

## October Board of Regents Information

Submitted by: Tamalin Martin, NYS PTA Education Chair  
Max Donatelli, NYS PTA Special Education Chair

For the complete Commissioner's October report to the Board, go to  
<http://oms32.nysed.gov/comm/2008/1008commrep.htm>

Commissioner Mills' monthly report for October highlighted 2 points– the interim growth model of accountability and consequences for schools and districts that are not making AYP (adequate yearly progress).

The growth model information centered on two topics. The first part was on the initial proposal that will be presented at the federal level. The next area was discussion on the concept of Proficiency Plus. This gives credit to students who demonstrate proficiency and also to students who are “on the path to proficiency”. For each student who has not previously demonstrated proficiency, a projected growth score is calculated to determine if that student is “on track” to become proficient. If the student is “on track”, then he/she would be considered proficient. Adding this proponent to the growth model will allow schools and districts to meet AYP.

Another area that will be further explored is how to measure and encourage growth of students who have already been demonstrating proficiency.

Also discussed was the subject of differentiated accountability. Differing supports/interventions would be implemented depending on how a school/ district is meeting AYP. New York SED is looking forward to joining a USED pilot accountability program, with implementation beginning in the school year 2009-10, based on the 08-09 assessments.

Foundation Aid was on the agenda. Given the financial situation, the Board will need to reconsider the increments/scheduled increases in Foundation Aid for the 09-10 school year. It may be necessary to consider a longer phase-in for Foundation Aid. There are many questions that were asked. State aid estimations are due November 15.

There is a need to revisit Legislative Priorities. In general the state priorities focus on sustaining critical programs, ensuring stable and adequate funding. There are a number of options that are noted by the Commissioner – reduce the number of required district reports and plans, allowing retired teachers to teach in hard-to-staff schools and subjects, lowering the age of compulsory school attendance (an age wasn't noted), possibly expanding the role of BOCES and others.

The economic turmoil will certainly have an impact on education. The Board of Regents has discussed reductions in SED spending and staffing. They will be further discussing priorities for the 2009-10 budget.

The recognition event was held for the Teacher of the Year, Vicki Mike (Foreign Language, Horseheads) and the four finalists: Maribel Pregnall (High School Science, Arlington High School), Joan D'Urso (Elementary Special Education, Medford Elementary School), Deborah Dahlin (Art, Elmcrest Elementary School), Richard Lemke II (High School Science, Sachem High School East).

**EMSC (Office of Elementary, Middle, Secondary and Continuing Education):**

<http://www.regents.nysed.gov/2008Meetings/October2008/1008monthem.html> (go here for further details and information)

- (1) **Budget Discussion:** a number of vacant positions have not been filled within the state education department and will not be filled at this time. There are going to be further budget constraints.
- (2) **Proposed Interim Growth model for Title 1 Accountability** - Six public forums were held on the growth model across the state. Approx 1,000 individuals attended the forums. According to the data collected, the initial public response is very positive. NYSUT, NYSCOSS and the United Teachers Federation have endorsed the interim growth model proposal. The Board of Regents approved the initial proposal. In looking at the implementation of the proficiency plus aspect, the Department of Education will need to measure and compare the performance at 2 points in time for each student and determine whether that student is proficient or on-track for proficiency. There will have to be further data collected. The department will have to modify software and output reports. It will have to further assess its ability to implement the growth model given the budget cuts and hiring freeze that have been enacted since this development process began.
- (3) **Differentiated Accountability Model:** In May 2008, SED submitted a differentiated accountability model proposal to USED. It was not approved. NYSED was encouraged to apply again for the 2009-10 year. On September 19, 2008 a preliminary draft was submitted to USED. If this is approved, the model will be implemented beginning in the 2009-10 school year based on assessments from the 2008-09 school year. Within the proposal are the following: reduce the number of school accountability categories from 17 down to 8 with differentiated interventions for schools that don't make AYP – 3 simplified phases; empower parents by increasing combined participation in Public School Choice (PSC) after an identified school has failed to make AYP and offer Supplemental Educational Services (SES) in the first year of a school's identification for improvement. (a comment was made that New York has one of the most regulated educational systems in the country – yet, what good is it doing?)
- (4) **Budget Constraints and Legislative Priority:** Governor Paterson is requiring all state agencies to implement a 3.35% reduction in the 2008-09 operating expenses. He imposed an additional 7% reduction in State Operations spending. The Legislature returned for a special session in August and reduced Aid to Localities spending by 6%, excluding school aid.

