

November SED Meeting

November 19, 2024

Upcoming Teacher Certification Update: Additional Certificate Changes

- The Department will be presenting proposed regulatory amendments at the December Board of Regents meeting to create flexibility related to how teachers obtain additional certificates in certain areas.
- The proposed amendment would reduce the content core credit requirements from 30 credit hours to **18 credit hours** for content area certificates at the middle childhood (5-9) and adolescent (7-12) grade levels, as well as most of the special subject certificate areas (dance, family and consumer sciences, health education, music, physical education, technology education, theater, and visual arts).

Upcoming Teacher Certification Update: Additional Certificate Changes

- This builds on work that the Department did nearly two years ago related to science certification.
- This proposal will create more flexibility for teachers who have an educational background in multiple content areas to pursue certification in additional content areas.
- It will also create greater opportunities for teacher preparation programs to design dual or multi-certificate area programs, thereby making their candidates more marketable and helping to address the staffing needs of school districts and BOCES.
- If the item is permanently adopted after the public comment period, it will go into effect on April 23, 2025.

Guidance related to section 511 of the Workforce Innovation and Opportunity Act related to Subminimum Wage for Students with Disabilities

- This month, a memo related to section 511 of the Workforce Innovation and Opportunity Act (WIOA), Assisting Students with Disabilities to Maximize Opportunities to Achieve Competitive Integrated Employment, will be sent to BOCES district superintendents, school district superintendents, and others.
- Section 14c of the Fair Labor Standards Act allows employers to pay employees below minimum wage (subminimum wage) under certain limited circumstances. Employers must receive approval from the US Department of Labor to obtain a 14c Certificate that allows for the payment of subminimum wages. The 14c certificate has historically been used to pay workers with disabilities subminimum wage.

Guidance related to section 511 of the Workforce Innovation and Opportunity Act related to Subminimum Wage for Students with Disabilities

- WIOA is a federal law enacted in 2014, which was intended to improve workforce development and training services for various groups, including youth and workers with disabilities. Department of Labor and NYSED receive WIOA funding (Title II – Adult Education and Title IV Vocational Rehabilitation).
- Section 511 of WIOA requires that individuals with disabilities who are age 24 or younger complete requirements designed to improve their access to competitive integrated employment, including transition services, vocational rehabilitation, and career counseling services before they can be employed at subminimum wage. Section 511 also requires that all workers with disabilities who are paid subminimum wage, of any age (including youth), receive regular career counseling and information about self-advocacy, self-determination, and peer mentoring training opportunities from the state vocational rehabilitation agency. Employees must receive these services twice in the first year they are hired at subminimum wage and at least one time every year after.

Guidance related to section 511 of the Workforce Innovation and Opportunity Act related to Subminimum Wage for Students with Disabilities

- Under section 511 of WIOA, schools are prohibited from entering into contracts or agreements with an entity holding a special wage certificate under section 14(c) of the Fair Labor Standards Act for the purpose of operating a program where a student with a disability is engaged in work at a subminimum wage.
- This means that as school districts think about work experiences and internship opportunities for their students, **they have to make sure that (if students are paid) all students including students with disabilities are paid at least minimum wage.**
- While this guidance isn't new, federal regulations were issued in 2016, and guidance had not been given to school districts. The purpose of the memo that will be issued this month is to ensure that the field is aware of the WIOA section 511 requirements.

Guidance related to section 511 of the Workforce Innovation and Opportunity Act related to Subminimum Wage for Students with Disabilities

- ACCES-VR received a grant to address the pipeline of students transitioning from secondary education to subminimum wage employment. **In 2025 ACCES-VR in partnership with independent living centers will be working with students with disabilities in Nassau, Suffolk, Erie, Monroe, Cortland, and Wayne counties to participate in a project called Subminimum Wage to Competitive Integrated Employment.**
- The goal of the project is to use a combination of pre-employment services and customized employment to redirect students with disabilities away from subminimum wage employment to careers at integrated into the community and pay at least minimum wage.
- They must partner with school districts in the designated counties to identify and work with students with disabilities.

Cut Scores for New Science Regents Exams

- Given the shifts in instruction and assessment following the implementation of the new science learning standards, the field has raised concerns that student performance on the new Regents Exams will decrease significantly.
- Although the tests will be new (and measure new content in different ways), high school science teachers should be well positioned to adapt to the shifts given their depth of content knowledge (i.e., as opposed to multi-subject elementary teachers) and instruction during more formally scheduled classes/courses.

Cut Scores for New Science Regents Exams

- This situation is analogous to implementing the Regents Exams measuring the Common Core Learning Standards.
- This intention is also true for the new science exams that will be introduced in June 2025 and June 2026. Although the percentages of students achieving Levels 4 and 5 (“meets the standards” and “meets with distinction”) may ultimately be lower, the percentage of students scoring Level 3 and meeting current diploma requirements will be relatively maintained.

2024-2025 Accountability Determinations

- **Accountability Support Model Preliminary Determinations** will be communicated to NY LEAs on **Thursday, November 21, 2024**.
 - These preliminary determinations are made under the current Rebuild Accountability System.
 - Schools can be newly identified for Targeted Support and Improvement (TSI) only.
 - LEAs can be newly identified as a Target District (TD) based on district data roll-up (comparing the district-level data to other districts across the state) or if the LEA has a school that is newly identified for TSI.
 - Schools and Target Districts can not exit a support model this year as two consecutive years of progress are required. This is year one of two.

2024-2025 Accountability Determinations

Timeline:

- **Tuesday, November 19, 2024:** Regional preliminary data files communicated to District Superintendents along with a copy of the memo to the field. A link to the 2024-2025 report guide will be included in this communication.
- **Wednesday, November 20, 2024:** Regional preliminary data files communicated to RICs.
- **Thursday, November 21, 2024:** Preliminary accountability data and memos communicated to LEAs.
- An **appeal window** will be open to communicate extenuating circumstances impacting data used to make support determinations through **Thursday, December 12, 2024**.

2024-2025 Accountability Determinations

Support:

- A District Superintendent technical assistance session will be held on **Wednesday, November 20, 2024, from 2 to 3 via Zoom**. The **link to register** will be distributed with the regional files on **Tuesday, November 19, 2024**.
- **Preliminary Determination office hours** will be held for LEAs and accountability/data support staff on **December 2, 2024, from 9-10 and December 3, 2024, from 2-3**. Registration links will be included in the **memo distributed to the field on Thursday, November 21, 2024**.

2024-2025 Accountability Determinations

Support:

- Rebuild Accountability System technical handbook has been posted: [Understanding the New York State Accountability System under the Every Student Succeeds Act \(ESSA\) for 2024–2025 Accountability Statuses Based on 2023–2024 Results](#)
- Additional resources can be found on the [NYSED ESSA Accountability System Webpage](#)