

September Board of Regents Information

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For the complete Commissioner's September report to the Board, go to:
<http://oms32.nysed.gov/comm/2008/0908commrep.htm>

Commissioner Mills, in his report, emphasized the importance of communication – timely, effective and accurate. SED is rolling out a new strategy for communications.

Commissioner Mills included in his report the following:

- improved graduation rates are noted, but still need to be raised.
- The ELL standards have been reviewed. The committee, led by Regent Cohen, will have a draft prepared, for the BOR and the public, in October or November.
- In the Contract for Excellence monitoring report, it is noted that there were 183 school district visits conducted. While general compliance with the requirements were met by 183 districts, there were additional corrective actions placed on schools in New York City.
- The next steps in instituting the growth model are occurring – Field review and comments are being sought. The proposal is due to USED by October 15. The proposed growth model is intended to recognize and reward improved student performance and close the achievement gaps by giving schools and districts credit for students making sufficient progress toward becoming proficient and meeting state learning standards. The proposal embodies a “proficiency plus” concept for grades 3 through 8, with enhancements for middle and high school grades. “Proficiency plus” means that schools would get credit for all students who are proficient, and also for all students **on track to proficiency**.
- The Teacher of the Year is Vickie Mike. She is a high school Spanish and French teacher at Horseheads High School in Horseheads, New York. A reception and ceremony honoring her and the four finalists will be held during the October Regents meeting.
- Last month, Governor Paterson announced a 7% required cut in all agencies' expenditures to resolve a \$630 million shortfall. A spending reduction of \$16,677,000 resulted from the combined 3.35 percent and subsequent 7 percent cuts requested by the Executive. Many positions will have to remain vacant, but no staff layoffs will have to occur. This reduced spending level will be the basis for the 2009-10 budget. The Executive has called on all state agencies to prepare a zero-growth budget for the coming year. The challenge now and in 2009-2010 is to realign remaining staff capacity to the most critical work to meet Regents priorities.

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

<http://www.regents.nysed.gov/2008Meetings/September2008/0908monthem.html>

(1) Proposal/discussion of establishing a policy to advance a new statewide initiative to create a New York Digital Collection. The New York Digital Collection is a collaborative project of New York's libraries, archives, historical records repositories, museums and public broadcasting communities. This would be a multiphase statewide initiative.

(2) Proposed revisions to permit former ELL (English Language Learners) testing accommodations on the NYS Testing program for up to 2 years AFTER achieving proficiency on the NYSESLAT (New York State English as a Second Language Achievement Test): The

Department is proposing a policy revision that would extend current testing accommodations to former ELLs only during their first two school years as English proficient (see Appendix B for a complete list of the proposed Test Accommodations). This limited two-year extension in testing accommodations will provide former ELLs an opportunity to demonstrate their content knowledge by leveling the playing field while they continue to develop their linguistic and academic skills. The Department will implement this policy revision for all impacted New York State Testing Programs for the 2008-2009 academic year, commencing with the Elementary Level Examination in Social Studies (Grade 5) that will be administered in November 2008.

(3) A “Dropout Prevention Summit” will take place on **October 10 in Rochester**. NYSED is working with the Governor’s office in sponsoring the event. The Regents have been invited, and the featured speakers at this date are Governor Paterson and Commissioner Mills. The keynote speaker will be Dr. Pedro Noguera, a professor at New York University and Executive Director of the Metropolitan Center for Urban Education and the co-Director of the Institute for the study of Globalization and Education in Metropolitan Settings.

(4) Further discussion on the Growth Model:

There are upcoming public forums across New York State on the growth model. The proposal is officially due at the federal level on October 15, 2008.

Date	Forum Location	Time
September 26, 2008	Questar III Conference Center 10 Empire State Boulevard Castleton, NY 12033	9:00 a.m. - 11:30 a.m.
September 29, 2008	Wheatley Center 31 Lee Avenue Wheatley Heights, NY 11798	9:00 a.m. - 12:00 noon
October 8, 2008	RIT Conference Center 5257 West Henrietta Road W. Henrietta, NY 14586	9:00 a.m. - 11:30 a.m.
October 10, 2008	Ausable Middle/High School 1273 Rt. 9N Clintonville, NY 12924	1:00 p.m. - 3:00 p.m.
October 15, 2008	Putnam-Northern Westchester BOCES Yorktown Campus Tech South Amphitheater 200 BOCES Drive Yorktown Heights, NY 10598	8:30 a.m. - 11:30 a.m.
To be announced	New York City	To be announced

The Department will have to modify existing technology to absorb the new accountability structure. Resources must be made available for that to occur. If approved by USED, and if all necessary resources are in place, use of the model to make Adequate Yearly Progress decisions based on 2008-09 school year data could begin in September 2009.

