



TO: The Honorable Members of the Board of Regents

FROM: Angelique Johnson-Dingle *Angelique Johnson-Dingle*
Jason Harmon *Jason Harmon*

SUBJECT: Proposed Technical Amendment of Sections 100.1, 100.2, 100.3, 100.4, 100.5, 100.6, and 100.21 of the Regulations of the Commissioner of Education Relating to Updating to Reflect Current New York State Learning Standards

DATE: August 31, 2023

AUTHORIZATION(S): *Dom N. P. Bellotti*

SUMMARY

Issue for Decision (Consent)

Should the Board of Regents adopt the proposed technical amendment of sections 100.1, 100.2, 100.3, 100.4, 100.5, 100.6, and 100.21 of the Regulations of the Commissioner of Education relating to updating to reflect current New York State Learning Standards?

Reason(s) for Consideration

Review of Policy.

Proposed Handling

The proposed amendment is submitted to the Full Board for adoption as a permanent rule at the September 2023 Regents meeting. A copy of the proposed amendment (Attachment A) is included.

Procedural History

The proposed amendment was presented to the P-12 Education Committee for discussion at the May 2023 Regents meeting. A Notice of Proposed Rule Making was published in the State Register on May 31, 2023, for a 60-day public comment period. Following publication in the State Register, the Department received no comments on the proposed amendment. Therefore, an Assessment of Public Comment is not required

and no changes to the proposed amendment are needed. A Notice of Adoption will be published in the State Register on September 27, 2023. Supporting materials are available upon request to the Secretary of the Board of Regents.

Background Information

The Board of Regents previously adopted new and updated New York State learning standards in multiple areas including the arts, English language arts, computer science and digital literacy, mathematics, physical education, and science. While these changes have been addressed through the formal adoption of these new standards and guidance issued to the field, the Commissioner's regulations have not yet been updated to reflect such changes. As a result, schools and districts are unable to easily reference the Commissioner's regulations for current learning standards. Therefore, updating the Commissioner's regulations to reflect these changes is necessary. The proposed amendment will enhance the Department's ability to provide customer service to all stakeholders.

Proposed Amendment

The Department proposes to amend sections 100.1 through 100.6 and section 100.21 of the Commissioner's regulations to reflect the most recently adopted learning standards. The proposed amendment does not make any substantive changes to program or diploma requirements but merely updates the Commissioner's regulations to reflect current New York State learning standards. Specifically, the proposed amendment:

- deletes references to the 1996 Learning Standards and broadens regulations to reference the current standards areas adopted by the Board of Regents;
- updates references to learning standards to reflect the most recently adopted standards;
- includes new standards areas of computer science and digital fluency that were adopted by the Board of Regents; and
- updates cross-references to provisions that have been renumbered and re-lettered.

Related Regents Items

May 2023: [Proposed Technical Amendment of Sections 100.1, 100.2, 100.3, 100.4, 100.5, 100.6, and 100.21 of the Regulations of the Commissioner of Education Relating to Updating to Reflect Current New York State Learning Standards](https://www.regents.nysed.gov/sites/regents/files/523p12d1.pdf)
(<https://www.regents.nysed.gov/sites/regents/files/523p12d1.pdf>)

December 2020: [Approval of the K-12 Learning Standards for Computer Science and Digital Fluency](https://www.regents.nysed.gov/common/regents/files/1220p12a2.pdf)
(<https://www.regents.nysed.gov/common/regents/files/1220p12a2.pdf>)

March 2020: [Approval of the New York State \(NYS\) Physical Education Learning Standards \(2020\)](#)

(<https://www.regents.nysed.gov/common/regents/files/320p12a4.pdf>)

September 2017: [New York P-12 Learning Standards for the Arts \(Dance, Music, Theater, Visual and Media Arts\)](#)

(<https://www.regents.nysed.gov/common/regents/files/917p12a1.pdf>)

August 2017: [Next Generation Learning Standards for English Language Arts and Mathematics Update](#)

(<https://www.regents.nysed.gov/common/regents/files/917p12a4.pdf>)

December 2016: [New York P-12 Science Learning Standards](#)

(<https://www.regents.nysed.gov/common/regents/files/1216p12a1.pdf>)

Recommendation

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

VOTED: That sections 100.1, 100.2 100.3, 100.4, 100.5, 100.6, and 100.21 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 27, 2023.

