

OGDENSBURG CITY SCHOOL DISTRICT  
OGDENSBURG, NEW YORK

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**SUBJECT:** Second Review of Revised Board of Education Policy/Regulation  
#7222: Diploma or Credential Options for Students with  
Disabilities

**DATE:** February 26, 2018

**REASON FOR BOARD CONSIDERATION:**

The Board of Education must review and approve all policies and regulations of the Ogdensburg City School District.

**FACTS AND ANALYSIS:**

The District will provide students with disabilities appropriate opportunities to earn a diploma or other exiting commencement credential in accordance with Commissioner's regulations. During the student's annual review, the District will evaluate graduation opportunities and identify the means to achieve them.

**RECOMMENDED ACTION:**

No action necessary – Second Review of Revised Board of Education Policy/Regulation #7222: Diploma or Credential Options for Students with Disabilities.

**APPROVED FOR PRESENTATION TO THE BOARD:**

  
Superintendent

TMV/alf  
Attachment

**SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES**

The District will provide students with disabilities appropriate opportunities to earn a diploma or other exiting commencement credential in accordance with Commissioner's regulations. During the student's annual review, the District will evaluate graduation opportunities and identify the means to achieve them. As part of this process, the District:

- a) Will coordinate activities with guidance personnel and BOCES staff to ensure that students meet credit and sequence requirements and to consider them for vocational opportunities.
- b) May modify instructional techniques and materials. Any modifications will be included on a student's Individual Education Plan (IEP) so that they can be implemented consistently throughout the student's program.
- c) Will review special education instructional programs to ensure equivalency with the same courses taught in the general education program.
- d) Will coordinate communication between special and general education staff so that all staff members understand required skills and competencies, and to establish equivalency of instruction in special education classes.

Graduation and transition plans will take into account the various pathways available to these students. For students with IEPs, the District will plan transition services for post-secondary life as early as possible, but no later than the school year in which the student turns age 15. The transition activities will be focused on improving both the student's academic and functional achievement. The plan will explore post-secondary opportunities and employment options and, if applicable, connection with adult service agencies that may provide the student with services after exiting school.

The District may award these diplomas or credentials, or both:

- a) Local diploma: available to students with an IEP or a Section 504 accommodation plan that specifies a local diploma. Students must comply with credit requirements. The available assessments to earn a local diploma include:
  1. Low-pass safety net option: students must achieve a score of 55 or higher on five required Regents exams.
  2. Low-pass safety net and appeal: available to students who score 52-54 on up to two Regents exams, successfully appeal those scores, and meet all appeal other applicable conditions.
  3. Regents Competency Test (RCT) safety net option: a student who enters grade 9 before September 2011 must pass a corresponding RCT if he or she does not attain a score of 55 or higher on the Regents examination.

(Continued)

**SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)**

4. Compensatory safety net option: except for scores on ELA and math exams, students may use one Regents exam score of 65 or above to compensate for a Regents exam score of 45-54. Students must score at least 55 (or successfully appeal a score of 52-54) on both the ELA and a math exam.
  5. Superintendent's determination: students who are unable to demonstrate their proficiency on standard state assessments because of one or more disabilities may be able to graduate upon the Superintendent's review and written certification of their eligibility. The Superintendent will make a determination after receiving a written request from an eligible student's parent or guardian. (Students with a Section 504 accommodation plan may not use this option.)
- b) Career Development and Occupational Studies commencement credential (CDOS): any student who is not assessed using the New York State Alternate Assessment (NYSAA) may earn the CDOS commencement credential as a supplement to a Regents or local diploma or as his or her only exiting credential if the student attended school for at least 12 years, excluding kindergarten. The student must meet criteria specified by the State Education Department confirming that he or she has attained the standards-based knowledge, skills, and abilities necessary for entry-level employment.
- c) Skills and Achievement (SA) commencement credential: students with severe disabilities who are assessed using the NYSAA may earn the SA commencement credential. They must attend school for at least 12 years, excluding kindergarten. The District must document the student's skills, strengths, and levels of independence in academic, career development, and foundation skills needed for post-secondary life.

**Graduation**

The District allows any student with a disability to participate in the graduation ceremony of his or her high school graduating class and all related graduation activities if the student:

- a) Met the eligibility criteria for an SA or CDOS commencement credential;
- b) Has not otherwise qualified to receive a Regents or local diploma; and
- c) Has an IEP that prescribes special education, transition planning, transition services, or related services beyond the student's four academic years after entering high school.

The Superintendent will consider any recommendation of the student's Committee on Special Education as well as the student's own expressed preference regarding participation; a student with a disability may decline to participate in any or all graduation-related activities. The District will provide annual written notice of this policy to applicable students and their parents or guardians.

