



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

TO: The Honorable the Members of the Board of Regents
FROM: James A. Kadamus
COMMITTEE: EMSC-VESID
TITLE OF ITEM: Strategy for Implementing the Regents Policy Statement on
Middle-Level Education
DATE OF SUBMISSION: February 6, 2004
PROPOSED HANDLING: Discussion
RATIONALE FOR ITEM: Implementation of Regents Policy
STRATEGIC GOAL: Goals 1 and 2
AUTHORIZATION(S):

SUMMARY:

In January, the Committee directed staff to develop possible approaches for implementing the Regents Policy Statement on Middle-Level Education. During the January meeting, the Regents discussed the following points that have shaped the strategy outlined in the attached paper:

- We have learned a lot about what works from the research, speakers and public engagement process on middle-level education. Any approaches to implementing Regents policy must reflect the best practices of effective schools with middle-level grades.
- We have heard that, while students in the middle-level grades must receive a solid foundation in reading, writing and mathematics, it is also important for students in these grades to receive quality instruction from certified teachers in all 28 of the State learning standards.
- We have heard that the program of study in the middle grades must ensure that students with disabilities receive appropriate instruction and that students who are English language learners must receive intensive English instruction.
- We have heard that creating a supportive learning environment for students in middle-level grades is critical to their academic and personal success.
- We have heard concerns that greater flexibility is needed for schools to put best practices of middle-level education in place. We have also heard that there is considerable flexibility in current regulations that many districts are not using.

- We have heard that any approaches to implementing Regents policy on middle-level education must result in improved academic performance and positive youth development. Special consideration must be given to low performing schools with middle-level grades in order to make sure they are put on a path to improve.
- We have heard that some high performing schools with middle-level grades want to design new approaches to middle-level education that are consistent with the Regents policy, but that these approaches require greater flexibility than is in place under current regulations.
- We have concluded that no single approach is the solution to the problems confronting middle-level education; therefore, a State strategy for middle-level education must consider the variation in structure and performance of schools.

Given the conclusions reached in January, a State Strategy for Middle-Level Education could include the following components:

1. A statement of the Essential Elements of Standards-Focused Middle-Level Schools and Programs and a clear set of educational conditions that must be in place for these Essential Elements to work in New York State schools. This statement would serve as the standard that programs in the middle-level grades must meet and would stimulate implementation of best practices statewide.
2. A statement of the flexibility that already exists in regulations and of the additional flexibility that should be put in place in order for the Essential Elements to work in New York State schools. This statement would grant levels of flexibility needed by schools to implement the Essential Elements, while ensuring that students receive instruction from qualified teachers in all 28 State learning standards.
3. A description of a self-study and external peer review process that would be put in place statewide in order for schools with middle-level grades to assess the existence of the Essential Elements and to put in place a plan for addressing areas of weakness or for implementing those elements not in place. This process would create a means to improve middle schools and ensure that flexibility granted would result in school improvement.
4. A description of special considerations that would need to be in place for the self-study and external peer review to work for low performing and for high performing schools with middle-level grades. These considerations will ensure that the improvement process will work in schools that vary in structure and performance.

In order to implement this State Strategy for Middle-Level Education, the Regents would need to amend the Commissioner's Regulations to include the following:

- a statement of the Essential Elements of Standards-Focused Middle-Level Schools and Programs;

- general requirements and conditions for the self-study and external peer review process;
- specific requirements and conditions for low performing schools with middle-level grades to implement the self-study and external peer review process and implement school improvement programs;
- specific requirements and conditions for high performing schools with middle-level grades to implement the self-study and external peer review process and design new programs; and
- a description of the levels of flexibility given to schools with middle-level grades implementing the self-study and external peer review process with variations depending on level of school performance.