Timetable for Implementation

If adopted at the September 2023 meeting, the proposed amendment will become effective as a permanent rule on September 27, 2023.

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 208, 305, 308, and 309 of the Education Law.

1. Subdivision (t) of section 100.1 of the Regulations of the Commissioner of Education is amended to read as follows:

(t) State learning standards mean the knowledge, skills, and understandings that individuals can and do habitually demonstrate over time as a consequence of skilled instruction and experience.

(1) State learning standards are organized [into seven] in the following general [curriculum] content areas:

(i) [English language arts.] The arts, including dance, media arts, music, theater, and visual arts. The NYS Learning Standards for the Arts were adopted by the Board of Regents and published by the State Education Department on September 11, 2017, and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

[(a) Students will listen, speak, read, and write for information and understanding. As listeners and readers, students will collect data, facts, and ideas; discover relationships, concepts, and generalizations; and use knowledge generated from oral, written, and electronically produced texts. As speakers and writers, they will use oral and written language that follows the accepted conventions of the English language to acquire, interpret, apply, and transmit information.

(b) Students will read and listen to oral, written, and electronically produced texts and performances from American and world literature; relate texts and performances to their own lives; and develop an understanding of the diverse social, historical, and

cultural dimensions the texts and performances represent. As speakers and writers, students will use oral and written language that follows the accepted conventions of the English language for self-expression and artistic creation.

(c) Students will listen, speak, read, and write for critical analysis and evaluation. As listeners and readers, students will analyze experiences, ideas, information, and issues presented by others using a variety of established criteria. As speakers and writers, they will use oral and written language that follows the accepted conventions of the English language to present, from a variety of perspectives, their opinions, and judgments on experiences, ideas, information, and issues.

(d) Students will listen, speak, read, and write for social interaction. Students will use oral and written language that follows the accepted conventions of the English language for effective social communication with a wide variety of people. As readers and listeners, they will use the social communications of others to enrich their understanding of people and their views.]

(ii) [Mathematics, science, and technology.] Career development and occupational studies. The Learning Standards for Career Development and Occupational Studies were adopted by the Board of Regents and published by the State Education Department in March 1996, and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

[(a) Students will use mathematical analysis, scientific inquiry, and engineering design, as appropriate, to pose questions, seek answers, and develop solutions.

(b) Students will access, generate, process, and transfer information using appropriate technologies.

(c) Students will, through the integrated study of number sense and operations, algebra, geometry, measurement, statistics, and probability, understand the concepts of and become proficient with the skills of mathematics, communicate and reason mathematically, and become problem solvers by using appropriate tools and strategies.

(d) Students will understand and apply scientific concepts, principles, and theories pertaining to the physical setting and living environment and recognize the historical development of ideas in science.

(e) Students will apply technological knowledge and skills to design, construct, use, and evaluate products and systems to satisfy human and environmental needs.

(f) Students will understand the relationships and common themes that connect mathematics, science, and technology and apply the themes to these and other areas of learning.

(g) Students will apply the knowledge and thinking skills of mathematics, science, and technology to address real-life problems and make informed decisions.]

(iii) [Social studies.] Computer science and digital fluency. The K-12 Learning Standards for Computer Science and Digital Fluency were adopted by the Board of Regents and published by the State Education Department on December 3, 2020, and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

[(a) Students will use a variety of intellectual skills to demonstrate their understanding of major ideas, eras, themes, developments, and turning points in the history of the United States and New York.

(b) Students will use a variety of intellectual skills to demonstrate their understanding of major ideas, eras, themes, developments, and turning points in world history and examine the broad sweep of history from a variety of perspectives.

(c) Students will use a variety of intellectual skills to demonstrate their understanding of the geography of the interdependent world in which we live - local, national, and global - including the distribution of people, places, and environments over the Earth's surface.

(d) Students will use a variety of intellectual skills to demonstrate their understanding of how the United States and other societies develop economic systems and associated institutions to allocate scarce resources, how major decision-making units function in the United States and other national economies and how an economy solves the scarcity problem through market and nonmarket mechanisms.

