Promotion Criteria Guidelines for Students with Disabilities in Grades 3-8

2013-2014
Table of Contents
I. Overview ........................................................................................................................................... 3
II. Promotion Criteria ........................................................................................................................................... 3
   A. Standard Promotion Criteria ....................................................................................................................... 3
   B. Modified Promotion Criteria ....................................................................................................................... 3
   C. New York State Alternative Assessment Eligible Students ........................................................................... 4
III. Process for Determining, Evaluating, and Reviewing Promotion Criteria ......................................................... 4
   A. Timeline for Establishing Modified Promotion Criteria .............................................................................. 5
   B. Developing Modified Promotion Criteria .................................................................................................... 6
   C. Making Promotion Decisions For Students with Modified Promotion Criteria .......................................... 11
   D. Reviewing the Need for Modified Promotion Criteria .................................................................................. 13
IV. Frequently Asked Questions .......................................................................................................................... 14
Appendix I. Additional Resources ...................................................................................................................... 17
   A. Resolving Promotion Criteria Discrepancies ............................................................................................... 17
   B. Supplementary Materials ............................................................................................................................... 17
Promotion Criteria Guidelines for Students with Disabilities in Grades 3-8

I. Overview
In accordance with the Individuals with Disabilities Education Improvement Act (IDEIA), students with disabilities must be educated alongside their non-disabled peers to the greatest extent that is appropriate, and have access to grade level core curriculum. Chancellor’s Regulation A-501 sets forth a system-wide promotion policy with clearly defined standards for English-proficient general education students, English Language Learners, and students with disabilities receiving special education services in accordance with their Individualized Education Program (IEP) who participate in State and Citywide assessments in grades 3-12. The promotion criteria for students with disabilities in grades 3-8 who participate in these assessments must be individually determined by the school Committee on Special Education (CSE) at an IEP meeting and indicated in the student’s IEP.

This document provides guidelines for determining whether students with IEPs in grades 3-8 who participate in State and Citywide assessments, qualify for modified promotion criteria (MPC), as well as for setting and evaluating students’ promotion criteria.

Important: Most students with IEPs should be held to standard promotion criteria, and therefore the information that follows regarding modified promotion criteria applies to a small subset of students.

II. Promotion Criteria
A. Standard Promotion Criteria
Most students with disabilities should be held to the same standard promotion criteria as their general education peers. Students with an IEP in grades 3-8, whose disabilities do not adversely impact their potential for meeting grade level standards with appropriate services and supports, are held to their grade level standard promotion criteria.

B. Modified Promotion Criteria
While most students with an IEP in grades 3-8, should be held to the standard promotion criteria, there are some students who participate in State and Citywide assessments for whom modifications to these criteria may be necessary due to the nature or severity of their disability. The school CSE determines modified promotion criteria for these students.

Modified promotion criteria may be considered for students with IEPs who:
• Are enrolled in grades 3-8
• Participate in State and Citywide assessments; and
• Have a disability that adversely impacts potential for learning or rate of learning such that the ability to meet the standard promotion criteria is compromised.


Throughout this document the school Committee on Special Education, or school CSE, refers to the team at the school that was formerly known as the IEP team, SBST, or SAT, including full or subcommittee.
Important to Note:
- Students in grade 2 may have modified promotion criteria written in their IEP for promotion for the next year from third to fourth grade but modified promotion criteria cannot be applied to second grade promotion decisions; and
- Students in grade 8 articulating to high school may have modified promotion criteria only through August of their eighth grade year and cannot have modified promotion criteria written in their IEP for the year they enter high school.³ Promotion Criteria is indicated in SESIS as follows (See Figure 1):

Figure 1: Example - student with MPC for ELA, currently in grade 8 - articulating to High School next year

<table>
<thead>
<tr>
<th>PROMOTION CRITERIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>CURRENT YEAR</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>☑ Standard ☑ Modified</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>☑ English Language Arts (&quot;ELA&quot;)</td>
</tr>
<tr>
<td></td>
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<tr>
<td></td>
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<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>NEXT YEAR</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>☑ Standard ☑ Modified</td>
</tr>
</tbody>
</table>

C. New York State Alternative Assessment (NYSAA) Eligible Students
The school CSE may determine that students with severe cognitive disabilities who have significant deficits in communication, language and adaptive behavior, require a highly specialized educational program and require educational support systems may be assessed on alternate achievement standards. Since these students do not participate in grade-level State and Citywide assessments and are assessed on alternate achievement standards using NYSAA⁴ they are not held to promotion standards.

