



TO: The Honorable the Members of the Board of Regents

FROM: Jhone M. Ebert 

SUBJECT: Expanding Graduation Pathways for All Students

DATE: January 8, 2016

AUTHORIZATION(S): 

SUMMARY

Issues for Discussion

Given the most-recent graduation data for the 2011 cohort, does the Board of Regents support broadening the pathways to a high school diploma in consideration of the following three proposals: (1) Expanding the existing eligible score band for an appeal on a Regents exam by two additional points; (2) Awarding a Career Development and Occupational Studies (CDOS) Commencement Credential in lieu of one of the Regents examinations; and (3) Creating a project-based assessment program for students who pass the coursework required for a regular diploma but who are unable to pass an associated required Regents examination.

Reason(s) for Consideration

Broadening the criteria needed to earn a high school diploma but not lowering the standard of academic excellence that is required will increase the prospect of successful high school graduation for more students in New York.

Proposed Handling

These issues will come before the full Board for discussion at the January 2016 meeting.

Background Information

Data for this year indicate that 78.1 percent of students graduated in four years. While this reflects an improvement of 1.7 percentage points over results from the previous year, it also means a significant percentage of students are not graduating on

time. The Board of Regents has been committed to providing multiple pathways for all students to graduate with a regular high school diploma. This item provides options for expanding our current opportunities for graduation and a vision for moving toward a more differentiated approach which includes project-based assessment for all students.

A. Review of 2011 Cohort Graduation Rate Results for New York State

Each year the New York State Education Department calculates a high school graduation rate called the “four-year cohort.” This cohort constitutes students who first enter grade 9 in a given year. The final group of students used to determine graduation rates for these cohorts includes those who subsequently transfer into the cohort and excludes those who subsequently transferred out, emigrated to another country, or died four years after first entering grade 9. The graduation rate for this cohort is determined by calculating the percentage of these students who earned a local or Regents diploma four years after entering grade 9.

The most recent release of graduation results is for students who entered grade 9 in 2011. These students are members of the “2011 cohort.” The graduation rate for the 2011 cohort was 78.1 percent. This is an increase of 1.7 percentage points from the graduation rate for the 2010 cohort (76.4 percent). The graduation rates for the 2011 cohort reflects the achievement of the second group of students who entered grade 9 following New York’s adoption of higher learning standards.

While it is noteworthy to mention that the New York State graduation rate for the 2011 cohort is substantially higher than it was a decade earlier (65.8 percent for the 2001 cohort versus 78.1 percent for the 2011 cohort), the method used to calculate the graduation rate changed in the intervening period. Consequently, results from these two cohorts (2001 and 2011) having different business rules and should not be calculated as a direct comparison.

While these modest improvements are encouraging, much work remains. For instance, graduation rates for high-need urban-suburban and rural districts have increased over the past five years. At the same time, the performance gap between high-need and low-need districts decreased slightly. Nevertheless, close to 95 percent of students from low-need districts graduated with a high school diploma as compared to 68.4 percent of students from high-need urban-suburban districts. The gap separating the graduation rates of white versus black students is approximately 24 percentage points. Similarly, the gap separating the graduation rates of white versus Hispanic students is also approximately 24 percentage points.

B. Expansion of the Appeal Process as a Pathway to Graduation

Review of Existing Appeal Process

Existing diploma requirements allow students to appeal scores of 62-64 on up to two required Regents examinations. The appeal provision calls for a student to meet the following criteria in order to be granted an appeal by their local school district:

Students must:

1. Have taken the Regents examination under appeal at least two times;
2. Present evidence that the student has taken advantage of academic help provided by the school in the subject tested by the Regents Examination under appeal;
3. Have an attendance rate of 95 percent (except for excused absences) for the school year during which the student last took the Regents examination under appeal;
4. Have a course average in the subject under appeal (as evidenced in the official transcript that records grades achieved by the student in each quarter of the school year) that meets or exceeds the required passing grade by the school; and
5. Be recommended for an exemption to the graduation requirement by the student's teacher or Department chairperson in the subject of the Regents examination under appeal.

