

**Resolution Regarding Approval of Amendments to Chancellor's Regulation A-501,
Promotion Standards**

WHEREAS, pursuant to Education Law § 2590-g the Panel for Educational Policy has the power and duty to approve all regulations proposed by the Chancellor and any amendments made thereto; and

WHEREAS, in accordance with Education Law § 2590-g(8), the Panel for Educational Policy undertook a public review process for review and comment on the proposed amendments to Chancellor's Regulation A-501; and

WHEREAS, such review process included notice of the proposed amendments via the Department of Education's internet website and circulation of the proposed amendments to all community superintendents, community district education councils, community boards, and school based management teams; and

WHEREAS, such notice further included: a) a description of the purpose and substance of the proposed amendments under consideration; b) information regarding where the full text of the proposed amendments could be obtained; the name, office, address, email and telephone number of the School District representative from whom information concerning the proposed amendments could be obtained; c) the date, time and place of the meeting of the Panel at which the Panel will vote on the proposed amendments; and d) information on how to submit written or oral comments regarding the proposed amendments; and

WHEREAS, such notice and public review process commenced on September 25, 2009, more than forty-five days in advance of the November 12, 2009 meeting of the Panel at which the proposed amendments to the regulation came before the Panel for a vote; and

WHEREAS, no public comments concerning the proposed amendments to the Promotion Policy were received during the public review period; and

WHEREAS, the proposed amendments provide that 4th and 6th grade students will be promoted if they score at Level 2 or above on the Mathematics and ELA state assessments; and

WHEREAS, the proposed amendments also provide that 4th and 6th grade students who score at Level 1 may be promoted in June based on a standardized rubric of performance (using other performance criteria as an alternative to standardized testing); and

WHEREAS, the proposed policy further provides that 4th and 6th grade students who score at Level 1 in June may attend summer school and/or retake the test(s) in August; and

WHEREAS, the proposed amendments also provide that 4th and 6th grade students with disabilities whose Individualized Education Plans (“IEPs”) specify a modified promotion standard will be promoted based on meeting the IEP standard; and

WHEREAS, English Language Learners (“ELLs”) in the 4th and 6th grades will be held to standards in accordance with their years of enrollment; and

WHEREAS, the proposed amendments further provide that, where a principal determines that a student in grades 3, 4, 5, and 6 is not ready for promotion to the next grade based on student work, teacher observation, and grades in academic courses, such student shall not be promoted; and

WHEREAS, the Chancellor recommends that the Panel for Educational Policy approve the proposed amendments to Chancellor’s Regulation A-501; and

WHEREAS, it is the desire of the Panel for Educational Policy to approve the proposed amendments to the regulation; now therefore be it

RESOLVED, that in accordance with Education Law § 2590-g, the Panel for Educational Policy approves the proposed amendments to Chancellor’s Regulation A-501, Promotion Standards, attached hereto.