III. Process for Determining, Evaluating, and Reviewing Promotion Criteria
In order to effectively set high expectations for students with disabilities and provide students with the appropriate promotion criteria, the school CSE should engage in an ongoing process of

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³ Please refer to Chancellor’s Regulation A-501 for more information about promotion criteria in high school.
Promotion Criteria Guidelines for Students with Disabilities in Grades 3-8

determining, evaluating, and reviewing a student’s promotion criteria. The diagram below outlines this cycle (See Figure 2).

Figure 2. Process for Determining, Evaluating, and Reviewing Promotion Criteria

A. Timeline for Establishing Modified Promotion Criteria
Promotion criteria for students with IEPs must be developed and updated in accordance with specific timelines. For the 2013-2014 school year, students with IEPs will be held to the promotion criteria reflected in their IEP as of January 31, 2014.

For students who are initially referred for special education services after January 31, 2014 and students with IEPs who transfer into the NYC DOE school system after January 31, 2014, modified promotion criteria for the current school year must be developed and written in the IEP by May 20, 2014 (See Figure 3). There may be circumstances where a student’s IEP must be changed after these dates. The IEP must always be followed. In these cases we will review the IEPs on a case by case basis. The goal is to ensure that teams are making thoughtful decisions well in advance of the end of the year promotion decisions in order to best serve all students.

It is best practice at the beginning of each school year to review students’ IEPs with a focus on present levels of performance, completed CCLS Checklists, spring state test scores, and other relevant data. If students have modified promotion criteria and the projected annual IEP meeting is scheduled for after January 31, 2014, school staff should use the information from the review to determine if the criteria is still accurate. If, after review, it is determined that a student’s promotion criteria should be changed, then an IEP meeting should be scheduled to discuss and revise the IEP as necessary.

Figure 3. Timeline for Establishing Modified Promotion Criteria in Most Circumstances

| January 31 | For students with existing NYC DOE IEPs. |

2013-2014
B. Developing Modified Promotion Criteria

The student’s modified promotion criteria must be based on the New York State Education Department’s Common Core Learning Standards\(^5\) for the student’s current grade level, not the student’s functional level. If the school CSE determines that, due to the nature and severity of the disability, the student should be held to modified promotion criteria, the school should provide the student’s parent or guardian with an explanation of modified promotion criteria.

Key Considerations

The goal of modified promotion criteria is to provide equal opportunity for students with disabilities to progress along the grades with their peers while still ensuring that they are acquiring the skills and curriculum needed towards college and career readiness. It is designed to narrow the gap between a student’s current academic achievement and grade level standards by actively setting high expectations for students with disabilities to ensure they are college and career ready.

With this goal in mind, the IEP team must consider whether the student requires modifications to the standard promotion criteria by assessing whether:

- The student met the standard promotion criteria for their previous grade level;
- Instructional and/or testing accommodations, adaptations, modifications, and supplementary aids and services can minimize the impact of the student’s disability and support the student in meeting the standard promotion criteria; and
- The student’s disability adversely impacts his/her potential for learning, or rate of learning, such that the student’s ability to meet the standard promotion criteria is compromised.

Promotion Criteria are Determined on an Individual Basis

The receipt of instructional and/or testing accommodations, adaptations, modifications, supplementary aids and services, and the location of service(s) (e.g., general education class, special education class, Integrated Co Teaching (ICT), Special Education Teacher Support Services (SETSS)) do not influence the determination of a student’s promotion criteria. Students can be held to standard or modified promotion criteria whether or not accommodations and/or modifications are provided.

If the school CSE determines that with instructional and/or testing accommodations, adaptations, modifications and supplementary aids and services the student will be able to meet

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\(^5\) The New York State CCLS for English Language Arts and Mathematics in grades 3-8 can be found at the following site: [http://schools.nyc.gov/Academics/CommonCoreLibrary/About/Standards/default.htm](http://schools.nyc.gov/Academics/CommonCoreLibrary/About/Standards/default.htm)
the standard promotion criteria, the school CSE must specify this in the Special Education Information System (SEIS) by clicking the “Standard Promotion Criteria” box on the IEP “Summary Page: Promotion Criteria” (See Figure 4).

