



TO: The Honorable the Members of the Board of Regents

FROM: Lawrence C. Gloeckler

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COMMITTEES: Joint Meeting of Vocational and Educational Services for Individuals with Disabilities and Elementary, Middle, Secondary and Continuing Education

TITLE OF ITEM: Safety Net for Students with Disabilities

DATE OF SUBMISSION: January 17, 2001

PROPOSED HANDLING: Discussion

RATIONALE FOR ITEM: Policy discussion of recommendations to amend Part 100 of the Regulations of the Commissioner of Education

STRATEGIC GOAL: Goal 1

AUTHORIZATION(S):

SUMMARY:

In November 1997 the Board of Regents approved a proposal to revise graduation requirements, including a safety net for students with disabilities.

The safety net is critical for some students with disabilities who have not had the opportunity to take the challenging academic work to prepare for the new Regents examinations. It helps students with disabilities during the phase-in of the new higher requirements.

The current safety net is for students with disabilities who entered 9th grade from September 1996 through September 2000. Students with disabilities must take the required Regents course and examination but the safety net allows students who do not pass a Regents exam required for their class to meet the requirements for a local diploma by passing the Regents Competency Test (RCT) or the equivalent in that subject.

An extension of the current safety net is recommended to allow enough time to: gather further data on how students with disabilities are performing on required Regents examinations, including the effect of multiple tests; increase the participation of students with disabilities in the general education curriculum; and study the impact of academic intervention services.

The Safety Net Provision for Students with Disabilities

The United States Congress took dramatic action in 1997 by redirecting the emphasis of the Federal Individuals with Disabilities Education Act (IDEA) from ensuring that students with disabilities have access to appropriate evaluations and education programs to improving the quality of their education. The IDEA focuses on improving educational achievement and ensuring the success of students with disabilities in the general education curriculum. The Board of Regents special education reform efforts are remarkably similar in purpose to the 1997 reauthorization of IDEA.

The Regents have set high expectations for what students should know and be able to do. In November 1997 the Board of Regents approved a proposal to revise graduation requirements, including a safety net for students with disabilities, to ensure that these new higher expectations are met. This safety net was designed to support students as they gained access to the general education curriculum and the new assessments. It allowed for data to be collected on their performance over time. Subsequently, Part 100 of the Regulations of the Commissioner of Education was revised to reflect this proposal and became effective on September 1, 1999.

Current Safety Net

The safety net is critical for some students with disabilities who have not had the opportunity to take the challenging academic work to prepare for the new Regents examinations. It helps students with disabilities during the phase-in of the new higher requirements. The current safety net is for students with disabilities who entered 9th grade from September 1996 through September 2000. Students with disabilities must take the required Regents course and examination but the safety net allows students who are not able to pass a Regents exam required for their class to meet the requirements for a local diploma by passing the Regents Competency Test (RCT) or the equivalent in that subject.

Use and Effect of Safety Net

The justification for continuing the safety net for students with disabilities is based on an analysis of data pertaining to:

- Percentage of students with disabilities earning Regents high school diplomas.
- Participation and performance of students with disabilities in the five Regents examinations in subjects in which they must demonstrate competency in order to graduate with a Regents diploma.
- Percentage of students with disabilities in the cohort of 2000 (students who entered ninth grade in the fall of 1996) who satisfactorily completed the English and Mathematics graduation requirements by June 2000.
- Participation and performance of students with disabilities on the five Regents competency tests. The Regents competency tests comprise the safety net for

