



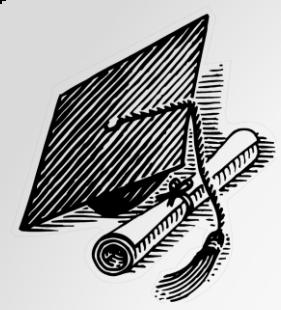
Amended Graduation Requirements for English Language Learners (ELLs)

Adopted by NYS
Board of Regents on Emergency Basis
on 10/21/14

SUFFOLK COUNTY SCHOOL SUPERINTENDENTS ASSOCIATION

January 6, 2014
James E. Hines Administrative Center
Eastern Suffolk BOCES
Patchogue, NY

Presenter: Terri Brady-Méndez
Program Administrator
ESL/Bilingual Programs
Eastern Suffolk BOCES



Amendment to CR Part 100.5 (d) (7)

- Commissioners Regulation Part 100 **currently** allows for all students, ELLs and non-ELLs, to be eligible to apply for the **Local Diploma** via appeal if they:
 - Score 65+ on three Regents exams; **AND**
 - Score 62-64 on two Regents exams.



Amendment to CR Part 100.5 (d) (7)

Approved Amendment for ELLs:

ELLs who entered the United States in 9th grade or above in the **2010-11** school year and thereafter, and ***who score between 55-61 on the Regents Exam in English after two attempts at attaining a score of 65 or above***, are also eligible to receive the **Local Diploma** via appeal if they:

- Successfully appeal the Regents Exam in English AND score at least 65 on each of the four remaining required Regents exams; **OR**
- Successfully appeal the Regents Exam in English AND score at least 65 on three other required Regents exams AND score between 62 to 64 on one other required Regents exam and successfully appeal that exam.



Amendment to CR Part 100.5 (d) (7)

Eligibility Criteria for ELLs to Appeal

To be eligible to appeal a score on the Regents Exam in English, ELLs would also have to meet these conditions:

- The student has received academic intervention services in English language arts; **AND**
- The student has an attendance rate of at least **95 percent** for the school year during which the student last took the Regents examination in English; **AND**
- The student has attained a course average in English language arts that **meets or exceeds the required passing grade by the school** and is recorded on the student's official transcript with grades achieved by the student in each quarter of the school year; **AND**
- The student is recommended for an exemption to the passing score on the Regents examination by his or her teacher or department chairperson.



Amendment to CR Part 100.5 (d) (7)

Who may appeal to graduate with a lower score on a Regents Examination?

- The appeal may be initiated by the ELL student, or by the student's parent/guardian, or by the student's teacher and must be submitted to the student's school principal.
- Through this appeal, the student seeks a waiver of the graduation assessment requirement in this subject area. Approval of this appeal will not change the student's score on the Regents examination under appeal.
- ELL Students who are granted an appeal on the ELA with a score between 55-61 and who fulfill all other course and testing requirements will receive a local diploma.



Amendment to CR Part 100.5 (d) (7)

How is the Appeal Process Conducted?

- The school principal shall chair a standing committee comprised of three teachers (not to include the student's teacher in the subject area of the Regents examination under appeal) and two school administrators (one of whom shall be the school principal).
- The standing committee shall review an appeal within 10 school days of its receipt and make a recommendation to the school superintendent to accept or deny the appeal.
- The standing committee may interview the teacher or department chairperson who recommended the appeal, and may also interview the student making the appeal to determine that he or she has demonstrated the knowledge and skills required under the State learning standards in the subject area in question.
- The school superintendent shall make a final determination to accept or deny the appeal.
- The decision to grant or deny an appeal is made at the district level and is not subject to State Education Department (SED) approval.



Amendment to CR Part 100.5 (d) (7)

Appeal Process: Required Forms & Record Retention

- The form, ***Appeal to Graduate with a Lower Score on the Regents Examination***, which includes General Information and the annually required form for the district, is available on-line at the following URL:

<http://www.p12.nysed.gov/ciai/gradreq/appeal-form.pdf>

- The student's individual Appeal Form must be maintained in the District's records. It is not required to be sent to NYSED.
- On an annual basis at the conclusion of each school year, the district is required to submit a ***Summary of Records of Appeals*** to NYSED's Office of Information and Reporting Services. *(This form does NOT require individual student information; it is simply a count of student appeals granted by Regents Examination type.)*
- Questions related to the appeals process should be directed to the New York State Education Department's Office of Curriculum and Instruction by e-mail at emscurric@nysed.gov or phone at 518-474-5922.



Amendment to CR Part 100.5 (d) (7)

What is the effective date of the Amendment?

- The emergency rule will be presented to the Board of Regents for adoption as a permanent rule at the January 12-13, 2015 Regents meeting, which is the first scheduled meeting after expiration of the 45-day public comment period mandated by the State Administrative Procedure Act for proposed rulemakings.
- On that basis, the earliest effective date of the proposed amendment, if adopted at the January meeting, would be **January 28, 2015.**