**Figure 4. SEIS “Standard Promotion Criteria” box on the “Summary Page: Promotion Criteria”**

<table>
<thead>
<tr>
<th>PROMOTION CRITERIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>CURRENT YEAR</td>
</tr>
<tr>
<td>☑️ Standard ☐ Modified</td>
</tr>
<tr>
<td>NEXT YEAR</td>
</tr>
<tr>
<td>☑️ Standard ☐ Modified</td>
</tr>
</tbody>
</table>

If it is determined that even with instructional and/or testing accommodations, adaptations, modifications, and supplementary aids and services the student will be unable to meet the standard promotion criteria because of the nature or severity of his/her disability, the IEP team must specify in the student’s IEP in SEIS that the student will have modified promotion criteria by clicking the “Modified Promotion Criteria” box, for the applicable year(s), and then completing the required information.

**Important to Note:**

- A student may have standard promotion criteria in one subject and modified promotion criteria in the other subject (e.g. standard promotion criteria in Math for the current school year and modified promotion criteria in ELA for the current school year) (See Figure 5).
- A student can have modified promotion criteria for the current year and standard promotion criteria for the next year (e.g., modified promotion criteria for grade 7 and standard promotion criteria for grade 8) (See Figure 5).

**Figure 5. Example –SEIS “Summary Page: Promotion Criteria”**

<table>
<thead>
<tr>
<th>PROMOTION CRITERIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>CURRENT YEAR</td>
</tr>
<tr>
<td>☑️ Standard ☐ Modified</td>
</tr>
<tr>
<td>☑️ English Language Arts (&quot;ELA&quot;) The student must meet 76% of the 7th grade ELA Standards must be mastered as evidenced by student work, teacher observation, assessments/grades, and attendance</td>
</tr>
<tr>
<td>NEXT YEAR</td>
</tr>
<tr>
<td>☑️ Standard ☐ Modified</td>
</tr>
</tbody>
</table>
Setting Rigorous and Appropriate Modified Promotion Criteria

Modified promotion criteria must be set using New York State Common Core Learning Standards (CCLS) for English Language Arts (ELA) and/or Mathematics, only. These are grade and subject specific standards a student should meet by the end of the school year (See Figure 6).

Figure 6. Review the student’s current grade specific CCLS for ELA and Mathematics 6

<table>
<thead>
<tr>
<th>English Language Arts CCLS</th>
<th>Mathematics CCLS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reading Standards for Literature</td>
<td>Grades 3-5:</td>
</tr>
<tr>
<td>Reading Standards for Informational Text</td>
<td>• Operations and Algebraic Thinking</td>
</tr>
<tr>
<td>Writing Standards</td>
<td>• Number and Operations in Base Ten</td>
</tr>
<tr>
<td>Speaking and Listening Standards</td>
<td>• Number and Operations-Fractions</td>
</tr>
<tr>
<td>Language Standards</td>
<td>• Measurement and Data</td>
</tr>
<tr>
<td>Reading Standards: Foundational Skills (grades 3-5, only)</td>
<td>• Geometry</td>
</tr>
<tr>
<td>Grades 6-8:</td>
<td></td>
</tr>
<tr>
<td>• The Number System</td>
<td>• Expressions and Equations</td>
</tr>
<tr>
<td>• Statistics and Probability</td>
<td>• Geometry</td>
</tr>
<tr>
<td>• Rations and Proportional Relationships (grades 6 and 7, only)</td>
<td>• Statistics and Probability</td>
</tr>
<tr>
<td>• Functions (grade 8, only)</td>
<td></td>
</tr>
</tbody>
</table>

Developing Modified Promotion Criteria

The following process outlines the steps for using the CCLS to determine a student’s modified promotion criteria.

Step 1. Using the CCLS

Modified promotion criteria must be presented as a percentage of the NYS CCLS7 for the student’s current grade level. When modifying standard promotion criteria, the school CSE must consider the student’s current grade level and subject specific CCLS that the student is currently achieving and assess the CCLS that the student is expected to achieve by the end of the school year.

