



February 21, 2018

Chancellor Betty Rosa
Commissioner MaryEllen Elia
New York State Education Department
89 Washington Avenue
Albany, NY 12234

Dear Chancellor Rosa and Commissioner Elia,

The NYS Congress of Parents and Teachers, Inc. (NYS PTA) is honored to represent nearly 300,000 parents, families, educators, and ALL students across New York. It is our mission to make every child's potential a reality and support ALL children with ONE voice.

We write to you in support of the proposed amendments to Section 100.5 of the Commissioners Regulations relating to the option for certain students with disabilities to earn a local diploma by superintendent's determination.

NYS PTA strongly supports meaningful pathways for ALL students to achieve a diploma, and other safety net options for students with disabilities. Approximately 17% of our students have a disability, and we must see that each child is adequately supported, as every child in New York deserves access to a meaningful high school diploma, one that will allow each student to successfully transition into career, college or military service.

We fully support the December 2017 Emergency Regulation, adopted by the Board of Regents, which allows a "Superintendent Determination" for graduation with a local diploma.

The new Emergency Rule will empower Superintendents to make a local determination that a student with a disability has met standards for a local high school diploma when:

1. The student has not been successful at demonstrating proficiency on one or more Regents exams required for graduation; and/or
2. The student does not meet graduation requirements through low pass safety net (55-64) or compensatory net options.

Further:

1. The student's parent must submit a written request to the superintendent to be considered for this option; and
2. This diploma pathway is available only for students with an Individualized Education Plan (IEP), not a Section 504 accommodation plan or other general education students.

While we fully support this pathway to a meaningful diploma, the new Superintendent Determination is not retroactive and is limited in its scope.

Unfortunately for the last few years, many students with disabilities left high school without a meaningful diploma. In some cases, they received a Career Development and Occupational Studies (CDOS) Credential, which is not recognized as a diploma, and not accepted by many employers or for military service.

Further, we need a solution for those individuals, who may be over the age of 21, who may or may not have earned a CDOS, but who have departed high school without a meaningful diploma and are ineligible for a diploma under this regulation change. Statistics show that students with disabilities, even with a high school diploma, earn 37% less than their peers.

We also strongly support regulatory action which would allow a diploma option for ALL students who may not have qualified before. Every child - whether special education or general education - deserves to exit high school with a meaningful diploma.

Thank you for this opportunity to comment on this necessary regulation, and please reach out to us for any questions or concerns related to our submission. We look forward to supporting ALL of New York's children together.

Sincerely,



Gracemarie Rozea, President



Kyle Belokopitsky, Esq., Executive Director