



**Department of  
Education**

*Dennis M. Walcott, Chancellor*

## **Public Comment Analysis**

Date: July 17, 2012

Topic: Proposed Amendments to Chancellor's Regulation A-501

Date of Panel Vote: July 18, 2012

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### **Summary of Proposed Amendments to Chancellor's Regulation A-501**

Chancellor's Regulation A-501 sets forth system-wide, clearly defined standards for student promotion for each grade from grades 3 to 12.

The prior version of the regulation, dated November 13, 2009, is being amended in the following respects: (1) the amended regulation provides that principals may recommend promotion for overage and previously retained students in grades 3-8 based on demonstrated gains on multiple measures of student performance; 2) it reformats promotion criteria for grades 3-7 to reflect that promotion standards are consistent across these grades; 3) it clarifies the promotion policy for students in pre-kindergarten and kindergarten; 4) it clarifies that promotion criteria for English Language Learners (ELLs) are determined according to the student's number of years enrolled in a United States School System; 5) it clarifies that ELLs in grades 3-7 enrolled for at least two years but fewer than six years may meet the English language requirement of promotion criteria by achieving Proficiency Level 2 on the State English Language Arts assessment and clarifies that the same promotion criteria apply to all ELLs in grade 8 enrolled for at least two years but fewer than four years; 6) it clarifies that students with disabilities in grades 3-8 who participate in State and New York City assessments are held to the same promotion criteria as English proficient general education students unless their Individualized Education Programs (IEPs) specify a modified promotion standard, in which case they are held to the modified standard set forth in their IEPs; 7) it clarifies that students with disabilities in grades 9-11 are held to the same promotion criteria as English proficient general education students; 8) it removes language regarding high school graduation requirements to clarify that the purpose of this regulation is to set forth the standards students must achieve for promotion; 9) it removes references to attendance; attendance standards are addressed in Chancellor's Regulation A-210; 10) it updates language to reflect the Children First Network organizational structure; and 11) it updates contact information for inquires.

**Summary of Issues Raised in Written and Oral Comments and  
Significant Alternatives Suggested**

No public comments were received regarding this proposal.

**Analysis of Issues Raised, Significant Alternatives Proposed and  
Changes Made to the Proposal**

The DOE has made no changes to the proposed amendments to the regulation. The regulation will be presented to the Panel for Education Policy as posted.

A copy of the regulation can be obtained at:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/July2012PEPRegulations.htm>