



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

TO: P-12 Education Committee

FROM: Cosimo Tangorra, Jr. *Cosimo Tangorra Jr.*

SUBJECT: Proposed Amendments to Sections 100.2 and 100.5 of the Regulations of the Commissioner of Education Relating to Pathways to Graduation, Global History and Geography course requirements, and the Global History Regents Exam

DATE: January 5, 2015

AUTHORIZATION(S): *Richard F. Tranter* *Elizabeth R. Berlin*

SUMMARY

Issue for Decision

Should the Board of Regents amend sections 100.2 and 100.5 of the Regulations of the Commissioner of Education to establish multiple, comparably rigorous assessment pathways to graduation for all students, establish a two-year Global History and Geography course requirement, and modify the design of the Global History Regents Exam?

Reason(s) for Consideration

Implementation of Policy

Proposed Handling

The proposed amendment is being presented to the P-12 Education Committee for recommendation and to the Full Board for action at the January 2015 Regents meeting.

Procedural History

The proposed amendment was discussed by the P-12 Education Committee at the October 2014 Regents meeting. A Notice of Proposed Rule Making was published in the State Register on November 5, 2014. A copy of the proposed amendment and an Assessment of Public Comment are attached. Supporting materials are available upon request from the Secretary to the Board of Regents.

Background Information

Pathways to Graduation

Over the past two years, the Board of Regents has heard from a number of stakeholders in the education and business communities regarding the benefits and challenges of strengthening the graduation requirements for a high school Regents diploma. These discussions have led to a comprehensive review of the college- and career-readiness of our students, units of study requirements, and assessments of student learning.

The 4+1 pathway option would apply beginning with students who first enter grade nine in September 2011 and thereafter or who are otherwise eligible to receive a high school diploma in June 2015 and thereafter. The amendment would create graduation pathways assessments in the Humanities, STEM, Biliteracy (languages other than English [LOTE]), CTE and the Arts and would require that, in addition to the four Regents Exams or department-approved alternative assessments required of all students in each of the areas of English, mathematics, science, and social studies, students may pass any one of the following to meet the fifth assessment requirement:

1. one additional social studies Regents examination or Department-approved alternative (Humanities Pathway); or
2. one additional Regents examination in a different course in mathematics or science or a Department-approved alternative (STEM Pathway); or
3. a pathway assessment approved by the Commissioner in accordance with §100.2(f) of the Commissioner's regulations (which could include a Biliteracy [LOTE] Pathway); or
4. a career and technical education (CTE) pathway assessment, approved by the Commissioner in accordance with proposed §100.2(mm) (discussed below), following successful completion of a CTE program approved pursuant to §100.5(d)(6) of the regulations (CTE Pathway); or
5. an arts pathway assessment approved by the Commissioner in accordance with proposed §100.2(mm) (Arts Pathway, discussed below).

In order to ensure that pathway assessments are of sufficient rigor, the proposed regulations also establish conditions and criteria by which such assessments may be approved by the Commissioner.

The 4+1 pathway option would not change existing graduation course or credit requirements and students must continue to meet all current course and 22 units of credit requirements, even if they were to elect to take advantage of the 4+1 option. However, existing regulations provide several areas of flexibility for meeting course and credit requirements through, for example, the availability of integrated CTE courses and independent study (see 8 NYCRR §100.5[d][6] and [9]).

Social Studies

New York's Content Advisory Panel for social studies, consisting of a wide range of experts from the field, was formed in 2011 to advise the Department on suggested revisions to the *New York State Social Studies Resource Guide with Core Curriculum* to ensure alignment to the New York State Common Core Learning Standards. The panel created the New York State K-12 Social Studies Framework, which was adopted by the Board of Regents at their April 2014 meeting. The Framework clearly delineates the courses of study as follows:

- Global History and Geography I (typically Grade 9) begins with the Paleolithic Era and continues to a period of Global Interactions from approximately 1400 to 1750.
- Global History and Geography II (typically Grade 10) begins with a snapshot of the world at 1750, incorporates the Enlightenment and Industrial Revolution, and continues to the present.