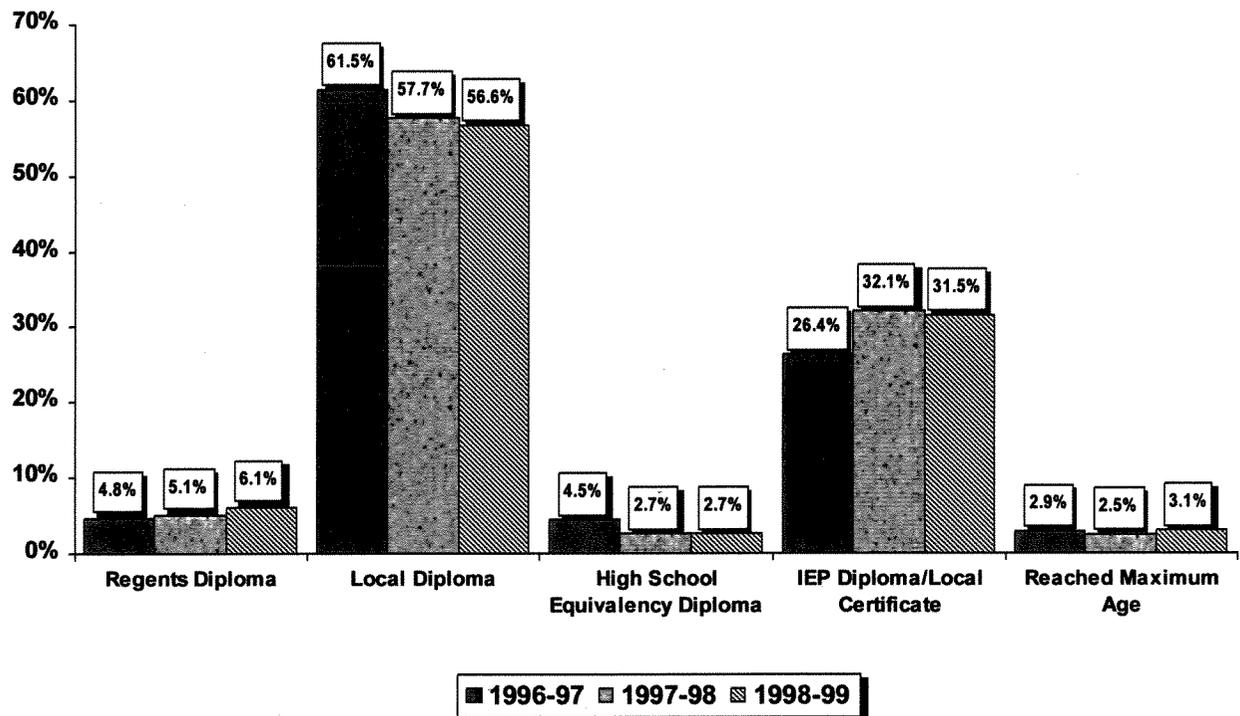
students with disabilities by allowing students with disabilities to take the competency tests, if they are unsuccessful in achieving a passing score on the Regents examinations.

- Performance of students with disabilities on the eighth grade English Language Arts and Mathematics examinations.

Data related to the above measures are presented below with narrative explanations that support a need to continue the safety net for students with disabilities.

