTMENT RESPONSE:

SED declines to make proposed changes. CDOS pathway was intended to expand the opportunities for students to earn a regular high school diploma while ensuring standards for a diploma are comparably rigorous.

10. COMMENT:

Better define difference between CTE and CDOS pathway, or perception will be CDOS is lesser CTE pathway.

DEPARTMENT RESPONSE:

CTE pathway ensures students meet CDOS learning standard 3b-Career Majors (students choosing a career major acquire career-specific technical knowledge/skills necessary to progress toward gainful employment, career advancement, and postsecondary success) and pass corresponding technical assessment. CDOS pathway does not require students to meet CDOS learning standard 3b.

11. COMMENT:

Concerned districts will certify afterschool jobs lacking adult support or relevant coursework as WBL. Backlash from unsupported/poorly supported experiences could be immense(e.g., students getting hurt/not performing adequately and alienating businesses willing to participate).

DEPARTMENT RESPONSE:

Independent employment outside of school cannot count toward WBL for credential. WBL must be consistent with SED guidelines, including safety instruction, and under district's supervision.

12. COMMENT:

Proposal should be retroactive to class of 2015.

DEPARTMENT RESPONSE:

Law prohibits adoption of regulations that impose retroactive policy. Under Education Law, students continue to be eligible for a free public education until end of the school year in which they turn age 21 or until receipt of a diploma. Any age-eligible student who has not earned a diploma may re-enroll in school and utilize CDOS pathway to meet diploma requirements.

13.COMMENT:

Modify CDOS and other pathways using program of study to allow students to work towards CDOS credential within existing five pathways and build upon skill, knowledge and competence in career pathway framework(i.e., 15/7 proposal)). This model includes required and elective focused coursework, beginning in middle school, to pursue career interests, participate in WBL and achieve CDOS learning standards. CDOS pathway criteria, as incorporated into the five pathways, could be used as local diploma safety net for students not passing fifth exam.

Review impact of CDOS pathway after 2016-2017 schoolyear and make necessary adjustments to ensure rigor and access.

DEPARTMENT RESPONSE:

SED will take consider these recommendations when considering future policy changes.

14.COMMENT:

Department provided no projected number of students using CDOS pathway.

DEPARTMENT RESPONSE:

Number of students who will use CDOS pathway cannot be projected as students may use any pathway option to meet diploma requirements.

15. COMMENT:

Pathway does not mandate prescribed coursework in career exploration; required coursework is purely academic.

DEPARTMENT RESPONSE:

To earn CDOS credential, district must document students have met commencement-level CDOS learning standard 1 (Career Development): Students will be knowledgeable about world of work, explore career options, and relate personal skills, aptitudes, and abilities to future career decisions. Although CDOS pathway does not require career exploration coursework, WBL experiences must relate to career awareness, exploration and/or preparation. Students may also complete CTE coursework, combined with WBL, to meet credential requirements.

16. COMMENT:

Clarify if evidence is required for each commencement-level CDOS indicator and how many sample tasks students must successfully complete to determine achievement of standards. Regents exams and SED approved assessments have specific scores. Award point value to sample tasks to determine achievement of CDOS learning standards.

DEPARTMENT RESPONSE:

Evidence is required for all performance indicators within a standard. It is not necessary for students to complete all sample tasks to demonstrate attainment of each

commencement-level CDOS learning standard. Number of sample tasks students must successfully complete is a local decision.

17. COMMENT:

Inconsistent implementation of minimum 216 hours of CTE coursework and/or WBL experiences. Clarify if credential requires two credits of CTE and WBL or if 216 hours can be WBL only.

DEPARTMENT RESPONSE:

Students must successfully complete not less than equivalent of two units of study(216 hours) in either CTE courses and/or WBL(must include minimum of 54 hours of school supervised WBL). Students may complete all 216 hours through WBL. WBL experiences may, but are not required to, be completed in conjunction with CTE course(s).

18. COMMENT:

Concerned how credential will be awarded with fidelity and intended purpose of readiness for entry-level employment, and as comparably rigorous pathway, for students who successfully complete CDOS learning standards but receive mostly “unsatisfactory”/“needs improvement” on employability profile.

DEPARTMENT RESPONSE:

Schools must have evidence that students have satisfactorily completed credential requirements, including CTE and/or WBL hours as documented on employability profile. To award credential, principals must determine, based upon all requirements, whether students demonstrate entry-level work-readiness skills.

19. COMMENT:

Provides limited relief for students who struggle to demonstrate knowledge/skills on high-stakes standardized exams. Requirements still too challenging. Step away from one-size-fits-all graduation model by changing number of required exiting exams(i.e., one English, Math and Science Regents with other exams optional for honors or advanced Regents diploma) and developing performance-based assessments in lieu of Regents exams. Need sweeping changes so students unable to pass Regents exams may earn a diploma. Continue discussion to further extend diploma options. Bring back local diploma. Need more vocational credentials.

DEPARTMENT RESPONSE:

Regents continue to discuss multiple pathways to a diploma and alternative ways to assess students' proficiency toward State's learning standards for purposes of graduation with a regular diploma.

20.COMMENT:

Recommend SED publicize CDOS credential to employers.

DEPARTMENT RESPONSE:

SED met with many constituents in developing policy framework and documentation requirements for credential. Informational materials were widely disseminated to businesses statewide. SED will continue to provide further public awareness information.

21.COMMENT:

Clarify if General Educational Development(GED) and Test Assessing Secondary Completion(TASC) are equivalent to high school diploma and whether students under 21 earning these can return to school for a Regents or local diploma.

DEPARTMENT RESPONSE:

TASC, replaced GED in 2014 and is the test used in NYS for earning high school equivalency diploma(HSE), which is not a regular high school diploma. Students earning HSE diploma are entitled to remain in school until age 21 or receipt of Regents or local high school diploma.

22.COMMENT

Content of proposal in NYS Register was confusing. Question how individuals are supposed to keep up with Regents decisions.

DEPARTMENT RESPONSE:

SED is required to post all proposed regulatory changes in NYS Register in prescribed format. Information on Regents' decisions is available at

<http://www.regents.nysed.gov/>.