This two-unit sequence provides students with a comprehensive and rigorous course of study in global history and geography.

Since 2001, students entering grade 9 must pass the Regents examination in Global History and Geography or an approved alternative. However, there is no language in the regulations that states students must take the course of study that precedes this examination. The proposed amendment provides that:

- All students first entering grade nine in September 2016 and thereafter must earn four units of credit in social studies, which shall include two units of credit in global history and geography, in addition to the current requirements of one unit of credit in American history, one half unit of credit in participation in government and one half unit of credit in economics or their equivalent.
- For purposes of awarding transfer credit, the principal may exempt students who first enter a registered New York State high school in grade 11 or 12 in a registered New York State high school in the 2018-2019 or 2019-2020 school

years respectively, and thereafter, from the two units of credit requirement in global history and geography and by substituting two units of credit in social studies.

- Students who first enter grade nine in September 2011 and thereafter or who are otherwise eligible to receive a high school diploma in June 2015 and thereafter, must also pass either (1) the Regents examination in United States history and government, or (2) the Regents examination in global history and geography (for students first entering grade nine prior to September 2016) or the Regents examination in global history and geography II (1750 to present) (for students first entering grade nine in September 2016 and thereafter).
- As described above, the fifth assessment required for graduation must be one of those specified in the pathway option.

Recommendation

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

VOTED: That subdivision (f) of section 100.2, subdivision (a) of section 100.5, subparagraph (iv) of paragraph (7) of subdivision (b) of section 100.5, paragraph (5) and clause (a) of subparagraph (ii) of paragraph (6) of subdivision (d) of section 100.5, and paragraph (4) of subdivision (g) of section 100.5 are amended, and that subdivision (mm) of section 100.2 is added, as submitted, effective January 28, 2015.

Timetable for Implementation

If adopted at the January meeting, the proposed amendment will take effect as a permanent rule on January 28, 2015.

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 208, 209, 305, 308, 309 and 3204.

1. Subdivision (f) of section 100.2 of the Regulations of the Commissioner of Education is amended, effective January 28, 2015, as follows:

(f) Use of alternative and pathway assessments.

(1) Alternative assessments. With the approval of the commissioner, assessments which measure an equivalent level of knowledge and skill may be substituted for the assessments specified in this Part. Alternative assessments for the Regents examinations for global history and geography, global history and geography II (1750 to present), United States history and government, comprehensive English and English Language Arts (Common Core), mathematics, mathematics (Common Core), and the sciences shall meet the following conditions and criteria:

[(1)] (i) alternative assessments shall measure the State learning standards for the respective content area;

[(2)] (ii) alternative assessments shall be at least as rigorous as the corresponding required State assessment;

[(3)] (iii) alternative assessments shall be consistent with technical criteria for validity, reliability, and [freedom from bias] fairness in testing;

[(4)] (iv) alternative assessments shall be developed by an entity other than a local school or school district;

[(5)] (v) alternative assessments shall be available for use by any school or school district in New York State; and

[(6)] (vi) alternative assessments shall be administered under secure conditions approved by the commissioner.

(2) Pathway assessments. With the approval of the commissioner, pathway assessments which measure an equivalent level of knowledge and skill may be substituted for the assessments specified in this Part. Notwithstanding the requirements of subdivision (d) of this section and of 100.5(b)(7)(v)(c) of this Part, any examination that is used to satisfy the pathway assessment graduation requirements in section 100.5(a)(5)(i)(f) of this Part, other than those specifically enumerated in subdivision (mm) of this section relating to pathway assessments in career and technical education and in the arts, shall meet the conditions and criteria set forth in subparagraphs (i) through (vi) of paragraph (1) of this subdivision.

