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October 1, 2015

Commissioner MaryEllen Elia
New York State Education Department
89 Washington Ave
Albany, NY 12234

Dear Commissioner Elia,

Thank you for your letter, dated August 5, 2015, and for taking the time to meet with me in September regarding alternate pathways to graduation for students with special needs. I am writing to follow up on this discussion and to share my thoughts on the Board of Regents' latest attempt to address this issue at its September meeting. While it seems that the Board has begun to consider this issue seriously, far more must be done immediately to ensure that students currently matriculating will have full access to post-graduation opportunities.

As you know, the lack of Regents Competency Tests ("RCTs") has created a dearth of available mechanisms for students with learning and other disabilities to obtain a college-recognized high school diploma who cannot pass the required five Regents exams. Under our current system, far too many students will be shut out of achieving a recognized high school diploma, which is simply unacceptable. I respectfully urge you to consider the following options to give all students a chance at success.

The first solution would be a complete overhaul of Regents requirements for students with special needs. There was discussion at the Board of Regents' meeting in September about the potential for students who take but do not pass the required amount of Regents exams to engage in Project-Based Assessments. I strongly agree that this alternative would provide both an equally rigorous barometer to measure success and a more flexible approach that accounts for students' diverse talents. I urge you to go one step further and eliminate the need for students to first attempt the Regents before being considered for Project-Based Assessments. Teachers and parents can be entrusted with the responsibility to determine whether their student should sit for the Regents or whether they would be best served by demonstrating their strengths through a project-based assessment. This would be the best option.

Another solution is to reinstitute the RCTs. I understand that the Board of Regents has proposed an alternate solution to the RCTs whereby students who score 52-54 after at least two attempts and have earned a 65 or above in the class can appeal their scores and, if successful, qualify for a local diploma. However, by simply bringing back the RCT model instead, we could save students the angst and stress of re-taking Regents numerous times and then appealing their scores.

A third solution is to expand the Career Development and Occupational Studies Commencement Credential ("CDOS") into a college-recognized diploma. Currently, CDOS is a

certificate for students with disabilities that offers preparation for specific entry-level jobs recognized by a select list of employers. However, it is not equivalent to a high school diploma, does not qualify students to enter post-secondary education and is not recognized by all employers. Further, parents worry that their children with special needs will be pushed into the CDOS track instead of general education classes. You might consider making CDOS available for all students, not just those with disabilities. With expanded availability and rigorous standards, CDOS could become a recognized high school diploma.

Further, you might also consider having all of these options implemented together so that students with special needs have a robust and flexible system that both challenges and enables them to succeed. Success can be measured in a variety of ways, not simply through standardized testing.

While I was glad to learn that the issue of diplomas for special needs students was raised at the last Board of Regents meeting, I am concerned that the Board is progressing far too slowly. It is imperative that a comprehensive and effective solution be promulgated immediately so that students currently in high school will not face a bleak future. Thank you in advance for your consideration of this request.

Sincerely,


Todd Kaminsky
Member of Assembly