**SED Update**

**September 2019**

**Updated 8-30-19**

**Spring 2019 Grades 3-8 ELA and Math Assessment Results**

The State Education Department released the results of the 2019 Grades 3-8 English language arts (ELA) and mathematics tests available at <http://www.nysed.gov/news/2019/state-education-department-releases-spring-2019-grades-3-8-ela-math-assessment-results> In ELA, 45.4 percent of all test takers in grades 3-8 scored at the proficient level (Levels 3 and 4), an increase of 0.2 percentage points from 2018. In math, 46.7 percent of all test takers in grades 3-8 scored at the proficient level, up 2.2 percentage points from 44.5 in 2018. The press release about the 2019 assessment results  has more information, including data on 2019 test refusals, which dropped two percentage points from last year's refusal rate. Test refusal data by school district is available on NYSED's  Information and Reporting Services website at <http://www.p12.nysed.gov/irs/pressRelease/20190822/home.html>. Additionally,  district- and school-level results are available on the public data website at <https://data.nysed.gov/> .

**July Board of Regents:  Pathways to a New York State Diploma**

The NYSED Board of Regents recently discussed the goal to define what a New York State high school diploma means and what it ought to signify. The Regents established a working stakeholder group with overlap to commission membership including: current or recent parents, students, educators, researchers, advocates, higher education and business leaders. – Big 5, NYSCOSS, NYSSBA, NYSUT, PTA, SAANYS, UFT and others. The purpose of the commission is to make recommendations to the Board of Regents on the following topics:

* revise current diploma requirements;
* ensure all students have access to multiple graduation pathways; and
* include a recommended transition plan timeline that allows time to prepare for and implement the changes.

The presentation is available at: <http://www.regents.nysed.gov/common/regents/files/Full%20Board%20-%20Monday%20Pathways%20to%20a%20NYS%20Diploma.pdf>

**NYSED Pupil Transportation Guidance on Piggybacking Contracts**

The FY2020 Enacted Budget amended Education Law §305(14)(g) to allow school districts to enter into a transportation piggybacking contracts with another district, based on certain conditions. The Department has recently released Piggybacking Guidance available on NYSED’s Office of Pupil Transportation website at [http://www.p12.nysed.gov/ schoolbus/PiggybackingTransportation.html](http://www.p12.nysed.gov/%20schoolbus/PiggybackingTransportation.html) .

* Contract Forms have also been updated to allow piggybacking:

ESY at <http://www.p12.nysed.gov/schoolbus/documents/SummerTCSCLCS2019.pdf>

SY at <http://www.p12.nysed.gov/schoolbus/documents/TC-CLCS2019.pdf>

* *Questions may be directed to the Pupil Transportation Unit, at 518-474-6541 or* [*transportation@nysed.gov*](mailto:transportation@nysed.gov)*.*

**More Information About Vaccination Requirements**

The New York State (NYS) Department of Health (DOH) and Office of Children and Family Services (OCFS) filed [emergency regulations](https://regs.health.ny.gov/sites/default/files/pdf/emergency_regulations/School%20Immunization%20Requirements_0.pdf) on August 16, 2019 to implement the statutory amendments to the Public Health Law.  The emergency regulations further strengthen and clarify the process by which physicians can grant medical exemptions under the new state law, which repealed nonmedical exemptions for children attending school or child care.  In addition, the regulations provide further clarity for school districts and child care centers by defining what it means to admit or attend these establishments.

* On August 16, 2019, DOH, the NYS Education Department (NYSED) and OCFS also released [additional guidance](https://www.health.ny.gov/prevention/immunization/schools/school_vaccines/docs/2019-08_vaccination_requirements_faq.pdf) for schools, child care programs, parents and guardians in order to comply with the new law that repeals nonmedical exemptions.  The guidance document further addresses frequently asked questions regarding the impact the new law has on home-schooled students, school transportation, and students with disabilities and can be found at [https://www.health.ny.gov/prevention/immunization/schools/ school\_vaccines/docs/2019-8\_vaccination\_requirements\_faq.pdf](https://www.health.ny.gov/prevention/immunization/schools/%20school_vaccines/docs/2019-8_vaccination_requirements_faq.pdf).  This guidance document complements information issued on [June 18, 2019](http://www.p12.nysed.gov/sss/documents/nonmedical%20vaccine%20exemption%20FAQ%200618%20final.pdf) and on [July 22, 2019](http://www.p12.nysed.gov/sss/documents/doh-sed-ocfs-vaccination-faq.pdf).
* A copy of the emergency regulations and the June 18, 2019, July 22, 2019 and August 16, 2019 guidance documents are available on NYSED’s [Student Health Services website](http://www.p12.nysed.gov/sss/schoolhealth/schoolhealthservices/) at [http://www.p12.nysed.gov/sss/schoolhealth/schoolhealthservices/ #immunization](http://www.p12.nysed.gov/sss/schoolhealth/schoolhealthservices/%20#immunization)

**New York State Laws and Regulations that Differ from Federal Requirements**

Pursuant to 20 United States Code §1407(a)(2), each state is required to identify in writing to the Secretary of the United States Department of Education and local educational agencies located in the state any rule, regulation or policy as a state-imposed requirement that is not required by the Individuals with Disabilities Education Act and federal regulations.