(e) Students will use a variety of intellectual skills to demonstrate their understanding of the necessity for establishing governments; the governmental system of the United States and other nations; the United States Constitution; the basic civic values of American constitutional democracy; and the roles, rights, and responsibilities of citizenship, including avenues of participation.]

(iv) [World languages.] English language arts. The NYS Next Generation English Language Arts Learning Standards were adopted by the Board of Regents and published by the State Education Department on September 11, 2017, and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

[(a) Students will be able to use a language other than English for communication.

(b) Students will develop cross-cultural skills and understandings.]

(v) [The arts.] Family and consumer sciences. The Learning Standards for Family and Consumer Sciences were adopted by the Board of Regents and published by the State Education Department in March 1996, and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

[(a) Students will actively engage in the processes that constitute creation and performance in the arts (visual arts, music, dance, and theatre) and participate in various roles in the arts.

(b) Students will be knowledgeable about and make use of the materials and resources available for participation in the arts in various roles.

(c) Students will respond critically to a variety of works in the arts, connecting the individual work to other works and other aspects of human endeavor and thought.

(d) Students will develop an understanding of the personal and cultural forces that shape artistic communication and how the arts in turn shape the diverse cultures of past and present society.]

(vi) Health[, physical education and family and consumer sciences]. The Learning Standards for Health were adopted by the Board of Regents and published by the State Education Department in March 1996, and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

[(a) Students will have the necessary knowledge and skills to establish and maintain physical fitness, participate in physical activity, and maintain personal health.

(b) Students will acquire the knowledge and ability necessary to create and maintain a safe and healthy environment.

(c) Students will understand and be able to manage their personal and community resources.]

(vii) [Career development and occupational studies.] Mathematics. The NYS Next Generation Mathematics Learning Standards were adopted by the Board of Regents and published by the State Education Department on September 11, 2017, and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

[(a) Students will be knowledgeable about the world of work, explore career options, and relate personal skills, aptitudes, and abilities to future career decisions.

(b) Students will demonstrate how academic knowledge and skills are applied in the workplace and other settings.

(c) Students will demonstrate mastery of the foundation skills and competencies essential for success in the workplace.

(d) Students who choose a career major will acquire the career-specific technical knowledge/skills necessary to progress toward gainful employment, career advancement, and success in postsecondary programs.]

(viii) Physical education. The NYS Physical Education Learning Standards (2020) were adopted by the Board of Regents and published by the State Education Department on March 2, 2020, and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

(ix) Science. The NYS P-12 Science Learning Standards were adopted by the Board of Regents and published by the State Education Department on December 12, 2016, and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

(x) Social studies. The Learning Standards for Social Studies were adopted by the Board of Regents and published by the State Education Department in June 1996 and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

(xi) Technology. The Learning Standards for Math, Science, and Technology were adopted by the Board of Regents and published by the State Education Department in March 1996, and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

(xii) World languages. The NYS Learning Standards for World Languages were adopted by the Board of Regents and published by the State Education Department on March 15, 2021, and are available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, NY 12234.

(2) [The State learning standards in each of the seven general curriculum areas, and the State assessments that measure achievement of the State learning standards, are organized into four levels:

(i) the elementary or elementary-level State learning standards and State assessments reflect the knowledge, skills, and understandings all students are expected to know and be able to do by the end of grade four;

(ii) the intermediate or intermediate-level State learning standards and State assessments reflect the knowledge, skills, and understandings all students are expected to know and be able to do by the end of grade 8;

(iii) the commencement or commencement-level State learning standards and State assessments reflect the knowledge, skills, and understandings all students are expected to know and be able to do upon receiving a high school diploma;

(iv) the]The alternate performance level for the State learning standards and the State assessment for students with severe disabilities reflect the knowledge, skills, and understandings that such students are expected to know and be able to do as indicated in their individualized education programs. Students with severe disabilities means students who have limited cognitive abilities combined with behavioral and/or physical limitations and who require highly specialized education, and social, psychological, and medical services in order to maximize their full potential for useful and meaningful participation in society and for self-fulfillment. Students with severe disabilities may experience severe speech, language, and/or perceptual-cognitive impairments, and evidence challenging behaviors that interfere with learning and socialization opportunities. These students may also have extremely fragile physiological conditions and may require personal care, physical/verbal supports and/or prompts, and assistive technology devices.