High School Diplomas

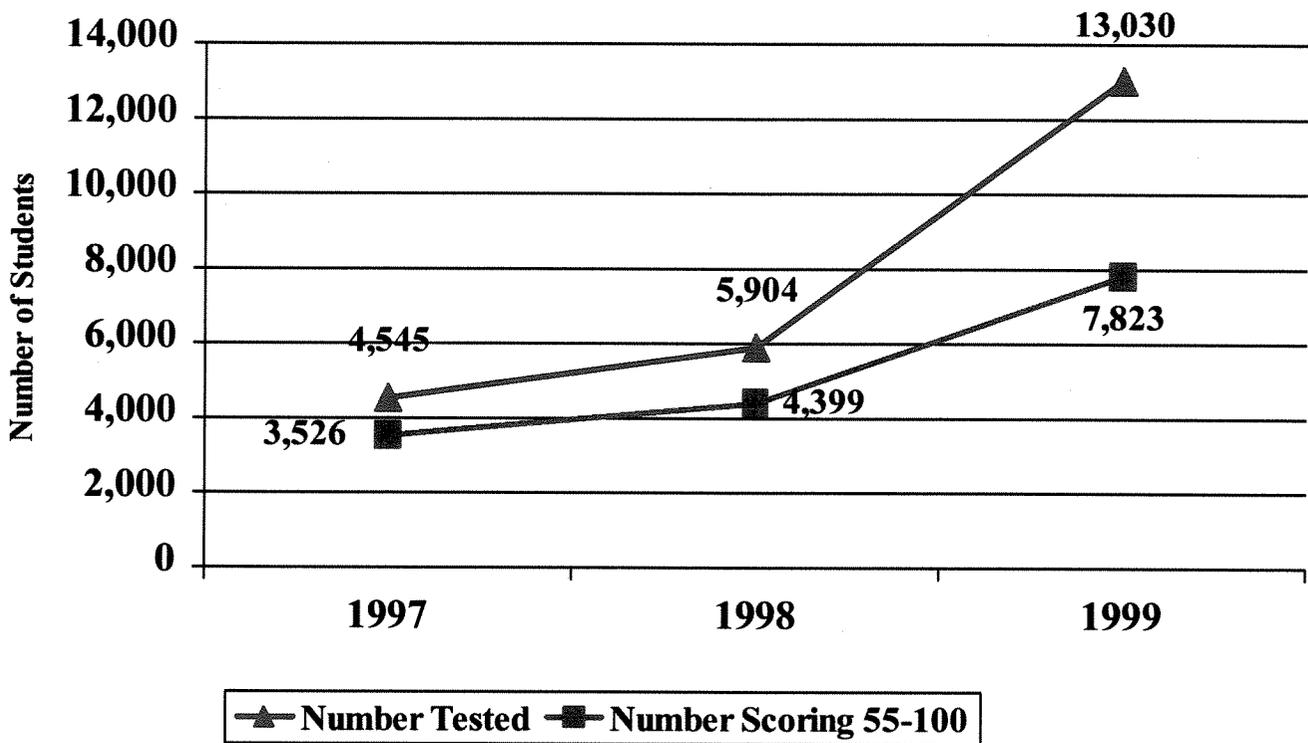
Percentages of Students with Disabilities Earning High School Diplomas*



*Note: These percentages include only students with disabilities who completed high school. Students who dropped out are not included.

- The data above indicate that while there has been an improvement in the percentage of students with disabilities earning Regents high school diplomas, at this time only a small percentage of students with disabilities who complete school earn Regents high school diplomas.
- Students who received Regents diplomas passed eight Regents examinations.

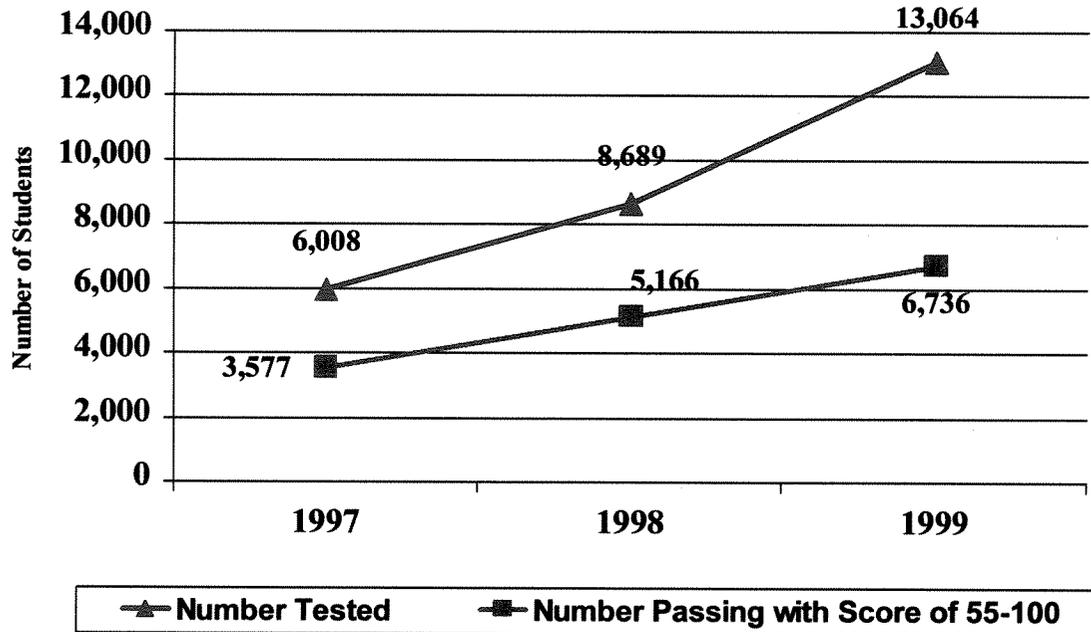
Students with Disabilities
Regents Examination in English
Trends in Number Tested and Number Passing
Public and Nonpublic Schools



