



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

OFFICE OF VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES  
STATEWIDE COORDINATOR FOR SPECIAL EDUCATION  
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**To:** District Superintendents  
Superintendents of Public Schools  
Superintendents of State-Operated and State-Supported Schools  
Impartial Hearing Officers  
Community Dispute Resolution Centers  
Commissioner's Advisory Panel for Special Education Services  
SETRC Program Development Specialists  
Organizations, Parents and Individuals Concerned with Special Education

**From:** James P. DeLorenzo

**Subject:** Regents Competency Test (RCT) Safety Net and 55-64 Passing Score for a Local Diploma for Students with Disabilities

This memorandum is to provide information and clarification on two provisions available to students with disabilities in order to meet testing requirements for a local high school diploma: the Regents Competency Test (RCT) Safety Net and the 55-64 passing score on Regents examinations. Please share this information with Principals, Committee on Special Education (CSE) Chairpersons, Directors of Special Education and Pupil Personnel Directors.

The following students qualify for the RCT safety net and 55-64 passing score:

- Students with disabilities identified through a CSE. Specific language regarding the availability of the safety net does not have to be indicated on the student's individualized education program (IEP).
- Students with disabilities identified through the Section 504 Multidisciplinary Team (MDT) if recommended and documented by the MDT on the student's Accommodation Plan.
- Students with disabilities declassified while in grades 8-12 if recommended and documented by the CSE on the student's IEP.



## **RCT Safety Net**

In October 2003, the Board of Regents approved an extension of the RCT safety net for students with disabilities. This action extends the safety net for an additional five years to make it available to all eligible students with disabilities **entering 9<sup>th</sup> grade from the 1996-97 school year through the 2009-10 school year.**

Beginning with students who entered grade 9 in the 2001-02 school year, in order to earn a high school Regents diploma, students need to take and pass five specific Regents examinations with a score of 65 or higher (see attached chart). The safety net allows students with disabilities who do not pass one or more of the required Regents examinations to instead meet testing requirements for the local diploma by passing the corresponding RCT(s) or the Department approved alternatives to the RCTs. The school may administer the RCT before or after the Regents examination, but, in all cases, the student must take the required Regents examinations in order to earn the local diploma.

As a reminder, the admission requirements for taking the Regents and RCTs and a listing of the Department-approved alternative examinations to the Regents or RCT examinations are described in the *Regents Examinations, Regents Competency Tests, and Proficiency Examination: School Administrator's Manual*. For example, only students enrolled in grades 11 and 12 may be admitted to the RCTs in reading and writing; they are generally expected to take these tests initially in January of Grade 11.

## **55-64 Passing Score**

For students with disabilities who enter grade 9 in 2005 and thereafter, testing requirements for a local diploma may also be met by achieving a score between 55 and 64 on required Regents examinations (English, Mathematics, Science, Global History and U.S. History). The 55-64 passing score must be made available to students with disabilities and is no longer a district option. Refer to section 100.5(5)(a-e) of the Regulations of the Commissioner of Education for more information at <http://www.emsc.nysed.gov/part100/pages/1005a.html>.

## **Questions and Answers**

- 1. Beginning with students who enter grade 9 in 2005, if a student with a disability earns between a 55 and 64 on a required Regents examination, does he or she also need to take the corresponding RCT?**

No. The 55-64 low pass satisfies the testing requirement for a local diploma.

- 2. If a student with a disability who entered grade 9 prior to 2005 lives in a district that did not previously adopt the 55-64 low pass option for all students and the student earns between a 55 and 64 on the required Regents examinations, will this meet testing requirements for a local diploma?**

No. The requirement (without local option) that the 55-64 passing score be made available to students with disabilities to meet testing requirements for a local diploma begins with students entering grade 9 in 2005. Students who entered grade 9 prior to 2005 in districts that did not adopt the 55 low pass option still have the RCT safety net available.

**3. Is the 55-64 passing score to meet testing requirements for a local diploma available to students without disabilities who enter grade 9 in 2005?**

Yes. In June 2005, the Board of Regents approved a phase in schedule for diploma requirements for all students.

- Students who enter grade 9 in 2005 must score 65 on 2 required Regents examinations and score 55 or above on 3 required Regents examinations to meet local diploma requirements.
- Students who enter grade 9 in 2006 must score 65 on 3 required Regents examinations and score 55 or above on 2 required Regents examinations to meet local diploma requirements.
- Students who enter grade 9 in 2007 must score 65 on 4 required Regents examinations and score 55 or above on 1 required Regents examination to meet local diploma requirements.
- Students entering grade 9 in 2008 must score 65 on all five required Regents examinations to meet Regents diploma requirements and the local diploma is no longer available (see attached chart).

**4. If a student earns 55-64 on a required Regents examination, will this count toward a Regents or local diploma?**

This will count toward a local diploma only. A score of 65 or higher is required for meeting Regents diploma requirements.

**Resources**

Further information can be obtained at <http://www.emsc.nysed.gov/> and <http://www.vesid.nysed.gov/specialed/>. Further questions about the 55-64 low pass and diploma requirements may be e-mailed to [emscassessinfo@mail.nysed.gov](mailto:emscassessinfo@mail.nysed.gov). If you have questions about the RCT safety net for students with disabilities, please contact the Office of Vocational and Educational Services for Individuals with Disabilities (VESID), Special Education Policy and Partnerships Unit at 518-473-2878 or your Regional Associate at one of the following VESID Special Education Quality Assurance Regional Offices:

Eastern Regional Office	(518) 486-6366
Hudson Valley Regional Office	(518) 473-1185
Central Regional Office	(315) 428-3287
Long Island Regional Office	(631) 884-8530
New York City Regional Office	(718) 722-4544
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