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# POLICY

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Students

**SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH  
DISABILITIES (Cont'd.)**

Education Law §§ 3202 and 4402

8 NYCRR §§ 100.1, 100.2, 100.5, 100.6, 200.4, and 200.5

NOTE: Refer also to Policy #7220 -- Graduation Options/Early Graduation/Accelerated Programs

Adoption Date

# REGULATION

2018

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Students

## **SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES**

In addition to all graduation options afforded general education students, students with disabilities may earn the following diplomas or credentials. [They are generally described as:](#)

### **Safety Net Options**

These options allow a student to graduate with a local diploma:

- 1) Low-pass: students must achieve a score of 55 or higher on five required Regents exams.
- 2) Low-pass with appeal: available to students who score 52-54 on a Regents exam, successfully appeal that score, and meet all appeal conditions.
- 3) Regents Competency Test (RCT): a student who enters grade 9 before September 2011 must pass a corresponding RCT if he or she does not attain a score of 55 or higher on the Regents examination.
- 4) Compensatory: except for scores on ELA and math exams, students may use one Regents exam score of 65 or above to compensate for a Regents exam score of 45-54. Students must score at least 55 (or successfully appeal a score of 52-54) on both the ELA and a math exam.
- 5) Superintendent's determination: students who are unable to demonstrate their proficiency on standard state assessments because of one or more disabilities may be able to graduate upon Superintendent review and written certification of their eligibility. [The Superintendent will make a determination after receiving a written request from an eligible student's parent or guardian. The parent or guardian will submit this request to the student's principal, Committee on Special Education chairperson, or any other applicable employee, who will immediately forward it to the Superintendent. There are two ways students may meet the eligibility conditions under this option:](#)
  - a) ~~Students must score 55 or higher on the ELA and one math Regents exam, (or successfully appeal a score between 52-54). They must also participate in at least one social studies Regents exam, one science Regents exam, and either one Pathway exam (or meet the Career Development and Occupational Studies commencement credential requirements) or the low pass, compensatory, or low pass with appeal safety net options. The Superintendent will make a determination after receiving a written request from an eligible student's parent or guardian. The parent or guardian will submit this request to the student's principal, Committee on Special Education chairperson, or any other applicable employee, who will immediately forward it to the Superintendent.~~
  - b) [Students do not meet the criteria in subsection a, but pass their ELA and math Regents-level courses and complete the Career Development and Occupational Studies \(CDOS\) commencement credential requirements. The Superintendent will determine whether the student has demonstrated proficiency in the knowledge, skills, and abilities in ELA and math, as well as any other subject areas required for graduation where he or she was unable to demonstrate proficiency of the state's learning standards as measured by the corresponding Regents exams.](#)

Other eligibility criteria, such as attendance and completing course credits, apply to these options.



**SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)****Career Development and Occupational Studies (CDOS) Commencement Credentials**

Any student who is not assessed using the New York State Alternate Assessment (NYSAA) may earn the CDOS commencement credential as a supplement to a Regents or local diploma, or as his or her only exiting credential if the student attended school for at least 12 years, excluding kindergarten. The student must meet criteria specified by the State Education Department (SED) confirming that he or she has attained the standards-based knowledge and skills necessary for entry-level employment.

The student must either:

- 1) Develop a career plan, demonstrate that he or she attained commencement-level CDOS learning standards in the areas of career exploration and development, integrated learning, and universal foundation skills, complete the required Career and Technical Education coursework and work-based learning, and have at least one completed employability profile; or
- 2) Receive a satisfactory passing score on any work-readiness assessment approved by the Commissioner.

This credential will be similar in form to a diploma, will be endorsed by the Board of Regents, and will certify the student's readiness for entry-level employment.

**Skills and Achievement (SA) Commencement Credential**

Students with severe disabilities who are assessed using the NYSAA may earn the SA commencement credential. They must attend school for at least 12 years, excluding kindergarten. The District must document the student's skills, strengths, and levels of independence in academic, career development, and foundation skills needed for post-secondary life.

This credential will be similar in form to a diploma and will state that it is based on alternate academic achievement standards.

**Continuing Attendance Eligibility**

If a student earns the CDOS or SA commencement credential without a Regents or local diploma, the credential will be accompanied by a written statement of assurance confirming his or her eligibility to continue attending school in the District, without paying tuition, until the student earns a diploma or turns 21, whichever occurs first.

**Notification**

Each year, the District will provide written notice to students with disabilities and their parents or guardians of its policy and procedures related to participation in the graduation ceremony and related activities. A student's high school graduating class is comprised of the student's peers as he or she entered ninth grade.

# POLICY

2003

7222

Students

## **SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES**

The Board of Education is committed to ensuring that students with disabilities are provided appropriate opportunities to earn a high school diploma in accordance with the provisions of Section 100.5 of the Commissioner's Regulations. However, when necessary, the District may award local certificates and high school individualized education program diplomas to students with disabilities.

The administration shall develop regulations to implement this policy.