In December 2015, the Board of Regents approved regulations to extend the appeal provision to students with disabilities who were seeking the local diploma through the existing safety net options. These students are able to appeal scores of between 52 and 54 on up to two Regents examinations and earn the local diploma.

Proposed Change #1 for Regents Consideration: Appeal Criteria Expanded for All Students

Under this proposal, students could appeal scores of 60-64 (expanded from 62-64) on up to two Regents examinations. Students who are granted an appeal by their local superintendent would then earn a diploma. If one appeal is granted the student would earn a Regents diploma and if two appeals are granted the student would earn the local diploma.¹ If expanded, it is estimated that there would be approximately 4,000 additional graduates.

C. Career Development and Occupational Studies (CDOS) Credential as an Additional Pathway

Public input and Board discussions have suggested there is growing interest in broadening the number of comparably rigorous pathways leading to a high school diploma. There is a perception that current pathways may not provide sufficient opportunities for students at risk of dropping out to graduate with a regular diploma. Current graduation requirements for diploma and non-diploma certificates are posted at: <http://www.p12.nysed.gov/specialed/diploma-credentials.html>.

¹ A comprehensive chart of the diploma requirements can be found at <http://www.p12.nysed.gov/ciai/gradreq/2015GradReq11-15.pdf>

Review and History of NYSED Regulations on Multiple Pathways

In 2015, the New York State Board of Regents approved regulations establishing multiple, comparably rigorous assessment pathways to graduation for all students. Multiple pathways recognize the importance of engaging students in rigorous and relevant academic programs. The recently approved regulations recognize students' interests in the Arts, Biliteracy, Career/Technical Education, Humanities and Science, Technology, Engineering and Mathematics (STEM) by allowing an approved pathway assessment to meet the students' graduation requirements.

Under the "4+1" pathway assessment option, students must earn 22 credits and take and pass four required Regents Exams or Department-approved alternative assessments (one in each of the following subjects: English, math, science, and social studies) and a comparably rigorous assessment for the fifth required exam to graduate. The fifth assessment required for graduation may include any one of the following assessments:

- Either an additional Regents assessment, or a Department approved alternative, in a different course in Social Studies or in English (Humanities Pathway); or
- One additional Regents Examination in a different course in mathematics or science or a Department-approved alternative (STEM Pathway); or
- A pathway assessment approved by the Commissioner in accordance with §100.2(f)(2) of the Commissioner's regulations (which could include a Biliteracy [Language Other Than English (LOTE)] Pathway); or
- A CTE pathway assessment, approved by the Commissioner in accordance with §100.2(mm), following successful completion of a CTE program approved pursuant to §100.5(d)(6) of the regulations (CTE Pathway); or
- An arts pathway assessment approved by the Commissioner in accordance with §100.2(mm) (Arts Pathway).

CDOS Commencement Credential

In July 2013, the New York State Board of Regents approved regulations that established an important new exiting credential for students with disabilities. Beginning with the 2013-14 school year and thereafter, students with disabilities were provided an option to earn a New York State (NYS) Career Development and Occupational Studies (CDOS) Commencement Credential. This credential recognized each individual student's preparation and skills for post-school employment. Where in the past, many students graduated with an individualized education program (IEP) diploma, this credential provides a more meaningful option for students. For students with disabilities who are exiting with a regular high school diploma, it provides them with the additional opportunity to graduate with a credential that also recognizes the students' work readiness skills.

Effective transition planning and services for students with disabilities includes appropriate assessment of a student's needs, preferences, strengths and skills; realistic identification of postsecondary goals; development of an infrastructure to support instruction in the CDOS learning standards; participation in career exploration and work

and community-based learning experience; increased opportunities for students to earn a diploma; and collaboration among regional partners responsible for the transition process and early referral to adult agencies. The establishment of a Regents-endorsed graduation credential that recognizes the accomplishments of students in these areas emphasizes the importance of this instruction for schools, helps to focus student commitment to career exploration and development, and provides potential employers with documentation on which students are exiting school with demonstrated knowledge and experience for entry-level employment.

The NYS CDOS Commencement Credential is a credential recognized by the NYS Board of Regents that certifies the student has the knowledge and skills necessary for entry-level employment. The requirements to earn the credential are rigorous in that the student must successfully complete additional courses of study and hours in work-based learning, demonstrate competency at the commencement level of the CDOS learning standards and have an employability profile showing readiness for entry-level employment.