2. Subparagraph (vii) of paragraph (1) of subdivision (p) of section 100.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(vii) *Alternate assessment* means a State alternate assessment recommended by the committee on special education, for use by students with disabilities as defined in section [100.1(t)(2)(iv)] 100.1(t)(2) of this Part in lieu of a required State assessment.

3. Subparagraph (iii) of paragraph (3) of subdivision (a) of section 100.3 of the Regulations of the Commissioner of Education is amended to read as follows:

(iii) instruction in the content area of English language arts, mathematics, science, social studies, and the arts, including dance, media arts, music, [theatre]theater, and visual arts; that is designed to facilitate student attainment of the State learning standards and is aligned with the instructional program in the early elementary grades;

4. Paragraph (1) of subdivision (b) of section 100.3 of the Regulations of the Commissioner of Education is amended to read as follows:

(1) Required [subjects]instruction. During grades one through four, all students shall receive instruction that is designed to facilitate their attainment of the applicable State [elementary] learning standards [in:

(i) mathematics, including arithmetic, science, and technology;

(ii) English language arts, including reading, writing, listening, and speaking for purposes of information and understanding, literary response and expression, critical analysis and evaluation, and social interaction, with attention given to comprehension, vocabulary, word study, spelling, grammar, usage, and punctuation;

(iii) social studies, including geography and United States history;

(iv) languages other than English, pursuant to section 100.2(d) of this Part;

(v) the arts, including visual arts, music, dance, and theatre;

(vi) career development and occupational studies;

(vii) as prescribed in subdivision (t) of section 100.1 of this Part, and where student need is established, bilingual education and/or English as a [second] new language]; and

(viii) health education, physical education, and family and consumer sciences.

(a) Instruction in health education shall be pursuant to section 135.3(b) of this Title.

(b) Instruction in physical education shall be pursuant to section 135.4(c)(2)(i) of this Title].

5. Subparagraph (iii) of paragraph (2) of subdivision (b) of section 100.3 of the Regulations of the Commissioner of Education is amended to read as follows:

(iii) In accordance with their individualized education programs, students with disabilities instructed in the alternate academic achievement standards defined in section [100.1(t)(2)(iv)] 100.1(t)(2) of this Part shall be administered a State alternate assessment to measure their achievement.

6. Paragraph (1) of subdivision (b) of section 100.4 of the Regulations of the Commissioner of Education is amended to read as follows:

(1) Required [subjects]instruction. During grades 5 and 6, all students shall receive instruction that is designed to facilitate their attainment of the applicable State [intermediate] learning standards[in the seven general curriculum areas:

(i) mathematics, including arithmetic, science, and technology;

(ii) English language arts, including reading, writing, listening, and speaking for purposes of information and understanding, literary response and expression, critical analysis and evaluation, and social interaction, with attention given to comprehension, vocabulary, word study, spelling, grammar, usage, and punctuation;

(iii) social studies, including geography and United States history;

(iv) world languages, pursuant to section 100.2(d) of this Part;

(v) the arts, including visual arts, music, dance, and theatre;

(vi) career development and occupational studies;

(vii)] as prescribed in subdivision (t) of section 100.1 of this Part, and where student need is established, bilingual education and/or English as a [second]_new language]; and

(viii) health education, physical education, and family and consumer sciences;

(a) instruction in health education shall be pursuant to section 135.3(b) of this Title; and

(b) instruction in physical education shall be pursuant to section 135.4(c)(2)(i) of this Title].