Step 2. When setting modified promotion criteria, the school CSE should determine the following using the grade specific CCLS checklist:

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6 New York State CCLS for English Language Arts and Mathematics in grades 3-8 can be found at the following site: http://schools.nyc.gov/Academics/CommonCoreLibrary/About/Standards/default.htm

7 For the 2013-2014 school year, the total CCLS for each grade may vary based on school’s individual determination. See: http://schools.nyc.gov/Academics/CommonCoreLibrary/About/InstructionalExpectations/default.htm.
Promotion Criteria Guidelines for Students with Disabilities in Grades 3-8

- **CCLS Met**: The CCLS that the student has already met at the time of the IEP meeting as evidenced by, for example, student work, teacher observation, evidence of mastery, assessments, and/or grades (See Figure 7).

- **CCLS Projected**: The CCLS that the student is expected to meet by the end of the current school year, as evidenced by, for example, student work, teacher observation, evidence of mastery, assessments, and/or grades (See Figure 7).

**Important to Note:**
“CCLS met” and “CCLS projected” are components of the formula used to calculate the modified promotion criteria, shown in Step 3.

**Figure 7. Suggested Factors Considered to Determine CCLS Met and CCLS Projected**

<table>
<thead>
<tr>
<th>CCLS Met</th>
<th>CCLS Projected</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Suggested but not limited to:</strong></td>
<td><strong>Suggested but not limited to:</strong></td>
</tr>
<tr>
<td>● Formative, summative, periodic assessments</td>
<td>● Rate of learning (how long it takes to learn concepts and skills)</td>
</tr>
<tr>
<td>● Performance on state and local assessments</td>
<td>● Progress in the general education classroom</td>
</tr>
<tr>
<td>● Current academic progress (e.g. grades and report cards)</td>
<td>● Performance on state and local assessments</td>
</tr>
<tr>
<td>● Evaluation reports, related service provider progress reports</td>
<td>● Evaluation reports, related service provider progress reports Progress towards meeting previous modified promotion criteria</td>
</tr>
<tr>
<td>● Teacher/provider observations supplemented with evidence of mastery</td>
<td>● IEP (e.g. Present Levels of Performance, Annual Goal Progress Reports)</td>
</tr>
<tr>
<td>● IEP (e.g. Present Levels of Performance, Annual Goal Progress Reports)</td>
<td></td>
</tr>
</tbody>
</table>

**Step 3. Use common core standards checklist formula to determine criteria**

Use the CCLS checklist as a guide. After determining the number of the CCLS already met (column 1) and the number of CCLS that the student is expected (projected, column 2) to meet by the end of the current school year, use the formula below which is provided in the “MODIFIED PROMOTION CRITERIA SUMMARY” page located at the end of each grade specific CCLS checklist (See Figure 8), to determine the student’s modified promotion criteria:

\[
\text{(CCLS Met + CCLS Projected) \times 100 \div (Total Grade Level CCLS)} = \% \text{ of Grade Level [Subject] CCLS}
\]

**Example: Formulating Grade Specific Modified Promotion Criteria for ELA:**

The following is an example of how to use the CCLS formula to determine the modified promotion criteria in ELA for a student currently in grade 6.

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8For the 2013-2014 school year, the total CCLS for each grade may vary based on school’s individual determination. See: [http://schools.nyc.gov/Academics/CommonCoreLibrary/About/InstructionalExpectations/default.htm](http://schools.nyc.gov/Academics/CommonCoreLibrary/About/InstructionalExpectations/default.htm).
Scenario: Student is currently in grade 6, IEP meeting is before January 31st and the school’s grade 6 ELA curriculum covers all 44* ELA CCLS

Identifying CCLS Met:
After review of the student’s current academic performance results (progress reports, report cards and assessments), it was determined by the school CSE that the student demonstrated having met 14 (Met) CCLS out of 44* grade 6 ELA CCLS.

Identifying CCLS Projected:
After a review of the student’s rate of learning, grades, student work samples, progress toward annual goals, provider’s progress reports, and progress in the general education curriculum as indicated by the teachers, it was determined by the school CSE that the student will meet an additional 13 (Projected) CCLS out of 44* grade 6 ELA CCLS by the end of the current school year.

The following snapshot from the 6th grade ELA subject specific CCLS Checklist (See Figure 8) demonstrates how to use the formula provided to determine the student’s modified promotion criteria using the information from the above scenario.