* The New York State Education Department (NYSED) has conducted a comprehensive review of the State’s laws, regulations and policies that apply to the education of students with disabilities.  The attached summary provides a list of New York State laws and regulations that differ from federal requirements available at

<http://www.p12.nysed.gov/specialed/publications/idea/documents/section-608-analysis-chart-2019.pdf> .

* This analysis was posted for public review on the NYSED’s website for 60 days, beginning on March 14, 2019.  Public comment was accepted for at least 30 days.
* *Questions may be directed to the Special Education Policy Unit at (518) 473-2878 or the* [*Special Education Quality Assurance Office*](http://www.p12.nysed.gov/specialed/quality/regassoc.htm) *in your region.*

**2019-2020 Comprehensive ELL Education Plan Update: Due October 15, 2019**

The 2019-2020 Comprehensive ELL Education Plan (CEEP) Update form was posted in the [SED Business Portal](mailto:https://portal.nysed.gov/abp) on August 6, 2019 and is now available for completion by school districts.

* This year’s CEEP is to be completed electronically through the [SED Business Portal](mailto:https://portal.nysed.gov/abp).
* The CEEP is due by October 15, 2019.
* *Questions can be directed to the Office of Bilingual Education and World Languages at* [*OBEWL@NYSED.GOV*](mailto:OBEWL@NYSED.GOV).

**Determining the English Language Proficiency Level for an** **English Language Learner/Multilingual Learner (ELL/MLL) on the NYSESLAT**

Please find the memorandum titled, NYSESLAT—Determining the English Language Proficiency Level for an English Language Learner/Multilingual Learner (ELL/MLL), posted at <http://www.p12.nysed.gov/assessment/nyseslat/>

* This memorandum provides the scale score ranges for the 2019 New York State English as a Second Language Achievement Test (NYSESLAT), along with guidance and information concerning the interpretation of the scale scores.
* *Questions about determining any ELLs/MLLs level of English language proficiency may be directed to the Office of State Assessment at (518) 474-5902 or* [*emscassessinfo@nysed.gov*](mailto:emscassessinfo@nysed.gov)*.*
* *Questions regarding bilingual/English as a new language services may be directed to the Office of Bilingual Education and World Languages (OBEWL) by email at* [*obewl@nysed.gov*](mailto:obewl@nysed.gov) *or by phone at 518‑474‑8775.*
* *If your school has not received students’ NYSESLAT score data, please contact the Regional Information Center (RIC) or Large-City Scanning Center, as applicable.*
* *Questions concerning score data may also be directed to the Office of Information and Reporting Services at 518‑474‑7965 or* [*DataSupport*](https://datasupport.nysed.gov/hc/en-us)*.*

**Updated Elementary and Intermediate Level Testing Schedule**

The 2019-20 Elementary and Intermediate Level Testing Schedule has been updated with information for schools who will be testing via computer for the Grades 3-8 English Language Arts and/or Mathematics Tests and can be found at <http://www.p12.nysed.gov/assessment/schedules/2020/ei-testingschedule-20rev.pdf> .

* In order to balance the daily load on the CBT testing platform statewide, schools testing via computer are expected to adhere to the guidelines shown on the schedule when developing the school’s testing schedule.

*Questions may be directed to Office of State Assessment by phone at 518-474-5902 or by email at* [*emscassessinfo@nysed.gov*](mailto:emscassessinfo@nysed.gov)

**OSE Listserv**

You can receive **notification** by electronic mail of the latest **memoranda and other technical assistance documents** available on the Special Education website at <http://www.p12.nysed.gov/specialed/publications/register.htm>

**NYS Education Department Office of Special Education**

**Special Education Quality Assurance**

**Central Regional Office**

**333 East Washington Street, Suite 210, Syracuse, New York 13202**

**(315) 428-4556 Office (315) 428-4555 Fax**

**Special Education Website –** [**http://www.p12.nysed.gov/specialed/**](http://www.p12.nysed.gov/specialed/)