7. Paragraph (1) of subdivision (c) of section 100.4 of the Regulations of the Commissioner of Education is amended to read as follows:

(1) Except as otherwise provided herein, all students shall be provided instruction designed to enable them to achieve, by the end of grade 8, the applicable State [intermediate] learning standards as prescribed in subdivision (t) of section 100.1 of this Part through:

(i) English language arts, two units of study;

(ii) social studies, two units of study;

(iii) science, two units of study;

(iv) mathematics, two units of study;

(v) [technology education, one unit of study, provided that for the 2018-2019 school year and thereafter, this unit of study requirement shall be replaced by that described in subparagraph (xiii) of this subdivision;] career and technical education (i.e., agricultural education, business and marketing education, computer science education, family and consumer sciences education, health sciences education, technology

education, and/or trade and technical education), for a total of one and three-fourths units of study;

(vi) [home and career skills, three-quarters of a unit of study, provided that for the 2018-2019 school year and thereafter, this unit of study requirement shall be replaced by that described in subparagraph (xiii) of this subdivision;

(vii)] physical education, as required by section 135.4(c)(2)(ii) of this Title;

[(viii)](vii) health education, one-half unit of study, as required by section 135.3(c) of this Title;

[(ix)](viii) the arts, including one-half unit of study in the visual arts, and one-half unit of study in music;

[(x)](ix) library and information skills, the equivalent of one period per week in grades 7 and 8;

[(xi)](x) world languages pursuant to section 100.2 (d) of this Part;

[(xii)](xi) career development and occupational studies[; and

(xiii) for students in schools that have vacancies in teacher positions for the courses described in subparagraphs (v) and (vi) of this subdivision during the 2017-2018 school year, and for all students in the 2018-2019 school year and thereafter, career and technical education (i.e., technology education, family and consumer sciences, trade, and technical subjects, business, computer science, agriculture, and/or health sciences), for a total of one and three-fourths units of study].

8. Subparagraph (v) of paragraph (2) of subdivision (b) of section 100.4 of the Regulations of the Commissioner of Education is amended to read as follows:

(v) in accordance with their individualized education programs, students with disabilities instructed in the alternate academic achievement standards defined in

section [100.1(t)(2)(iv)] 100.1(t)(2) of this Part shall be administered a State alternate assessment to measure their achievement;

9. Subdivision (g) of section 100.4 of the Regulations of the Commissioner of Education is amended to read as follows:

(g) In accordance with their individualized education programs, students with disabilities instructed in the alternate academic achievement standards defined in section [100.1(t)(2)(iv)] 100.1(t)(2) of this Part shall be administered a State alternate assessment to measure their achievement.

10. Paragraph (3) of subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(3) Students first entering grade nine in the 2001-2002 school year, but prior to the 2008-2009 school year, shall have earned at least 22 units of credit including two credits in physical education to receive either a Regents or local high school diploma. Students first entering grade nine in the 2008-2009 school year and thereafter shall have earned at least 22 units of credit including two credits in physical education to receive a Regents or local high school diploma. Such units of credit shall incorporate the commencement level of the State learning standards [in English; social studies; mathematics, science, technology; the arts (including visual arts, music, dance, and theatre); languages other than English; health, physical education, family and consumer sciences; and career development and occupational studies] as prescribed in subdivision (t) of section 100.1 of this Part. Such units of credit shall include:

(i) English language arts, four units of commencement level credit;

(ii) social studies, four units of credit as set forth in paragraph (6) of this subdivision;

(iii) science, three units of credit of commencement level science, at least one course shall be life sciences and at least one in the physical sciences, the third may be either life sciences or physical sciences;

(iv) mathematics, three units of credit of mathematics, which shall be at a more advanced level than grade eight, shall meet commencement level learning standards as determined by the commissioner, provided that no more than two credits shall be earned for any [Integrated] Algebra 1, Geometry, or Algebra 2 [and Trigonometry] commencement level mathematics course;

(v) [visual arts and/or music, dance, or theatre]the arts, one unit of credit; and

(vi) health education, one-half unit of credit in accordance with the requirements set forth in section 135.3(c) of this Title. Learning standards in the area of parenting shall be attained through either the health or family and consumer sciences programs or a separate course.

11. Paragraph (2) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(2) [Visual arts and/or music, dance, or theatre]Credit for participation in the arts.