2. Subdivision (mm) of section 100.2 of the Regulations of the Commissioner of Education is added, effective January 28, 2015, as follows:

(mm) Pathway Assessments in Career and Technical Education and in the Arts. Except as provided in subdivision (f) of this section, students who have passed four required Regents examinations or department-approved alternative assessments in each of the areas of English, mathematics, science, and social studies pursuant to section 100.5 of this Part and who are otherwise eligible to receive a high school diploma in June 2015 and thereafter, may meet the fifth assessment requirement for graduation pursuant to section 100.5 of this Part by passing a fifth pathway assessment in career and technical education (CTE) or in the arts, that is approved by the commissioner pursuant to the following conditions and criteria:

(1) pathway assessments shall measure student progress on the State learning standards for their respective content area(s) at a level of rigor equivalent to a Regents examination or alternative assessment approved pursuant to subdivision (f) of this section;

(2) pathway assessments shall be recognized or accepted by postsecondary institutions, experts in the field, and/or employers in areas related to the assessment;

(3) pathway assessments shall be aligned with existing knowledge and practice in the field(s) related to their respective content area(s) and shall be reviewed at least every five years and updated as necessary;

(4) pathway assessments shall be consistent with technical criteria for validity, reliability, and fairness in testing;

(5) pathway assessments shall be developed by an entity other than a local school or school district;

(6) pathway assessments shall be available for use by any school or school district in New York State; and

(7) pathway assessments shall be administered under secure conditions approved by the commissioner.

3. Subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education is amended, effective January 28, 2015, as follows:

(a) General requirements for a Regents or a local high school diploma. Except as provided in clauses (a)(5)(i)(c), (e) and (f), paragraph (d)(6) 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) United States history and government:

(1) for students who first enter grade nine prior to September 1998, by passing either the Regents competency test in United States history and government, or the Regents examination in United States history and government; or

(2) for students who first enter grade nine in September 1998 and thereafter but prior to September 2011, by passing the Regents examination in United States history and government. For purposes of a Regents endorsed diploma, a score of 65 shall be

considered passing. For a local diploma a score of 55-64, as determined by the school, also may be considered passing up through the 2007-2008 school year; or

(3) for 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, by passing one of the following assessments:

(i) the Regents examination in United States history and government; or

(ii) the Regents examination in global history and geography (for students first entering grade nine prior to September 2016) or the Regents examination in global history and geography II (1750 to present) (for students first entering grade nine in September 2016 and thereafter); or

(iii) a department-approved alternative to either item (i) or (ii) of this subclause;

or

~~[(3)]~~ (4) for students with disabilities who first enter grade nine in or after September 1998 and prior to September 2011 and who fail the Regents examination in United States history and government, the United States history and government requirements for a local diploma may be met by passing the Regents competency test in United States history and government. For students with disabilities who first enter grade nine in September 2005 and thereafter, the United States history and government requirements for a local diploma may also be met by passing the Regents examination in United States history and government with a score of 55-64 or as provided in subparagraph (b)(7)(vi) of this section. This provision shall apply only to students with disabilities who are entitled to attend school pursuant to Education Law, section 3202 or 4402(5);

[(4)] (5) the transcripts and permanent record cards of students shall indicate the assessment the student has passed to meet diploma requirements, and the score achieved.

(d) . . .

