



# The Advocate

Winter  
2018

Advocates for Children of New York  
Protecting every child's right to learn

[www.advocatesforchildren.org](http://www.advocatesforchildren.org)

## MISSION STATEMENT

*Advocates for Children of New York's mission is to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds.*

*AFC achieves this through four integrated strategies: free advice and legal representation for families of students; free trainings and workshops for parents and professionals, to equip them to advocate on behalf of students; policy advocacy to effect change in the education system and improve education outcomes; and impact litigation to protect the right to quality education and to compel needed education reform.*

## Emely's Story

Sixteen-year-old Emely just made the honor roll at school, and we are so proud of her hard work and how far she has come! Emely has a significant language disorder and a learning disability, and when her mother first called AFC's Helpline about two years ago, Emely was almost 14 years old and in fifth grade for the second time. Emely had long struggled academically—she was held back twice in early elementary school—but was not identified as a student with a disability until her first time in fifth grade, when her mother learned of her right to request a special education evaluation.



The first time Emely's mom tried to meet with the Department of Education (DOE) to discuss special education, she was told to come back in two months because she speaks Spanish and there was no interpreter available. By the time the DOE evaluated Emely, created an Individualized Education Program (IEP), and started giving her services, it was nearly the end of the school year. Even then, Emely received less than half of what her IEP required. During her second year as a fifth grader, Emely was reading on only a second grade level, and she continued to struggle in a class that did not have the right supports. Emely's mother knew that her daughter was not making progress, but she did not know the extent of Emely's disability or what services might be useful, because the DOE did not translate any of Emely's special education documents into Spanish or provide interpretation at meetings, in violation of state and federal civil rights laws.

After Emely's mom reached out to Advocates for Children, we helped get a thorough evaluation to determine Emely's needs. The evaluation showed that Emely had severe language deficits and was performing far below her intellectual abilities as a result. When the DOE still did not offer Emely the help she needed, AFC filed an impartial hearing request to secure placement for Emely in a specialized school for students with learning disabilities, as well as intensive speech therapy and one-on-one tutoring in reading and writing outside of school. The case settled before hearing, and Emely has made huge strides with the right instruction. In her first year of make-up services, she jumped four grade levels in reading! We have continued to represent Emely to make sure she can stay at her new school, where she has been thriving. She is very excited to finally start high school this coming fall! Emely's mom shared her recent report card and honor roll certificate with us, saying, "I owe you a million thanks for the happiness I have in my heart."



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of New York**

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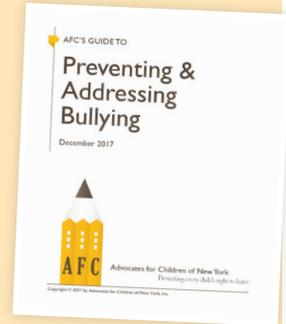
Matthew Lenaghan

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## NEW GUIDES & RESOURCES

### **Guide to Preventing & Addressing Bullying**

Advocates for Children has a new guide on preventing and addressing bullying! This guide describes bullying behavior and signs a child may be bullied. It also explains the education rights of students who are bullied or engaged in bullying behavior and attend New York City Department of Education schools, including special protections for students with disabilities. Download the guide at [www.advocatesforchildren.org/node/1192](http://www.advocatesforchildren.org/node/1192).



### **Webinar on Assistive Technology**

In December, AFC hosted a webinar and workshop on assistive technology (AT). The training explained what AT is, how AT can help your child learn, and how to obtain AT in New York City schools. A recording of the webinar is now available online at <https://youtu.be/AUMtgoIV0xU>.

### **Know Your Rights Training in Arabic**

A video version of our "Know Your Rights in New York City Public Schools" training for immigrant families is available at <https://youtu.be/L-EAFjuXDGE>. The training was done entirely in Arabic and covered topics such as enrolling in school, services for English Language Learners, and parents' right to translation and interpretation services.

## FAST FACTS

In the 2016-17 school year, the New York Police Department (NYPD) intervened in more than **2,500 incidents** in NYC public schools involving students in emotional distress who were sent to the hospital for psychological evaluation.

About **half** of these cases involved children ages 4-12.

**95%** were students of color.

NYPD used handcuffs on students **330 times** that year, including on children as young as 5.

Learn more in our latest data brief, available at [www.advocatesforchildren.org/node/1183](http://www.advocatesforchildren.org/node/1183).