(i) A student may obtain the unit of credit in art and/or music required pursuant to subparagraph (a)(2)(v) of this section or the unit of credit in [visual]the arts [and/or music, dance or theatre] required pursuant to subparagraph (a)(3)(v) of this section in the following manner:

(a) by participating in a school's major performing groups, such as band, chorus, orchestra, dance group, or [theatre]theater group; or

(b) by participating, only in exceptional situations, in an advanced out-of-school art or music activity. Credit for such participation shall be upon recommendation by the

student's [visual arts, music,]dance, media arts, music, [or] theatre, or visual arts teacher, shall be approved by the [visual arts, music, dance or theatre]department chairperson in the arts, if there is one, and by the school principal, and shall be consistent with the goals and objectives of the school's [visual]arts[, music, dance, and/or theatre] program.

(ii) A student may receive a unit of credit for participation in such activities if such participation is equivalent to a unit of study, or a student may receive one-half unit of credit for such activity equivalent to one-half unit of study.

12. Clause (e) of subparagraph (iv) of paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(e) The [Arts] arts (including dance, media arts, music, [visual arts, music, dance and] theatre], and visual arts), one unit of credit, which may be a specialized course that meets the arts standards at the commencement level as [established by the commissioner] prescribed in subdivision (t) of section 100.1 of this Part. Any arts course for which credit will be awarded to meet the one unit of credit requirement for graduation must be taught by a certified teacher [and must follow a State-developed or State-adopted syllabus or a locally developed or locally adopted syllabus approved by the commissioner].

13. Clause (f) of subparagraph (iv) of paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(f) Health, one-half unit of credit which may be a specialized course that meets the health standards at the commencement level as [established by the commissioner]

prescribed in subdivision (t) of section 100.1 of this Part. Any health course for which credit will be awarded to meet the one-half unit of credit requirement for graduation must be taught by a certified teacher[and must follow a State- developed or State- adopted syllabus or a locally developed or locally adopted syllabus approved by the commissioner].

14. Subparagraph (iv) of paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education is amended by adding a new clause (l) to read as follows:

(l) The State learning standards in computer science may be met either through a course in computer science or through an integrated course.

15. The opening paragraph of subdivision (a) of section 100.6 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) Skills and achievement commencement credential. Beginning with the 2013-14 school year and thereafter, the board of education or trustees of a school district shall, and the principal of a nonpublic school may issue a skills and achievement commencement credential to a student who has taken the State assessment for students with severe disabilities, as defined in section [100.1(t)(2)(iv)] 100.1(t)(2) of this Part, in accordance with the following provisions:

16. Paragraphs (1) and (4) of subdivision (a) of section 100.6 of the Regulations of the Commissioner of Education is amended to read as follows:

(1) Prior to awarding the skills and achievement commencement credential, the governing body of the school district or nonpublic school shall ensure that:

(i) ...

(ii) such student meets the definition of a student with a severe disability as defined in section [100.1(t)(2)(iv)] 100.1(t)(2) of this Part; and

(iii) ...

(4) The credential shall be issued together with a summary of the student's academic achievement and functional performance, as required pursuant to section 200.4(c)(4) of this Title, that includes documentation of:

(i) the student's level of achievement and independence for each of the career development and occupational studies learning standards set forth in section [100.1(t)(1)(vii)(a), (b) and (c)] 100.1(t)(1)(ii) of this Part including, but not limited to career development; integrated learning; universal foundation skills that include basic skills in reading, writing, listening, speaking, math, and functional math; thinking skills; personal qualities; interpersonal skills; use of technology; managing information and resources; systems skills;

(ii) ...

(iii) ...

17. Subparagraphs (ii) and (iii) of paragraph (3) of subdivision (b) of section 100.6 of the Regulations of the Commissioner of Education are amended to read as follows:

(ii) the school district has evidence that the student has demonstrated commencement level knowledge and skills relating to the career development and occupational studies learning standards set forth in section [100.1(t)(1)(vii)(a), (b) and (c)] 100.1(t)(1)(ii) of this Part, including but not limited to career development, integrated learning, and the universal foundation skills; and the student has successfully completed in grades 9-12 not less than the equivalent of two units of study in career and

technical education course(s) and/or work-based learning experiences. The equivalent units of study shall be earned through coursework in career and technical education and/or work-based learning experiences, provided that the equivalent units of study shall include a minimum of 54 hours of documented school-supervised work-based learning experiences related to career awareness, exploration, and/or preparation which may, but are not required to, be completed in conjunction with the student's career and technical education course(s). Provided, however, that for the 2019-20 school year a student may be exempted from the unit of study and/or work-based learning experience requirement(s) prescribed in this subparagraph where such student is unable to meet such requirement(s) due to a school being closed pursuant to an Executive Order(s) of the Governor pursuant to the State of emergency for the COVID-19 crisis where such student otherwise achieves the learning outcomes for the portion of such unit of study and/or work-based learning experience requirement(s) completed. For purposes of this subdivision:

(a) ...