(e) Global history and geography:

(1) for students who first enter grade nine prior to September 1998, by passing either the Regents competency test in global studies or the Regents examination in global studies; or

(2) for students who first enter grade nine in September 1998 and thereafter but prior to September 2001, by passing the Regents examination in global studies. For purposes of a Regents endorsed diploma, a score of 65 shall be considered passing. For a local diploma a score of 55-64, as determined by the school, also may be considered passing up through the 2007-2008 school year; or

(3) for students who first enter grade nine in September 2001 and thereafter but prior to September 2012, by passing the Regents examination in global history and geography; or

(4) for 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, by passing one of the following assessments:

(i) the Regents examination in United States history and government; or

(ii) the Regents examination in global history and geography (for students first entering grade nine prior to September 2016) or the Regents examination in global

history and geography II (1750 to present) (for students first entering grade nine in September 2016 and thereafter); or

(iii) a department-approved alternative to either item (i) or (ii) of this subclause;

or

[(3)] (5) for students with disabilities who first enter grade nine in September 1998 and prior to September 2011 and who fail the Regents examination in global history and geography, the global history and geography requirements for a local diploma may be met by passing the Regents competency test in global studies. For students with disabilities who first enter grade nine in September 2005 and thereafter, the global history and geography requirements for a local diploma may also be met by passing the Regents examination in global history and geography with a score of 55-64 or as provided in subparagraph (b)(7)(vi) of this section. This provision shall apply only to students with disabilities who are entitled to attend school pursuant to Education Law, section 3202 or 4402(5);

[(4)] (6) the transcripts and permanent record cards of students shall indicate the assessment the student has passed to meet diploma requirements, and the score achieved.

(f) Requirements for pathway assessments:

(1) In addition to the requirements of clauses (a), (b), (c), (d) and (e) of this subparagraph, 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 also pass any one of the following assessments:

(i) one additional social studies Regents examination or department-approved alternative; or

(ii) one additional Regents examination in a different course in mathematics or science or a department-approved alternative; or

(iii) a pathway assessment (e.g., languages other than English) approved by the commissioner in accordance with section 100.2(f)(2) of this Part; or

(iv) a career and technical education (CTE) pathway assessment, approved by the commissioner in accordance with section 100.2(mm) of this Part, following successful completion of a CTE program approved pursuant to paragraph (6) of subdivision (d) of this section; or

(v) an arts pathway assessment approved by the commissioner in accordance with section 100.2(mm) of this Part.

(ii) . . .

(iii) . . .

(iv) . . .

(v) . . .

(6) Social Studies.

(i) All students first entering grade nine in 1985 and thereafter but prior to September 2016, shall earn four units of credit in social studies, [in accordance with the

following: (i)] Such requirement shall include;

(a) one unit of credit in American history; and

[(ii)] (b) [Such requirement shall include] one half unit of credit in participation in government and one half unit of credit in economics [or their equivalent]; or

(c) the equivalent of clauses (a) and/or (b) of this subparagraph, as approved by the local public school superintendent or his or her designee or by the chief administrative officer of a registered nonpublic high school.

(ii) All students first entering grade nine in September 2016 and thereafter shall earn four units of credit in social studies. Such requirement shall include:

(a) one unit of credit in American history;

(b) one half unit of credit in participation in government and one half unit of credit in economics; and

(c) two units of credit in global history and geography; or

(d) the equivalent of clauses (a), (b) and/or (c) of this subparagraph, as approved by the local public school superintendent or his or her designee or by the chief administrative officer of a registered nonpublic high school.

(7) . . .

(8) . . .

4. Subparagraph (iv) of paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education is amended, effective January 28, 2015, as follows:

(iv) Earning a Regents diploma. Students first entering grade nine in September 2001 and thereafter shall meet the commencement level New York State learning standards by successfully completing 22 units of credit and five New York State assessments distributed as specified in clauses (a) through (k) of this subparagraph. After passing the required New York State assessment or approved alternative in mathematics, science, and English language arts, the remaining units of credit required

in that discipline may be in specialized courses. A *specialized course* is a course that meets the requirements of a unit of credit as defined in section 100.1(a) of this Part and the New York State commencement level learning standards as established by the commissioner. A specialized course develops the subject in greater depth and/or breadth and/or may be interdisciplinary. Successful completion of one unit of study in an interdisciplinary specialized course may be awarded only one unit of credit but may be used to meet the distribution requirements in more than one subject. In a public high school, an interdisciplinary specialized course shall be taught by a teacher certified in at least one of the subjects.