Figure 8. CCLS Checklist “MODIFIED PROMOTION CRITERIA SUMMARY – TO DETERMINE MODIFIED PROMOTION CRITERIA”

TO DETERMINE MODIFIED PROMOTION CRITERIA

Use this formula to calculate & determine modified promotion criteria based on the Common Core Learning Standards (CCLS):

\[
\frac{(\text{CCLS Met} + \text{CCLS Projected}) \times 100}{\text{(Total 6th Grade CCLS 44*)}} = \% \text{ of 6th Grade Level CCLS}
\]

\[
\frac{(14 + 13) \times 100}{44} = 61 \% \text{ of 6th Grade Level ELA CCLS}
\]

DETERMINATION DATE (12/18/13)
Student must meet 61% of grade 6 ELA CCLS by the end of the grade, as written in the IEP.

*For the 2013-2014 school year, the total CCLS for each grade may vary based on school’s individual determination. See: http://schools.nyc.gov/Academics/CommonCoreLibrary/About/InstructionalExpectations/default.htm.
The student’s percentage of grade specific CCLS indicates the student’s modified promotion criteria (e.g., the student’s modified promotion criteria indicates that he/she must achieve 61% of the total CCLS comprising the grade 6 ELA standards).

IEP Statement

English Language Arts (“ELA”) The student must meet 61% of 6th grade Standards. Standards must be met as evidenced by student work, teacher observation, and assessments/grades.

C. Making Promotion Decisions for Students with Modified Promotion Criteria

A student’s modified promotion criteria must be reviewed and evaluated in order to determine whether the student should be promoted to the next grade. Schools should weigh the following suggested sources of evidence when considering whether a student has met modified promotion criteria:

- Performance on state and local assessments
- Current academic progress (e.g., grades and report cards)
- Teacher observations supplemented with evidence of mastery
- IEP (e.g., Present Level of Performance, Annual Goal Progress Reports)
- Service Provider’s Progress Reports

Making Promotion Decisions for Students with Modified Promotion Criteria

The following process outlines the steps to evaluate whether the student met the modified promotion criteria indicated in the IEP:

Step 1

Revisit the CCLS Checklist previously completed when the school CSE determined the student’s MPC:

a) Determine if the student has met the CCLS that were “projected” to be met and review to determine if the student MET any additional Standards which were not projected.

b) Complete column # 4 and column # 3 for all CCLS the student has met at the end of the school year.

c) Add up the total number of CCLS that the student has met at the end of the current school year.

Step 2

Determine if the total number of CCLS met at the end of the current school year satisfies the student’s modified promotion criteria.

- Using the “MODIFIED PROMOTION CRITERIA SUMMARY - END OF GRADE PROMOTION DECISION” located at the end of each CCLS checklist; determine the percentage of CCLS met by the student at the end of the school year (See Figure 9).

The example below, CCLS CHECKLIST: “END OF GRADE PROMOTION DECISION”, demonstrates how to evaluate a student’s performance to determine if the student has met his/her modified promotion criteria in order to be promoted to the next grade.

**END OF GRADE PROMOTION DECISION**

Use this formula at the end of the grade to calculate whether the student has met the modified promotion criteria based on the Common Core Learning Standards (CCLS):

\[
\frac{(CCLS\ Met) \times 100}{(Total\ 6^{th}\ Grade\ CCLS \ 44*)} = \%\ of\ 6^{th}\ Grade\ Level\ CCLS
\]

\[
\frac{(28) \times 100}{(44*)} = 64\%\ of\ 6^{th}\ Grade\ Level\ CCLS
\]

**END OF GRADE REVIEW DATE (6/24/14):**

Student has met 64% of grade 6 ELA CCLS by the end of the grade.

**MODIFIED PROMOTION CRITERIA (check one):**

STANDARDIZED TEST RESULTS (check one):  
Student X has met □ has not met  
Student □ has met X has not met

**END OF GRADE PROMOTION DECISION (check one):**  
Student is:  
X Recommended for Promotion  
□ Not Recommended for Promotion

**Approved by**  
Name: Mr. Smith  
Signature: Mr. Smith  
Title: Principal  
Date: 6/26/14

(In this example the student’s modified promotion criteria was established at the IEP meeting to be 61% of the ELA CCLS)
**Step 3**
If the student has not met his/her modified promotion criteria, the principal may retain the student in June and recommend that the student attend summer school and/or receive additional opportunities to meet his/her modified promotion criteria.