Students with Disabilities

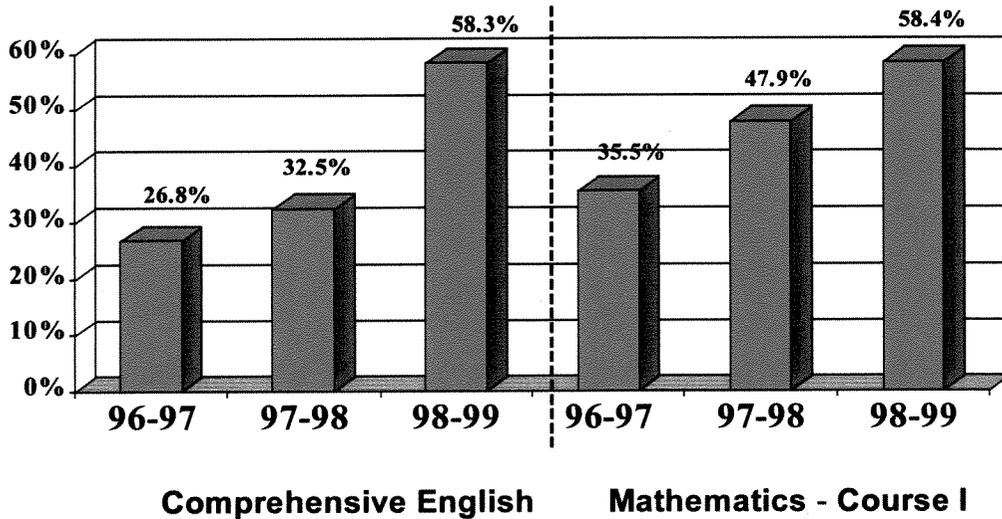
Regents Examination in Mathematics, Course I

Trends in Number Tested and Number Passing Public and Private Schools



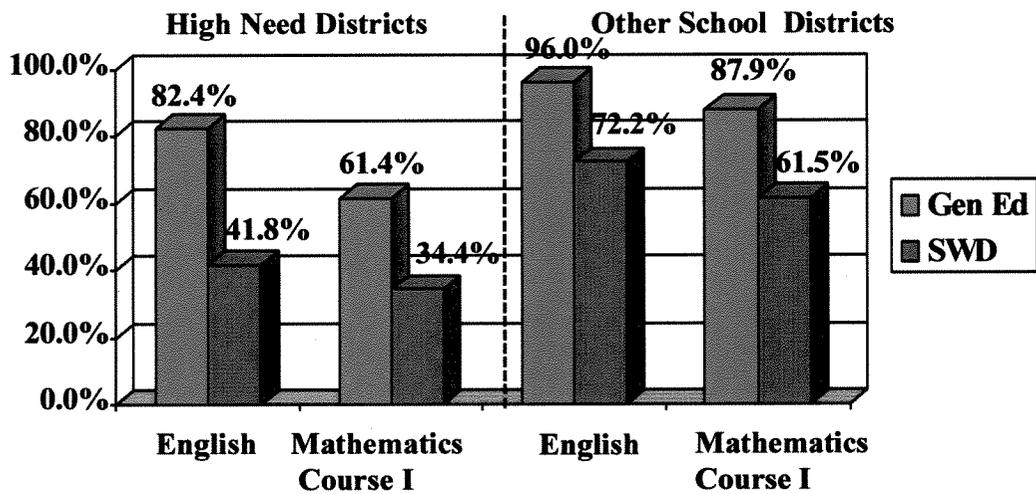
- The two charts above show that more students with disabilities passed the Comprehensive English and Mathematics Course I Regents examinations in 1999 than took the exams two years before. Clearly, many more students with disabilities were capable of passing these examinations.