There are two options available for students to earn this credential.

OPTION A:

- The student must have developed 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;
- The student must have demonstrated achievement of the **commencement level CDOS learning standards** in the areas of career exploration and development; integrated learning; and universal foundation skills;
- The student must have successfully completed at least 216 hours of **CTE coursework and/or work-based learning experiences** (of which at least 54 hours must be in work-based learning experiences); and
- The student must have at least one 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 B:

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 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.

Proposed Change #2 for Regents Consideration: 4+1 CDOS Pathway to a High School Diploma

The following CDOS Pathway option is proposed for Regents consideration:

Authorize award of a Regents diploma to students who meet the requirements to earn the CDOS Commencement Credential provided the student earns the 22 credits required for all diploma types and passes four of the required Regents examinations – one in each of the defined discipline areas required for other pathway options (English, Math, Science and Social Studies)².

To provide this pathway option, the current regulations for the CDOS Commencement Credential would need to be amended to provide all students the opportunity to earn the Credential. Currently, only students with disabilities can earn this Credential.

The CDOS Pathway, while not requiring a 5th assessment, would be comparably rigorous in that it would be based upon successful, documented completion of instruction and educational experiences (CTE coursework and work-based learning experiences) that prepare students to meet the commencement level of the State's CDOS Learning Standards and to demonstrate work-readiness knowledge and skills. Advantages to the CDOS Pathway 4+1 option are summarized below:

- This expands the opportunity for all students, including students at risk of dropping out and students with disabilities to exit school with a regular high school diploma.
- This would incentivize schools to continue to provide more students with access to CTE and work-based learning opportunities as well as instruction in the CDOS learning standards. These skills are essential for post-school success for all students.
- Students with disabilities would still be held to the same high standards as all students and would be expected to pass the courses in the required subjects.
- Because students would be expected to pass the courses all students take to graduate, they would not be tracked in a course of study that would limit their opportunities to graduate with a regular diploma.

² For students with disabilities, the safety net (compensatory option and low-pass option) and the appeal option would remain available to demonstrate a passing score on the Regents examinations for purposes of graduation with a local diploma.

D. Project-Based Assessments As a Pathway to Graduation

Performance-based assessment is an increasingly common method to assess students' knowledge and skills without the use of traditional paper-and-pencil multiple-choice questions. Performance-based assessments allow students to demonstrate their knowledge and skills through a task or performance that is evaluated according to a set of pre-determined standards. These types of assessment are often extremely useful tools for enhancing both student learning and teaching. The term "performance-based assessment" is generally thought of as an umbrella term for a number of different types of assessments including performance-task assessments, portfolios, datafolios, rubric-scored student artifacts and performances, and project-based assessments.

Department staff has reviewed the use of performance-based assessments being used by other states. While several states use performance-based assessments for a variety of purposes, one type of State performance-based assessment that is used for purposes of graduation is a "project-based" assessment. This is as an alternative way for students to demonstrate proficiency toward the State's standards. Attachment 1 provides a summary of information on use of project-based assessments in other states.

Proposed Change #3 for Regents Consideration: Project-Based Assessments as a Pathway to Graduation

The Department has been investigating the various approaches to performance-based assessment, both in the literature and as operationalized by other state education authorities. Based on staff research and benchmarking with other states, Department staff recommends consideration of PBA. Use of PBA for all students who cannot pass Regents examinations has been supported by stakeholders to provide an alternative way for all students, including students with disabilities and English Language Learners, to demonstrate proficiency toward the State's high academic standards.

PBAs usually consist of a number of performance tasks that are integrated together or build upon one another and revolve around a common theme or real-world scenario. Essential components of PBA include:

- Real-life projects that measure proficiency toward the State standards;
- Administration of PBA in a computerized and supervised testing situation;
- Supplemental instruction, consistent with the student's educational program, is provided by teachers from the student's school district to prepare the student to complete the project, but no direct assistance is provided to the student on the actual project completion;
- Scoring by trained evaluators based on scoring rubric established by the State;
- A secure, password protected on-line portal is available for students to access the projects and submit completed projects; and
- PBA is not a timed assessment.