(b) ...

(iii) Within one year prior to a student's exit from high school, at least one work skills employability profile for the student has been completed by designated school staff or other individuals knowledgeable about the student's employability skills and experiences that identifies the student's attainment of each of the commencement level career development and occupational studies learning standards set forth in section [100.1(t)(1)(vii)(a), (b) and (c)] 100.1(t)(1)(ii) of this Part including, but not limited to career development; integrated learning; and universal foundation skills and, as appropriate, documents the student's attainment of technical knowledge and work-

related skills, work experiences, performance on industry-based assessments and other work-related and academic achievements. School districts may use a model form developed by the commissioner to document a student's work skills and employability profile, or a locally developed form that meets the requirements of this subdivision. A copy of the student's work skills employability profile(s) shall be maintained in the student's permanent record.

18. Subparagraph (viii) of paragraph (1) of subdivision (b) of section 100.21 of the Regulations of the Commissioner of Education is amended to read as follows:

(viii) *Alternate assessment* means a New York State Alternate Assessment approved by the Commissioner and recommended by the committee on special education for students with severe disabilities as defined in section [100.1(t)(2)(iv)] 100.1(t)(2) of this Part, in lieu of a required State assessment.

19. Paragraph (2) of subdivision (g) of section 100.21 of the Regulations of the Commissioner of Education is amended to read as follows:

(2) The numerator is the number of these students demonstrating success in specific college, career, and civic readiness using specific measures multiplied by the weighting (0.5 to 2.0) assigned to each of these measures in accordance with the table below plus the number of students who earned a High School Equivalency diploma in the current reporting year and students who were members of the English language learner subgroup at the time of graduation who earned a Regents Diploma with a Seal of Biliteracy in the reporting year, regardless of whether or not they were in the 4-year Graduation Rate Cohort.

In accordance with the provisions of Section 100.5 of this Part: 2.0

Regents Diploma with Advanced Designation Regents or Local Diploma with CTE Technical Endorsement Regents Diploma with Seal of Biliteracy Regents Diploma and a score of 3 or higher on an Advanced Placement exam Regents Diploma and a score of 4 or higher on an International Baccalaureate exam Regents or Local Diploma and the passage of nationally certified Career and Technical Education (CTE) examination Regents Diploma and high school credit earned through participation in dual enrollment (in high school and accredited college) course Skills and achievement commencement credential as provided in section 100.6(a) of this Part and a Level 4 on the New York State Alternate Assessment for students with disabilities as defined in section [100.1(t)(2)(iv)] 100.1(t)(2) of this Part Annual ELL and earned Regents with Seal of Biliteracy in the current reporting year and not in 4-year graduation-rate cohort

In accordance with the provisions of Section 100.5 of this Part: Regents Diploma and high school credit earned through participation in an Advanced Placement course Regents Diploma and high school credit earned through participation in an International Baccalaureate course Regents Diploma with Career Development and Occupational Studies (CDOS) endorsement Skills and achievement commencement credential as provided in section 100.6(a) of this Part and Level 3 on the New York State Alternate Assessment for students with disabilities as defined in section [100.1(t)(2)(iv)] <u>100.1(t)(2)</u> of this Part	1.5
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Regents or Local Diploma only in accordance with provisions of section 100.5 of this Part Skills and achievement commencement credential as	1.0
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provided in section 100.6(a) of this Part and an achievement Level 2 on the NYSAA

Annual high school equivalency diploma recipients (included in the numerator but not denominator) New York State career development and occupational studies commencement credential as provided in section 100.6(b) of this Part	0.5
No high school diploma or high school equivalency diploma	0

To determine the College, Career, and Civic Readiness Index, the numerator is divided by the denominator, and the result is multiplied by 100.