**Percent of Average Grade Enrollment of Students with Disabilities Tested on Selected Regents Examinations
(All Schools)**



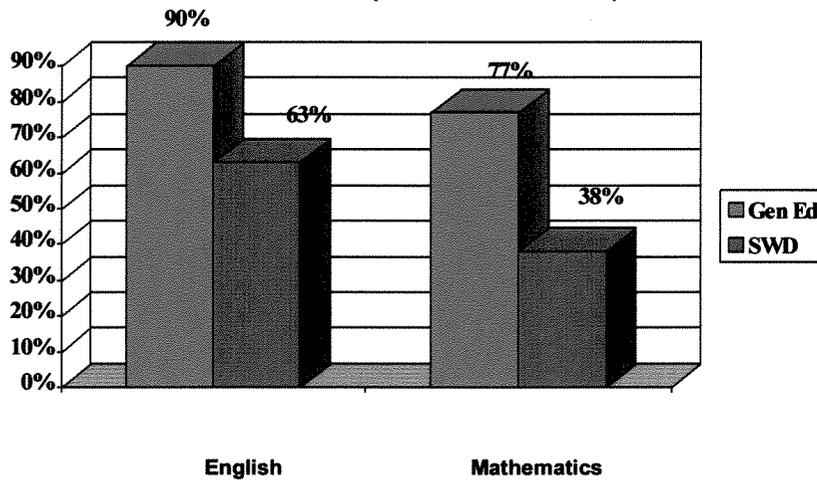
- While there has been a dramatic improvement in the number and percentage of students with disabilities participating in the Regents examinations, a lower percentage of the average grade enrollment of students with disabilities is tested compared to the percentage of average grade enrollment of general education students.

**Percent of Students Tested, Scoring 55-100 on
Selected Regents Examinations**



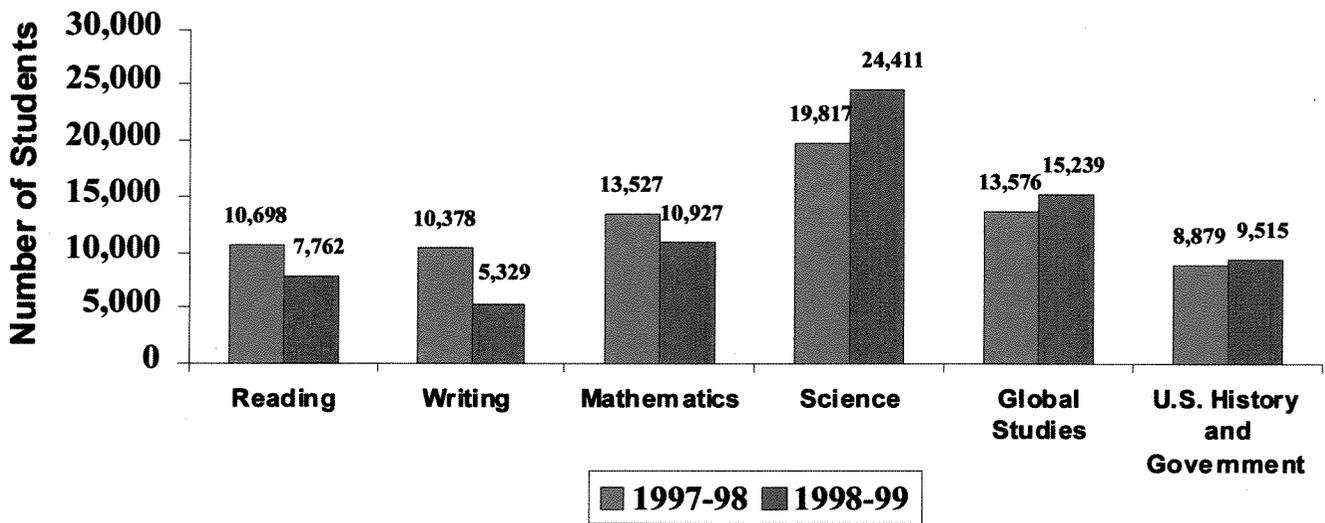
- The performance of students with disabilities is lower than that of their peers in general education, and performance is lower in the high need districts than in the average or low need districts.