In all states using PBA, these assessments are available to any student who did not pass the regular State assessment.

PBA include:

- **Teacher-created:** Educators are convened to create innovative performance tasks that measure the State's Learning Standards. In NYS, these performance tasks would be of the same rigor as the corresponding Regents Exam, but will measure the standards in a different way. Each project would be composed of multiple tasks that build upon one another and get increasingly more challenging as the student progresses through the project.
- **Supplemental instruction:** Schools must identify teachers who provide the student with continual support, resources, supervision, and supplemental instruction to help the student master each component performance task that makes up the project-based assessment.
- **Technology-enhanced delivery:** By its very nature, a project-based assessment is composed of a number of interrelated performance tasks, and this format lends itself to being delivered to students through a secure online portal rather than traditional paper-and-pencil methods. Through an online portal, the student would be able to experience innovative performance tasks and would be able to consistently interact with their teachers/tutors for support and guidance. The use of a technology portal would also aid in expedited scoring and the return of instructionally relevant information to the student and the student's teacher/tutor.

Policy Considerations

If the Board of Regents supports the development of project-based assessments, there are additional policy decisions that would need to be discussed at a future date, such as how many times a student must attempt to pass a Regents exam prior to the option of the PBA and to identify the other conditions, if any, that must be met prior to a student having the option to take a PBA (e.g., attendance; passing grades). Additional resources will be necessary to implement PBAs across the State.

Infrastructure Development

PBA requires resources at both the State and local educational agency level. At the State level, these will include, but not be limited to:

- Assignment of a staff lead person who is knowledgeable about the standards;
- Resources to provide the secure on-line portal and to provide technical assistance and help-desk support to school districts administering PBAs;
- Staff to develop the training and technical assistance resources to be posted on the Department's website; and
- Individuals will need to be identified/trained to score PBAs.

At the LEA level, schools will need to provide:

- Tutorial staffing (teachers to provide supplemental instruction);
- Test administrators;
- A scheduled time for students to work on their PBAs (e.g., some schools provide time during the summer; or after school); and
- Computer-based technology for test administration.

Next Steps

Going forward, the Department will continue to develop mechanisms that provide students with more, better, and different ways to demonstrate that they have met the high standards for high school graduation. These mechanisms will be designed to support closing the achievement gap and increasing the graduation rate.

With Board of Regents support, Department staff will:

1. Obtain stakeholder input on the proposed actions.
2. Develop proposed regulations related to graduation that redefine the criteria guiding the Appeal Process.
3. Develop proposed regulations related to graduation that put in place CDOS recommendations.
4. Develop proposed regulation for project-based assessments that lead to high school graduation.
5. Establish a work plan and timetable for start-up and implementation for project-based assessments that lead to graduation.
6. Explore the fiscal resources necessary to develop and implement a project-based assessment program in New York State and, where necessary, seek funding.
7. Expand training and resources for schools and parents to understand the options available to students for graduation with a regular high school diploma.

Project-Based Assessment in Other States

The use of project-based assessment is growing in other states.

- In **Maryland**, the state is using an academic intervention called the Bridge Plan for Academic Validation that allows the use of a rigorous project-based assessment aligned to State assessments for students who have passed their other requirements but are not successful with traditional assessments.
- **New Hampshire** has partnered with the Center for Collaborative Education and the National Center for the Improvement of Educational Assessment to develop school district capacity for performance-based assessments, which can be used for college and career readiness.
- **Pennsylvania** has been using “Project-based Assessments” for the past four years to allow students the opportunity to demonstrate proficiency toward the State’s learning standards when students do not pass the regular end of course high school assessments.
- In **Rhode Island**, students must complete at least two performance-based diploma assessments in order to be eligible for graduation. These assessments can include comprehensive course assessments, an exhibition project, a graduation portfolio, or the completion of the Certificate of Initial Mastery.
- **Washington** utilizes a Collection of Evidence option in which students may submit subject-specific work samples if they have failed their comprehensive exit exam in ELA or end of course exams in math. The samples are scored by state-level professional scorers trained by state content specialists.