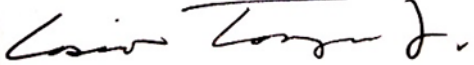




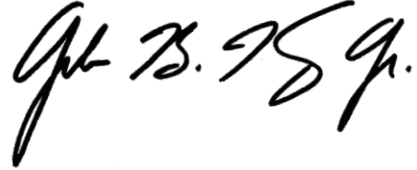


TO: The Honorable the Members of the Board of Regents

FROM: Cosimo Tangorra, Jr. 
Ken Wagner 

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: October 15, 2014

AUTHORIZATION(S):  

SUMMARY

Issue for Decision

Should the Board of Regents direct Department staff to finalize proposed draft amendments to 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 issue is being presented to the Full Board for decision at the October 2014 Regents meeting. A copy of the proposed draft amendments is attached. If the Board directs staff to proceed with the proposed amendments, it is anticipated that a Notice of Proposed Rule Making will be published in the State Register on November 5, 2014 and that the proposed amendment will be presented for adoption at the January 2015 Regents meeting.

Procedural History

In December 2012, the Career and Technical Education (CTE) Content Advisory Panel recommended to the P-12 Education Committee that New York explore multiple pathways towards college and career readiness, including pathways that utilize career-focused integrated courses and programs. In February 2013, an update was provided to the Board on the work of the Technical Assessment Review Panel, which was charged with developing a methodology for determining comparability among a group of CTE technical assessments and Regents Examinations. These findings were delivered to the Regents Blue Ribbon Commission in July 2013, at which time recommendations were submitted by additional interested groups (e.g., CTE teacher professional organizations and BOCES District Superintendents).

In June 2014, the P-12 Education Committee discussed additional pathway options regarding the assessment required for graduation, including a “4+1” option, whereby a student could take four Regents exams and a comparably rigorous technical or other assessment for the fifth required examination required for graduation. In September 2014, the Board of Regents instructed Department staff to draft regulatory amendments that would implement the 4+1 option as a pathway to graduation.

Also at the September 2014 Regents meeting, the P-12 Education Committee recommended that the social studies course requirements for high school graduation be modified to require two units of study in global history and geography or its equivalent. In addition, it was recommended that the Regents Examination required for graduation measure student knowledge and skills only in the Global History and Geography II (1750 to present) course. This approach will maintain the current implicit requirement that students pursue two years of study of global history and geography, but would refocus the Regents Exam to the scope and depth of the second year course. It is anticipated that the first administration of the new Regents Examination in Global History and Geography II (1750 to present) will be in June 2018.

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, for the fifth assessment required for graduation, such students pass any one of the following assessments:

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, validity and reliability, 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 Department staff is directed to proceed with finalizing proposed amendments to Commissioner's Regulations §§100.2 and 100.5, as submitted, and to present the proposed amendment for adoption at the January 2015 Regents meeting, after publication of a Notice of Proposed Rule Making in the State Register and expiration of the 45-day public comment period prescribed in the State Administrative Procedure Act.

Timetable for Implementation

It is anticipated that the proposed amendment will be presented for adoption at the January 2015 Regents meeting, after publication of a Notice of Proposed Rule Making in the State Register and expiration of the 45-day public comment period prescribed in the State Administrative Procedure Act. 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.

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

(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) . . .

5. Paragraph (6) of subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education is amended, effective January 28, 2015, as follows:

(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.

6. 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) . . .

7. 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.

8. 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, 2014, 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) . . .

9. 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.