(a) . . .

(b) Social studies[,];

(1) four units of credit including:

(i) for students first entering grade nine in September 2001 or thereafter but prior to September 2016:

(a) one unit of credit in American history[,the Regents examination in United States history and government or an approved alternative pursuant to section 100.2(f) of this Part, the Regents examination in global history and geography or an approved alternative pursuant to section 100.2(f) of this Part,]; and

(b) a half unit of credit in Economics and a half unit of credit in Participation in Government [or their equivalent]; or

(c) the equivalent of subitems (a) and/or (b) of this item, as approved by the local public school superintendent or his or her designee or by the chief administrative officer of a registered nonpublic high school; or

(ii) for students first entering grade nine in September 2016 and thereafter:

(a) one unit of credit in American history;

(b) two units of credit in global history and geography; and

(c) a half unit of credit in economics and a half unit of credit in participation in government; or

(d) the equivalent of subitems (a), (b) and/or (c) of this item, as approved by the local public school superintendent or his or her designee or by the chief administrative officer of a registered nonpublic high school; and

(2) the assessments as required by subparagraph (i) of paragraph (5) of subdivision (a) of this section.

(c) . . .

(d) . . .

(e) . . .

(f) . . .

(g) . . .

(h) . . .

(i) . . .

(j) . . .

(k) . . .

5. Paragraph (5) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education is amended, effective January 28, 2015, as follows:

(5) Transfer credit. Transfer credit is awarded for work done outside the registered New York State high school awarding the credit.

(i)

(ii)

(iii)(a) Students who enter a registered New York State high school for the first time in grade 11 in the 2000-2001 school year but prior to the 2002-2003 school year, other than those students who have received home instruction pursuant to section 100.10 of this Part in New York State or who have been enrolled in a registered or non-registered public or nonpublic New York State high school, in order to receive a local high school diploma must pass the Regents comprehensive examination in English, a Regents examination in mathematics, a Regents examination in United States history and government, and a Regents examination in science, or approved alternatives. The principal may exempt a student from the requirement for the Regents examination in global history and geography ordinarily taken and passed before the date of the student's entry.

(b) Students who enter a registered New York State high school for the first time in grade 11 in the 2002-2003 school year and thereafter, other than those students who have received home instruction pursuant to 100.10 of this Part in New York State or who have been enrolled in a registered or non-registered public or nonpublic New York State high school, in order to receive a high school diploma must pass the Regents comprehensive examination in English, a Regents examination in mathematics, a Regents examination in United States history and government, and a Regents examination in science, or approved alternatives. The principal may exempt [a] such student from the requirement for the Regents examination in global history and geography ordinarily taken and passed before the date of the student's entry.

Additionally, for such student who first enters grade 11 in a registered New York State high school in the 2018-2019 school year and thereafter, the principal may exempt the student from the two units of credit requirement in global history and geography by substituting two units of credit in social studies.

(iv) (a) Students who enter a registered New York State high school for the first time in grade 12 in the 2002-2003 school year but prior to the 2004-2005 school year, other than those students who have received home instruction pursuant to section 100.10 of this Part in New York State or who have been enrolled in a registered or non-registered public or nonpublic New York State high school, in order to receive a local high school diploma must pass the Regents comprehensive examination in English, a Regents examination in mathematics, and a Regents examination in United States history and government, or approved alternatives. The principal may exempt a student from the requirement for the Regents examination in science and the Regents examination in global history and geography ordinarily taken and passed before the date of the student's entry.

(b) Students who enter a registered New York State high school for the first time in grade 12 in the 2004-2005 school year and thereafter, other than those students who have received home instruction pursuant to section 100.10 of this Part in New York State or who have been enrolled in a registered or non-registered public or nonpublic New York State high school, in order to receive a high school diploma must pass the Regents comprehensive examination in English, a Regents examination in mathematics, and a Regents examination in United States history and government, or approved alternatives. The principal may exempt [a] such student from the requirement

for the Regents examination in science and the Regents examination in global history and geography ordinarily taken and passed before the date of the student's entry.