On October 3, Governor Paterson projected an additional \$1.2 billion deficit in the 2008-09 budget and is calling for a special session of the legislature on November 18. He is asking for an additional \$2 billion in additional cuts.

\*\*The below was noted in a memo, but not discussed at the sessions I attended.

**Proposed Regents 2009 State Legislative Priorities\*\*:**

A. Sustain critical programs

1. Reduce the number of required school district reports and plans
2. Allow retired teachers to teach in hard-to-staff schools and subjects without affecting their pension.
3. Require criminal history checks and fingerprinting
  - \* Office of cultural education employees and volunteers
  - \* Employees in special education placements
4. Update the Public Accountancy Statute
5. Strengthen Early Childhood Education

6. BOCES Reform Initiative
- B. Ensure Stable and Adequate Funding
  1. Stabilize the Professions Revenue Accounts (new proposal)
  2. Stabilize the Cultural Education Revenue Account (new proposal)
  3. Stabilize the local government Records Management Improvement Fund (new proposal)
  4. Fee for Regulating Oversight of Proprietary Schools

**Proposed Regents 2009 Federal Legislative Priorities\*\*:**

- A. NCLB Act
  1. Tier 1 priorities -
    - a. Single Accountability Designation
  2. Tier 2 priorities (secondary)
    - a. Growth models
    - b. Targeted Interventions and Differentiated Consequences
    - c. Assessment for special populations (ELL and SWDs)
    - d. Highly Qualified Teachers (HQTs)

\*\* additional Tier 2 recommendations:

  - Add the Strengthening Kids Interest in Learning and Libraries Act (SKILL)
  - Funding (fully fund all mandated activities)
  - School Readiness
  - Due Process
  - Proposed also to add provisions to expand environmental education
- B. Workforce Investment Act
  1. Title I, II and IV
- C. E-Rate Program
- D. Early Childhood Education
- E. Museum and Library Services Act (MLSA)
- F. Preserve Americas Historical Record (PAHR) Act

**VESID (Office of Vocational and Educational Services for Individuals with Disabilities):**

<http://www.regents.nysed.gov/2008Meetings/October2008/1008monthve.html>

1. OSEP Visit – The federal Office of Special Education had a recent visit. The focus was on supervision, oversight and accountability, our data collection system and fiscal practices. There were serious concerns were noted regarding the timeliness of data collection in New York State
2. proposed **Addition of Section 177.2** of the Regulations of the Commissioner of Education Relating to Disputes of Reimbursement Claims for Special Education Services Provided to Nonresident Parentally-Placed Nonpublic School Students with Disabilities - this was approved
3. proposed Amendment to the Regulations of the Commissioner of Education Relating to the Use of the State’s forms for IEPs, meeting notice and prior written notice – emergency approval to extend the timeline as this is not to begin implementation until September 2009, instead of January 2009. This was approved.
4. Discussion was held on program standards for Private School Programs Serving Students with Disabilities (SWDs) – there are approx 400 schools including preschools. Regulations were adopted back in the 1980s and need to be updated.
5. Discussion was held on Unified Contract Services. Approx, 13, 258 individuals have been placed into integrated employment opportunities. There are over 100,000 consumers. A new system would allow for more flexibility, more consumer choice. Need to update the contracts and create a process to certifi. vendors, and more accurately reimburse for actual services. Looking at setting up key performance indicators.

**Higher Education:** <http://www.regents.nysed.gov/2008Meetings/October2008/1008monthhe.html>

**1. There are currently 4 vacancies on the State Professional and Practices Board.**

Recommendations are being made to fill 2 of the 4 vacancies.

The following persons are recommended for appointment as new members: April D. McKoy (school administrator member) and Diane L. Rowe (public member).

April McKoy - Bushwick Community High School Brooklyn, New York

Diane Rowe - Boys & Girls Clubs of Buffalo Buffalo, New York

**2. Discussion of recent attrition and budget reductions impacting capacity in P-16 to accomplish critical work.**