- If a student meets the standard promotion criteria outlined for his/her grade level in Chancellor’s Regulation A-501, the student must be considered for promotion (e.g., grade 6 student attains a proficient score on the NYS ELA and Mathematics exams).

- If the student has met the standard promotion criteria for his/her grade level, the school CSE must consider the student for standard promotion criteria for the following school year. See “Reviewing the Need for Modified Promotion Criteria” section below.

**Important to Note:**
Procedures outlined in Chancellor’s Regulation A-501 concerning decisions regarding promotion, timelines for parent notification, provision of interventions, goal setting, identification of students as at-risk of not being promoted, and parental appeals apply to all students with disabilities, whether they are held to standard promotion criteria or modified criteria.

**D. Reviewing the Need for Modified Promotion Criteria**
A student’s modified promotion criteria should be reviewed by the school CSE at the next IEP meeting following the promotion decision. The school CSE establishes whether the student continues to need modified promotion criteria. Based on the student’s academic performance, a school may consider any of these options:

- If the student has made expected progress towards their modified promotion criteria
  - Continue the use of modified promotion criteria; or
  - Discontinue the use of modified promotion criteria and return to standard promotion criteria.

- If the student has not made expected progress toward their modified promotion criteria
Promotion Criteria Guidelines for Students with Disabilities in Grades 3-8

- Identify reasons why the student has not met their modified promotion criteria to evaluate whether methods of instruction and support align with student’s needs;
- Review and revise the student’s modified promotion criteria in alignment with the CCLS and high expectations for the student’s grade level.

- If the student has met the standard promotion criteria for their grade level, the IEP team should consider the student for standard promotion criteria during the next IEP meeting.\(^\text{11}\)

IV. Frequently Asked Questions

1. **How are promotion criteria determined for a grade that the student is not currently enrolled in?**
2. **When are promotion criteria set for a student in second grade?**
3. **Can a student have modified promotion criteria in one subject area?**
4. **Do state test results correlate to a specific percentage of performance indicators?**
5. **If a student scores at proficient levels on both NYS ELA and NYS Math examinations for the current grade level, should the student be promoted?**
6. **If a student scores at a proficient level on one of the NYS examinations, either the NYS ELA or the NYS Math examinations for the current grade level, should the student be promoted?**
7. **If a student has modified promotion criteria, is the student automatically promoted?**
8. **Do all students with disabilities have modified promotion criteria?**
9. **Can a student with an IEP have modified promotion criteria if they are in a general education setting?**
10. **For eighth grade students, is performance in core courses considered when setting the modified promotion criteria?**
11. **What formative or summative assessments are appropriate to use in developing modified promotion criteria?**
12. **Is there a minimum percent that should be considered for the promotional criteria for a given grade?**
13. **Should the modified promotion criteria be revised if a student is retained?**
14. **What does a high quality IEP include, if it has been determined that a student qualifies for modified promotion criteria?**

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\(^{11}\) If the student attains a proficient score on either of the New York State grade level examinations, the student’s need for modified promotion criteria for that subject area should be evaluated at the next IEP meeting.
CSE team should make adjustments prior to the January 31 2014 deadline. The adjustments should be based on additional performance data collected and documented. In the event that the student with modified promotion criteria is retained, an IEP meeting should be held to review the student’s IEP and modified promotion criteria previously set for that grade level. Please see the “Timeline for Establishing Modified Promotion Criteria” section for further detail.

2. **When are promotion criteria set for a student in second grade?**

   For a student in the second grade, during a student’s IEP conference the school may evaluate the student for modified promotion criteria for the next year promotion from third grade. This modified promotion criteria will not apply to the student’s second grade promotion decision. See “Student Eligibility” section.

3. **Can a student have modified promotion criteria in one subject area?**

   Yes. Modified promotion criteria can be set for English Language Arts or for Mathematics. Depending on the individual student need, a student may be held to modified promotion criteria in one subject and standard promotion criteria in another. The student must meet their promotion standards in both subject areas to be considered for promotion. Note, the student will appear with modified promotion criteria in ATS and the school is responsible for undertaking a review of whether the child met the modified and standard promotion criteria. See “Using the CCLS”.

4. **Do state test results correlate to a specific percentage of performance indicators?**

   Percent mastery of New York State CCLS does not correlate to the level of proficiency on a standardized test since some standards are weighted more heavily in the exam than others. As set forth in Chancellor’s Regulation A-501, students in grades 3-7 who meet the standard promotion criteria should be considered for promotion to the next grade. Please see “Using the CCLS” and “Making Promotion Decisions Based on Modified Promotion Criteria” section of this document.