Additionally, for such student who first enters grade 12 in a registered New York State high school in the 2019-2020 school year and thereafter, the principal may exempt the student from the two units of credit requirement in global history and geography by substituting two other units of credit in social studies.

6. Clause (a) of subparagraph (ii) of paragraph (6) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education is amended, effective January 28, 2015, as follows:

(a) In order to be eligible to receive a Regents diploma or Regents diploma with advanced designation, students shall successfully complete:

(1) five [Regents] assessments as described in paragraph (a)(5) of this section[, or approved alternatives pursuant to section 100.2(f) of this Title]; and

(2) . . .

7. Paragraph (4) of subdivision (g) of section 100.5 of the Regulations of the Commissioner of Education is amended, effective January 28, 2015, as follows:

(4) Transfer credit. Notwithstanding the provisions of this section:

(i) Students who enter a registered New York State high school for the first time in grade 11 in the 2002-2003 school year and thereafter, other than those students who have received home instruction pursuant to section 100.10 of this Part in New York State or who have been enrolled in a registered or non-registered public or nonpublic New York State high school, in order to receive a high school diploma must pass the Regents comprehensive examination in English or the Regents examination in English

language arts (common core), a Regents examination in mathematics, a Regents examination in United States history and government, and a Regents examination in science, or approved alternatives. The principal may exempt [a] such student from the requirement for the Regents examination in global history and geography ordinarily taken and passed before the date of the student's entry. Additionally, for such student who first enters grade 11 in a registered New York State high school in the 2018-2019 school year and thereafter, the principal may exempt the student from the two units of credit requirement in global history and geography and may substitute two units of credit in social studies.

(ii) Students who enter a registered New York State high school for the first time in grade 12 in the 2004-2005 school year and thereafter, other than those students who have received home instruction pursuant to section 100.10 of this Part in New York State or who have been enrolled in a registered or non-registered public or nonpublic New York State high school, in order to receive a high school diploma must pass the Regents comprehensive examination in English or the Regents examination in English language arts (common core), a Regents examination in mathematics, a Regents examination in United States history and government, or approved alternatives. The principal may exempt [a] such student from the requirement for the Regents examination in science and the Regents examination in global history and geography ordinarily taken and passed before the date of the student's entry. Additionally, for such student who first enters grade 12 in a registered New York State high school in the 2019-2020 school year and thereafter, the principal may exempt the student from the

two units of credit requirement in global history and geography and may substitute two units of credit in social studies.

8 NYCRR §§100.2 & 100.5

ASSESSMENT OF PUBLIC COMMENT

Since publication of a Notice of Proposed Rule Making in the State Register on November 5, 2014, the State Education Department received the following substantive comments:

Multiple Pathways Proposal

1. COMMENT:

Support is expressed for Career and Technical Education (CTE) Pathways, but concern is also expressed that career readiness is not evident in other pathways. Consideration should be made for all pathways to have components similar to the requirements within the CTE program approval process and to begin pathway options in middle school.

DEPARTMENT RESPONSE:

The proposed CTE pathway includes career readiness components. Specific details being considered for the other proposed pathways are not yet available. It is anticipated that the Regents may consider potential amendments to regulations pertaining to students enrolled in Pathways programs.

2. COMMENT:

Supports both the development of CTE and other alternative pathways and the changes to the social studies course requirements for graduation and the Global Studies Regents exam, but urges the Department to make sure that any plan for multiple pathways to a diploma includes instructional and assessment options for all students.

DEPARTMENT RESPONSE:

The current proposal is for all students. It is expected that students pursuing this option will need instruction in the pathway to be prepared for a pathway assessment. Assessment options must be determined locally on an individual pathway basis as they are implemented.