## FEATURED

PARTNERSHIP

### Supporting Newly Arrived Immigrant Families

Advocates for Children's Immigrant Students' Rights Project partners with the International Rescue Committee (IRC), a non-profit whose New York Regional Office provides resettlement services to newly arrived refugees as they rebuild their lives in New York City. In recent years, we have trained many IRC staff—for example, their academic coaches, who help refugee families navigate the first year of school in the U.S.—so that they have the tools to identify and solve problems related to enrollment, special education services, and more. We have also held workshops for parents so that they are better prepared to be involved in their children's education. After one recent training, an IRC youth program supervisor wrote, "I benefit so much from the expertise you share!"

# Graduation Requirements & Options for Students with Disabilities

This year, the state made some significant changes in high school graduation requirements for students with disabilities. Two common types of New York State diplomas are the Regents diploma and the Local diploma. Both are accepted by colleges, the military, and trade schools. To earn either type of diploma, all New York City students need at least 44 credits in specific subject areas. The exit exam requirements are different.

## REGENTS DIPLOMA

To earn a Regents diploma, students have to pass “4+1” exams:

- Four required Regents exams, each with a score of 65 or higher:
- English Language Arts (ELA)
  - one Math
  - one History
  - one Science
- + One other State-approved exam, such as:
- another Regents exam
  - an Advanced Placement (AP) exam
  - a State-approved Career and Technical Education (CTE) exam
  - the Career Development and Occupational Studies (CDOS) Commencement Credential

## LOCAL DIPLOMA

The Local diploma is available to students with disabilities who pass “4+1” exams using the “Safety Net” score requirements or who qualify for a “Superintendent Determination.”

### Safety Net Options

Students with IEPs are automatically eligible for the Safety Net. For students with a Section 504 plan, the 504 plan must say that the student is eligible for the Safety Net. Under the Safety Net, students can score between 55 and 64 on the required Regents exams and graduate with a Local diploma. Students can also appeal scores of 52-54 on up to two of the required Regents exams. For more information, see AFC’s fact sheet *High School Graduation Options for Students with Disabilities* at [www.advocatesforchildren.org/sites/default/files/library/graduation\\_options\\_for\\_students\\_with\\_disabilities.pdf](http://www.advocatesforchildren.org/sites/default/files/library/graduation_options_for_students_with_disabilities.pdf) (also available in Spanish on our website).

### Superintendent Determination

Students with IEPs who do not qualify for the Safety Net options may still be eligible for a Local diploma through a “Superintendent Determination.” This option is NOT available for students with Section 504 plans. To be considered for a Superintendent Determination, the student’s parent must make a request in writing to the principal or to the Committee on Special Education (CSE). The request will be forwarded to the superintendent, who will review the student’s performance in the related course and make the final decision. The rules for earning a Local diploma under this option recently changed. As of December 2017, students must:

1. EITHER pass the Math and ELA Regents exams with scores of 55 or higher (or successfully appeal scores of 52-54), OR earn a CDOS Commencement Credential; and ◀ **NEW!**
2. Sit for and fail the other exams required for graduation; and
3. Pass Regents-level courses in the subjects of the failed exams.

*This change means there is **no** minimum Regents score required for students with IEPs to graduate with a Local diploma, as long as they have earned a CDOS Credential and met other requirements.*

## DID YOU KNOW?

Students can appeal one score of 60-64 on a required Regents exam and still earn a Regents diploma. For more information, see AFC’s fact sheet *Appeal Options for Regents Exams* at [www.advocatesforchildren.org/sites/default/files/library/regents\\_exam\\_appeal\\_options.pdf](http://www.advocatesforchildren.org/sites/default/files/library/regents_exam_appeal_options.pdf) (also available in Spanish).

### What is the CDOS Commencement Credential?

The CDOS Commencement Credential is a certificate that is meant to show a student’s readiness for entry-level jobs. By itself, the CDOS Commencement Credential is not a high school diploma and cannot be used to apply to college, the military, or trade schools.

- Even though the CDOS Commencement Credential is not a diploma, it *can* be used as a student’s “+1” exam, or to apply for a Local diploma using the Superintendent Determination (see above).
- Students who are assessed using the New York State Alternate Assessment (NYSAA) are not eligible for a CDOS Commencement Credential.
- The Board of Regents gave principals more discretion in awarding CDOS Credentials during the 2017-18 and 2018-19 school years. For details, see [www.regents.nysed.gov/common/regents/files/1217p12a1.pdf](http://www.regents.nysed.gov/common/regents/files/1217p12a1.pdf).

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Or email us at [info@advocatesforchildren.org](mailto:info@advocatesforchildren.org)

*We can speak to you in your language.*

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Advocates for Children of New York  
151 West 30th Street, 5th Floor  
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Or visit us online at  
[www.advocatesforchildren.org](http://www.advocatesforchildren.org).

Questions about donating? Contact Linda at [lyassky@afcnyc.org](mailto:lyassky@afcnyc.org) or (212) 822-9512.

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