5. **If a student scores at proficient levels on both NYS ELA and NYS Math examinations for the current grade level, should the student be promoted?**

   Yes. If a student meets the standard promotion criteria outlined for his/her grade level in Chancellor’s Regulation A-501, the student should be considered for promotion. If the student has met the standard promotion criteria for his/her grade level, the IEP team must reconvene and consider the student for standard promotion criteria, as indicated in the “Reviewing The Need for Modified Promotion Criteria” section of this document.

6. **If a student scores at a proficient level on one of the NYS examinations, either the NYS ELA or the NYS Math examinations for the current grade level, should the student be promoted?**

   If a student has modified promotion criteria in both English Language Arts and Mathematics, the student must still meet the modified promotion criteria outlined in his/her IEP for the subject area in which the student did not meet the standard promotion criteria in order to be considered for promotion. If the student has met the standard promotion criteria for his/her grade level in one subject area, the IEP team should reconvene and consider the student for
standard promotion criteria in that subject area, as indicated in the “Reviewing the Need for Modified Promotion Criteria” section of this document.

7. **If a student has modified promotion criteria, is the student automatically promoted?**
   No. The school must determine whether the student met the modified promotion criteria indicated in the IEP, as outlined in the “Making Promotion Decisions Based on Modified Promotion Criteria” section of this document.

8. **Do all students with disabilities have modified promotion criteria?**
   No. The location or type of service(s) does not influence the determination of a student’s promotion criteria. A student with an IEP in a special education setting may have modified promotion criteria if he/she meets the eligibility requirements discussed in the “Student Eligibility” section of this document.

9. **Can a student with an IEP have modified promotion criteria if they are in a general education setting?**
   Yes. The location or type of service(s) does not influence the determination of a student’s promotion criteria. A student in a general education setting may have modified promotion criteria if he/she meets the eligibility requirements discussed in the “Student Eligibility” section of this document.

10. **For eighth grade students, is performance in core courses considered when setting the modified promotion criteria?**
    All eighth grade students with standard promotion criteria must pass their core courses in order to be considered for promotion. The CSE team may consider student’s performance in core courses as a factor when setting the modified promotion criteria, in order to hold the student to high expectations and prepare him/her for high school. Please see Chancellor’s Regulation A-501 for more details.

11. **What formative or summative assessments are appropriate to use in developing modified promotion criteria?**
    Any formative and summative assessments the school has determined to use for the purposes of tracking student progress may be considered as a factor when developing and evaluating modified promotion criteria.

12. **Is there a minimum percent that should be considered for the promotional criteria for a given grade?**
    No. Modified promotion criteria are uniquely developed each year based on the individual needs of the student. Please see the “Developing Modified Promotion Criteria” section. Do remember, however, that we need to maintain the highest possible expectations that are appropriate for each student and ensure that specialized instruction is being given in order to assist students in meeting these expectations.

13. **Should the modified promotion criteria be revised if a student is retained?**
In the event that a student with an IEP is retained, an IEP meeting should be held to review the IEP and review the modified promotion criteria previously set for that grade level. The IEP team should determine if a revision is required. Any updates to the IEP need to follow the timeline indicated in the “Timeline for Establishing Modified Promotion Criteria” section.

14. What does a high quality IEP include, if it has been determined that a student qualifies for modified promotion criteria?
In order to improve results for students with IEPs, schools must have high expectations for students with disabilities. This includes, but is not limited to meeting the student’s needs to enable the student to access, participate and progress in the general education curriculum, providing appropriate special education services and supplementary supports and services in the general education classroom whenever appropriate, and providing high quality research-based instruction and supports.


Appendix I. Additional Resources

A. Resolving Promotion Criteria Discrepancies
SESIS to CAP Errors Session 1 Webinar
SESIS to CAP Errors Session 2 Webinar
Troubleshooting SESIS IEPs Not Recorded in CAP
How to Resolve Special Education Program Discrepancies

B. Supplementary Materials

Common Core Learning Standards (CCLS)
Chancellor’s Regulation A-501
Common Core Learning Standards Checklists (Grades 3-8)
Quick Reference Sheet: Promotion Criteria Guidelines
Presentation Resources