3. COMMENT:

Support expressed for Arts Pathway

DEPARTMENT RESPONSE:

No response is necessary as the comment is supportive.

4. COMMENT:

Support expressed for Multiple Pathways and Special Services Aid to support pathways expansion in New York City.

DEPARTMENT RESPONSE:

The Board of Regents supports State funding for pathways expansion in its 2015 State legislative priorities

<http://www.regents.nysed.gov/meetings/2014/October2014/1014p12d5.pdf> .

5. COMMENT:

Support expressed for Pathways and a 3 + 2 option, but encouraged expanding the technical assessment list.

DEPARTMENT RESPONSE:

The 3 + 2 option was discussed by the Board of Regents but is beyond the scope of the proposed rulemaking. The Department is currently considering expansion of the list of approved technical assessments.

6. COMMENT:

Concern is expressed that the 4 + 1 model will not sufficiently increase access to graduation for the 25% of students who are not currently graduating. The Board of Regents and New York State Education Department are strongly encouraged to make access to these instructional pathways integral to the development of the new model and to ensure that all students have the opportunities to benefit from them.

DEPARTMENT RESPONSE:

The Department is working with school districts and institutions to build capacity to ensure students receive adequate preparation to take advantage of rigorous pathways. In addition, the Regents 2015-2016 State Aid Proposal requests additional funding to help expand access to and support multiple pathways for all students.

7. COMMENT:

Commenter questions whether Pathways proposal is for all students.

DEPARTMENT RESPONSE:

As described in the October 2014 Board of Regents Multiple Pathways proposal, <http://www.regents.nysed.gov/meetings/2014/October2014/1014bra4.pdf>, pathway and assessment options are intended for all students.

Pathways Assessments and Graduation Requirements**8. COMMENT:**

General support expressed for Multiple Pathways, but the Department should consider other assessments and expand the list of approved technical assessments.

DEPARTMENT RESPONSE:

The Department is currently reviewing additional alternative assessments for the 4 + 1 option, including comparable technical assessments.

9. COMMENT:

The 13 technical assessments approved for the pathways assessment 4 + 1 option only represent 9 of the 16 Career Cluster areas recognized nationally. Questions if the other career areas will be represented in the future.

DEPARTMENT RESPONSE:

The original approved technical assessments represent an initial effort intended to support the continued efforts of local school districts and BOCES to build high quality CTE pathway programs aligned to graduation requirements. The Department is currently considering expansion of the list of approved technical assessments.

10. COMMENT:

Reduce the number of exit exams required to graduate from 5 to 3, develop a pathway that allows all students to demonstrate their knowledge and skills through State-developed and/or approved performance-based assessments in lieu of each required Regents exam. Build more flexibility into the current system by expanding access to the appeals process for all students.

DEPARTMENT RESPONSE:

The comment is beyond the scope of the proposed rulemaking. The proposed regulations are intended to update the regulations pertaining to programs and services found in Commissioner's Regulations §§100.2 and 100.5. It is anticipated that the Regents may consider at a future time potential amendments to regulations pertaining to students enrolled in Pathways programs.

11. COMMENT:

Consider a “grandfather” clause to allow all students previously failing Global to use assessment substitution option and allow low pass score (45) for SWD in pathways assessment option.

DEPARTMENT RESPONSE:

The comment is beyond the scope of the proposed rulemaking. The proposed regulations are intended to update the regulations pertaining to programs and services found in Commissioner’s Regulations §§100.2 and 100.5. It is anticipated that the Regents may consider at a future time potential amendments to regulations pertaining to students enrolled in Pathways programs.

12. COMMENT:

Commenters question elimination of one required Social Studies (SS) Regents exam and recommend delay of 4 + 1 option to 2018 after revision to SS exam. Commenters also encourage Board of Regents to support students taking both SS exams then choose a pathway. Commenters ask if pathways will change requirements for Advanced Diploma.