Percent of the 1996 Cohort* Meeting the Regents English and Mathematics Graduation Standards as of June 2000 (All Public Schools)



- * Students with disabilities cohort of 1997 and in subsequent years will be larger and will include all students with disabilities except those who will participate in the State's alternate assessment.
- A lower percentage of the students with disabilities cohort has satisfied the English Language Arts and Mathematics graduation requirements compared to the percentage of the general education cohort.

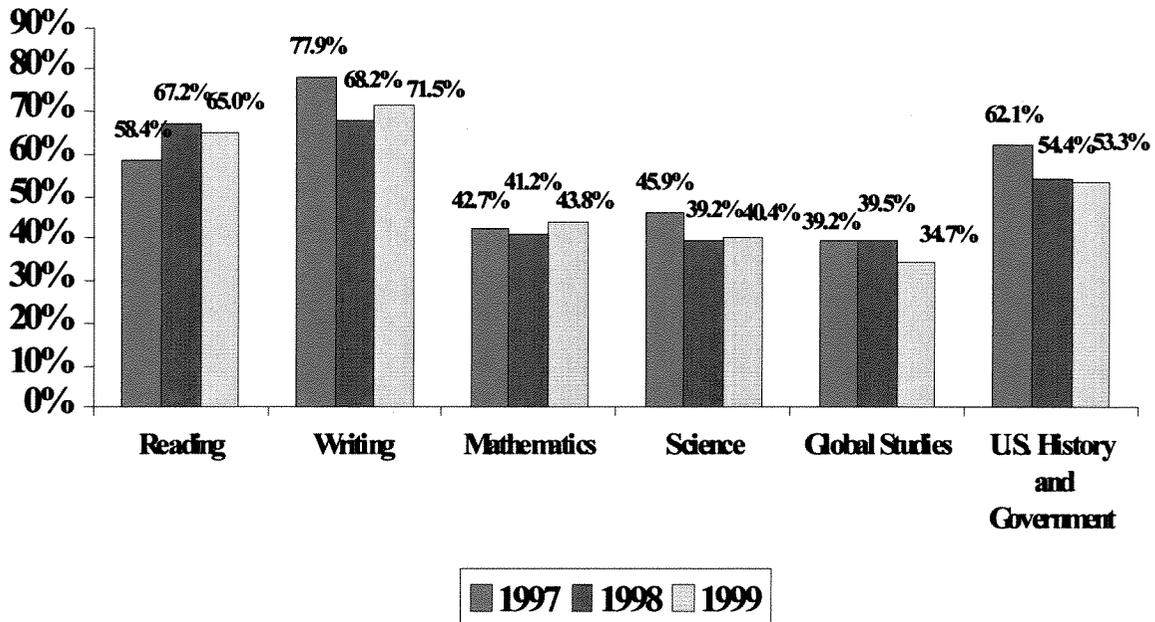
**Students with Disabilities
Number Taking Regents Competency Tests
1997-98 and 1998-99*
(Public School Districts**)**