8 New York Code of Rules and Regulations  
(NYCRR) Sections 100.6 and 100.9

Adopted: 8/18/03

## **SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES**

An important determination in the annual review process for students with disabilities is whether the anticipated outcome of the secondary program is a Regents diploma, local high school diploma or high school individualized education program (IEP) diploma. Such decision will be considered as early as possible in order to ensure that students receive access to the required courses and participate in the mandated testing program, where appropriate, in order to make a successful transition to post-high school activities.

### **Regents Diplomas**

To earn a high school Regents diploma, students need to take and pass the required course work and five (5) Regents examinations.

### **High School Diplomas**

Students pursuing either a Regents or local high school diploma must acquire a certain number of units of credit in specified courses, and also meet subject sequence requirements. It is critical that students with disabilities be provided access to the required courses and testing programs needed for graduation with these awards.

- 1) Administration is responsible for coordinating activities with guidance and BOCES staff to ensure that students with disabilities are meeting credit and sequence requirements and that vocational opportunities are considered.
- 2) Instructional techniques and materials may be modified to provide students with disabilities the opportunity to meet diploma requirements. Such modifications will be included on the IEP so that they can be implemented consistently throughout a student's program.
- 3) The instructional programs of special education classes will be reviewed by administration to determine equivalency to the same courses taught in the regular education program to ensure that students meet the needed requirements for a high school diploma.
- 4) Administration will be responsible for coordinating communication between special and regular education staff so that required skills and competencies are understood and equivalency of instruction in appropriate special education classes can be determined.

### **High School Individualized Education Program Diplomas**

Not all students with disabilities will pursue the requirements for a Regents or local diploma. Some students will be awarded an IEP diploma based on achieving the educational goals specified in

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**SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)**

their IEP. These educational goals are set by the Committee on Special Education (CSE), with parental input, and must be linked to the learning standards and to appropriate performance indicators for the student.

Each individualized education program (IEP) diploma awarded shall be accompanied by a written statement of assurance that the student named as its recipient shall continue to be eligible to attend school until the student has earned a high school diploma or until the end of the school year of such student's twenty-first (21) birthday, whichever is earlier.

The Superintendent shall report to the State Education Department, within fifteen (15) days after the June graduation, the total number and the names of the students awarded IEP diplomas that school year.

The Board of Education supports the awarding of high school IEP diplomas to students with disabilities provided that:

- 1) Such student has attained the age of twenty-one (21) and has achieved the educational goals specified in his/her current individualized education program; or
- 2) Such student has attended school or has received a substantially equivalent education elsewhere for at least twelve (12) years, excluding kindergarten and has achieved the educational goals specified in his/her current individualized education program.

Each high school IEP diploma shall be identical in form to the high school diploma issued by the Ogdensburg City School District, except that there shall appear on the front of such diploma a clear annotation to indicate that the diploma is awarded on the basis of the student's successful achievement of the educational goals specified in the student's current IEP as recommended by the Committee on Special Education.

**Regents Competency Test (RCT) Safety Net and 55-64 Passing Score Option**

In October 2003, the Board of Regents approved an extension of the Regents Competency Test (RCT) "safety net" for students with disabilities who pursue a Regents or local high school diploma.

The following students qualify for the RCT safety net and the 55-64 passing score:

- 1) Students with disabilities identified through a CSE. Specific language regarding the availability of the safety net does not have to be indicated on the student's IEP.

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**SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)**

- 2) Students with disabilities identified through the Section 504 Multidisciplinary Team (MDT) if recommended and documented by the MDT on the student's Accommodation Plan.
- 3) Students with disabilities declassified while in grades 8 through 12 if recommended and documented by the CSE on the student's IEP.

**RCT Safety Net**

In order to earn a high school Regents diploma, all students need to take and pass five specific Regents examinations with a score of 65 or higher. Vocational and Educational Services for Individuals with Disabilities (VESID) has developed a chart on the "Diploma Requirements Based on June 2005 Board of Regents Action to Phase in the 65 Graduation Standard on Required Regents Exams" which is available at website: <http://www.vesid.nysed.gov/specialed/publications/policy/chart-diploma.htm>.

The safety net allows students with disabilities who fail a required Regents exam to instead meet the requirements for a local diploma by passing the RCT in that subject or the Department approved alternative. The safety net is available to all eligible students with disabilities entering grade 9 through the 2009-2010 school year. The school may administer the RCT before or after the Regents examination, but in all cases the student must take the required Regents examination in order to earn the local diploma. The RCT exams will be available until the student graduates or reaches the age of twenty-one (21).

**55-64 Passing Score**

For students with disabilities who first enter grade 9 in September 2005 and thereafter, a score by the student of 55-64 may also be met by achieving a passing score on any Regents examination (English, Mathematics, Science, Global History and U.S. History) required for graduation; and, in such event, the District may issue a local diploma to such students. The 55-64 passing score must be made available to students with disabilities and is no longer a district option. This provision shall apply only to students with disabilities who are entitled to attend school pursuant to Education Law Sections 3202 or 4402(5).