DEPARTMENT RESPONSE:

If the proposed regulations are approved by the Board of Regents, guidance will be created and released by the Department.

13. COMMENT:

Commenter suggests the use of high school exit exams as a barrier to graduation needs to be fundamentally rethought, and recommends the Board of

Regents form a working group to recommend flexible, multiple-measure graduation criteria.

DEPARTMENT RESPONSE:

The comment is beyond the scope of the proposed rulemaking. The proposed regulations are intended to update the regulations pertaining to programs and services found in Commissioner's Regulations §§100.2 and 100.5. It is anticipated that the Regents may consider at a future time potential amendments to regulations pertaining to students enrolled in Pathways programs.

14. COMMENT:

Commenter is against all standardized assessment.

DEPARTMENT RESPONSE:

The comment is beyond the scope of the proposed rulemaking. The proposed regulations are intended to update the provisions pertaining to programs and services found in Commissioner's Regulations §§100.2 and 100.5.

Requirements for Pathways

15. COMMENT:

General support expressed for CTE Pathway, but school districts must be stopped from imposing "caps" on the number of students that are allowed to participate in CTE programs.

DEPARTMENT RESPONSE:

The comment is beyond the scope of the proposed rulemaking. However, the Department is committed to working with school districts towards ensuring that all students have access to prepare them for college, career and citizenship readiness.

16. COMMENT:

Support expressed for Multiple Pathways, and financial education and work-based learning experiences should be required for all students.

DEPARTMENT RESPONSE:

If the proposed regulations are approved by the Board of Regents, guidance will be created and released by the Department.

17. COMMENT:

Require all students to take Career and Financial Management (CFM) course.

DEPARTMENT RESPONSE:

CFM course content is currently a requirement of all CTE approved programs. The current proposal indicates CTE pathways must contain approved programs. No details are available for the other proposed pathways at this time. If the proposed regulations are approved by the Board of Regents, guidance will be created and released by the Department.

18. COMMENT:

Require increased role of academic teachers in CTE programs as well as state funding to support program expansion.

DEPARTMENT RESPONSE:

Regulations currently allow participation of academic teachers in CTE programs based on program content and teacher certification. The Board of Regents supports State funding for pathways in its 2015 State legislative priorities

<http://www.regents.nysed.gov/meetings/2014/October2014/1014p12d5.pdf> .

19. COMMENT:

More information needed on pathways for all stakeholders including students and parents. Additionally SED must provide guidance to the field.

DEPARTMENT RESPONSE:

If the proposed regulations are approved by the Board of Regents, guidance will be created and released by the Department.

20. COMMENT:

STEM pathway must address engineering and technology not just math and science.

DEPARTMENT RESPONSE:

The comment is beyond the scope of the proposed rulemaking. Curriculum requirements for pathways are determined at the local level. Pathway assessment options will be considered for engineering and technology if appropriate and comparably rigorous assessment options exist.

21. COMMENT:

Review existing CTE teacher certification pathways and create a new pathway specifically for business/industry persons.

DEPARTMENT RESPONSE:

The comment is beyond the scope of the proposed rulemaking. However, it is anticipated that the Department may review existing CTE certification options and may recommend changes to CTE teacher certification in the future.

22. COMMENT:

Requests additional guidance to:

(i) Address the reality of lost instructional time for social studies at the elementary level.

(ii) Study the impact that eliminating the state assessments in Grade 5 and Grade 8 has had on student achievement by high school.

(ii) Revise Regents Examinations to truly reflect historical thinking practices as described in the Social Studies K-12 Framework and the C3 Inquiry Arc.

(iv) Clarify the description of “multiple pathways”, since it has generated extensive confusion among the field.

DEPARTMENT RESPONSE:

If the proposed regulations are approved by the Board of Regents, guidance will be created and released by the Department.