*First New Regents Exam (English) was phased in as a requirement for graduation

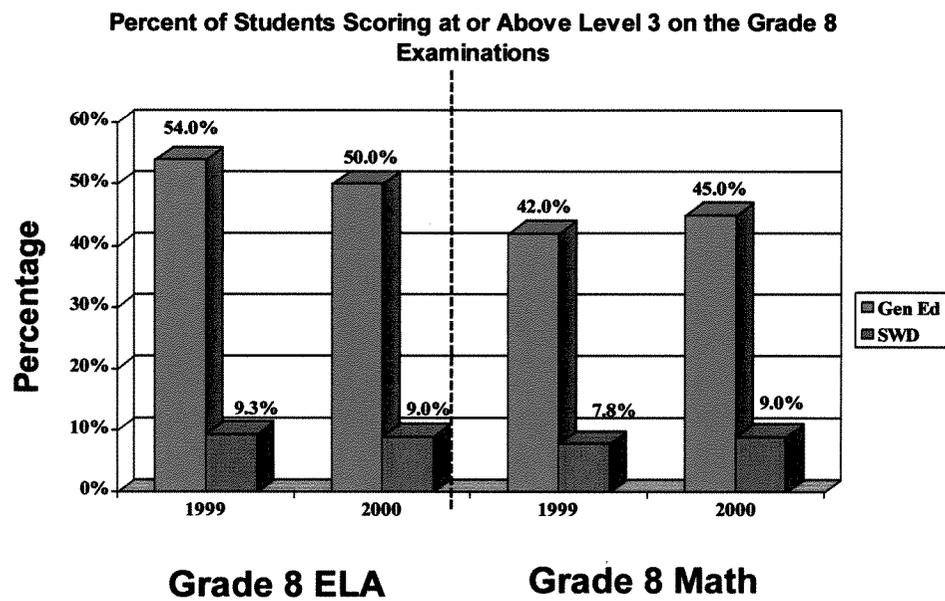
**Includes Special Act School Districts and Students Placed Out of District

Students with Disabilities Percent Passing Regents Competency Tests 1997-1999 (Public and Private Schools)



- There has been a reduction in the number of students with disabilities who took the Regents competency tests in those areas where new Regents Exams have been implemented.
- Despite fewer students taking these tests, they are performing almost as well or better on the tests that are the safety net for the Regents English Language Arts and Mathematics Exams.

Performance on the Grade 8 English Language Arts and Mathematics Examinations



- At this time most students with disabilities leave eighth grade with inadequate ELA and mathematics skills.

Recommendations

It is recommended that four additional freshman classes of students with disabilities be added to the safety net in order to allow enough time to gather further data on how students with disabilities are performing on the required Regents examinations. This will ensure that future decisions on the participation of students with disabilities will be based on how these students perform on each required Regents examination and the effect of requiring students to take multiple Regents examinations. An extension of the current safety net would:

- Require students with disabilities entering 9th grade beginning **September 1996 through September 2004** to take each Regents course and examination required for their entering class. However, it would allow students with disabilities who do not pass a Regents exam required for their class to meet the requirements for a local diploma by passing the Regents Competency Test (RCT) or the equivalent in that subject. This recommendation would also require the Regents to extend the availability of the local diploma for students with disabilities.
- Allow general and special education teachers more time to receive training in areas such as instructional strategies, modifications and adaptations of curriculum, assistive technology aids and services, core curriculum and testing accommodations.
- Continue efforts to ensure that all students with disabilities are provided access to general education courses, course content, electives and tests that are required for a high school diploma regardless of where they attend school or the type of school they attend.
- Provide more time for academic intervention services to assist students with disabilities in reaching the new learning standards in English language arts, mathematics, science and social studies.
- Provide four to seven years of performance data on students with disabilities, including the effect of requiring passing of multiple tests, as a basis for further policy recommendations.