(5) **General discussion** was held on the process of the Contract for Excellence for the 07-08 school year. For the 2008-09 school year, the parent notification and complaint process will be more closely monitored. There will be some additional data requirements as well.

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

<http://www.regents.nysed.gov/2008Meetings/September2008/0908monthve.html>

1. Discussion/voting of **amending Part 279** of the Regulations of the Commissioner of Education, to provide **clarification of the procedures concerning appeals of impartial hearing officers** – to be effective October 9, 2008 The proposed amendment is needed to correct citations and references, provide clarification of the procedures concerning appeals of impartial hearing officer decisions to a State Review Officer, and to expedite and otherwise facilitate the processing of petitions for review to State Review Officers. The amendments include:
 - a. directing that true copies of decisions of the impartial hearing officer and the impartial hearing record be filed with the Office of State Review (OSR);
 - b. clarifying that both a notice of intention to seek review and a petition for review must be personally served upon the opposing party to initiate a review; and that a petition for review be filed with the Office of State Review;
 - c. clarifying timelines for serving and filing a reply, cross appeal, and hearing record to reduce confusion experienced by parties;
 - d. clarify that filing papers with the Office of State Review cannot be achieved through electronic means such as electronic mail;
 - e. provide greater specificity with regard to the current format requirements for pleadings and memoranda; and
 - f. clarify requirements for hearing records consistent with the notice provisions currently set forth in section 279.2.
2. Further discussion of a report on the outcomes for the 2006-07 school year reported in the **Annual Performance Report for special education** in February 2008. The Annual Performance Report may be found at <http://www.vesid.nysed.gov/specialed/spp/home.html>. This report includes data and provides results for students with disabilities for the 2006-2007 and 2007-2008 school years which have not been presented in earlier reports to the Board of Regents. It also includes data on the participation of individuals with disabilities in institutions of higher education.
3. Discussion of 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
4. Periodic update and discussion from the Temporary Task force on Preschool Special Education
 - a. Development of training curricula for CPSE chairpersons – to be rolled out in November 2008, 2 ½ days of training
 - b. Update and disseminate the parent handbook
 - c. Update the VESID publication, Guide for Determining Eligibility...
 - d. And more....

Higher Education: <http://www.regents.nysed.gov/2008Meetings/September2008/0908monthhe.html>

1. **P-16 Implementation: Improvements in Teacher Certification Processing and the effects on the supply of qualified teachers: (highlights of TEACH)**
 - a. Between 2006-07 and 2008-09, the Office of Teaching Initiatives has reduced the cycle time as follows: for college program graduates – from **6-8 weeks to 1 day**; for individual evaluation – from **20 weeks to 11 weeks** (in 2007-08, cycle time was reduced to 8 weeks when OTI was fully staffed). In all cases, the Office still maintains a **one week** expedited service period for anyone who had secured a teaching job and needs the certificate for employment.
2. **Discussion of updates on the Regents Higher Education Agenda**
3. **Accepted proposed amendment relating to requirements for coursework/training in the needs of students with Autism – effective October 9, 2008:** proposed addition of Subpart

57-3 and Section 80-1.12 and amendment of Sections 52.21 and 80-3.7 to the Regulations of the Commissioner of Education, relating to requirements for course work or training in the needs of students with autism

Chapter 143 of the Laws of 2006 requires that all persons applying for a teaching certificate or a license as a special education teacher, in addition to all the other certification or licensing requirements, complete course work or training in the area of children with autism. The legislation further requires that the course work or training be obtained from an institution or provider which has been approved by the Department to provide such course work or training in the needs of children with autism.

In response to this legislation, the Department worked extensively with internal and external experts in autism to develop the proposed regulations to implement Chapter 143 of the Laws of 2006. The Work Group recommended the following actions:

- Amend Part 52 of the Commissioner's Regulations to provide autism specific requirements for special education teacher preparation programs.
- Amend Part 57 of the Commissioner's Regulations to establish standards under which the Department will approve providers of this training.
- Amend Part 80 of the Commissioner's Regulations to require that all teachers applying for certification in special education titles complete course work or training in the needs of children with autism and ensure that, as a condition of certification through individual transcript evaluation, special education teachers receive the appropriate training or course work in the needs of students with autism.