Attachment

STRATEGY FOR IMPLEMENTING THE REGENTS POLICY STATEMENT ON MIDDLE-LEVEL EDUCATION

Introduction

The proposed strategy for implementing the Regents Policy Statement on Middle-Level Education has four components: (1) the Essential Elements of Standards-Focused Middle-Level Schools and Programs and educational conditions that must be in place; (2) a statement of flexibility that already exists and additional flexibility that should be put in place for the Essential Elements to work; (3) a description of a self-study and external peer review process; and (4) a description of special considerations for low performing and high performing schools with middle-level grades.

1. Essential Elements of Standards-Focused Middle-Level Schools and Programs and Educational Conditions

Research has shown that the seven Essential Elements of Standards-Focused Middle-Level Schools and Programs must be in place if young adolescents are to succeed academically and develop as individuals. These essential elements are:

- **A philosophy and mission that reflect the intellectual and developmental needs and characteristics of young adolescents (youth 10-14 years of age).**
- **An educational program that is comprehensive, challenging, purposeful, integrated, relevant, and standards-based.**
- **An organization and structure that support both academic excellence and personal development.**
- **Classroom instruction appropriate to the needs and characteristics of young adolescents provided by skilled and knowledgeable teachers.**
- **Strong educational leadership and a building administration that encourage, facilitate, and sustain involvement, participation, and partnerships.**
- **A network of academic and personal support available for all students.**
- **Professional learning and staff development for all staff that are ongoing, planned, purposeful, and collaboratively developed.**

We are in the process of refining the Essential Elements document to add greater focus on positive youth development and to reflect what we learned from Karen Pittman, Executive Director of the Forum for Youth Investment, during her presentation to the Board in December 2003.

The following educational conditions must be in place for the Essential Elements to work and to ensure the goals for implementing the Board's Policy Statement on Middle-Level Education are attained:

- Students must receive instruction in all of the State's 28 learning standards (with instruction in English language arts, mathematics, social studies, science, and physical education occurring each year in each of the middle grades).

teachers in all 28 State learning standards, districts/schools would need to be given additional flexibility in the following areas:

- scheduling certain units of study and time requirements across grades 5-8 (see Attachment A); and
- permitting schools to assign teachers with common branch certification (formerly K-6 only) and content specialty certification (formerly 7-12 only) across grades 5-8, with the proviso that teachers could only teach subject areas for which they are appropriately certified. (This provision was previously known and established in Commissioner's Regulations as the "experimental middle schools" option.)

3. Self-Study and External Peer Review Approach

The proposed self-study and external peer review approach has certain provisions all schools with middle-level grades would implement. Under this approach, all districts/schools would be given the opportunity to:

- conduct a structured self-study **and** an external peer review that reflect the Regents Policy Statement on Middle-Level Education and the Department's Essential Elements of Standards-Focused Middle-Level Schools and Programs and address the critical educational conditions that must be present;
- incorporate the results of the self-study and external peer review into an existing school improvement plan (e.g., Comprehensive District Education Plan); and
- consult with key stakeholders and constituencies in the development of the school improvement plan and obtain sign-off that consultation has occurred.

In order to receive the additional flexibility described above, districts/schools conducting the self-study and external peer review would be required to:

- certify to the State Education Department that the self-study and external peer review were conducted; and
- submit evidence of consultation by obtaining sign-off by key stakeholders and constituencies.

Department approval of the self-study or subsequent school improvement plan would not be required unless a district/school is identified as low performing or the district/school is seeking additional flexibility beyond that described above. Districts/ schools that do not agree to engage in the self-study and external peer review would have no additional flexibility beyond that in current regulations. The Department will create a template for the self-study process based on this sample.

4. Special Considerations for Low Performing and High Performing Schools with Middle-Level Grades

Special considerations would be given for districts/schools with middle-level grades that are low performing or high performing. These considerations would ensure that the improvement process will work in schools with variations in structure and performance.

- Students who are at risk of not meeting the State's standards where there are State assessments must receive academic intervention services.
- Students must be provided opportunities for taking high school courses (acceleration).
- Curricula must be aligned, articulated, and integrated, where possible, across the middle grades (grades 5 through 8).
- Schools must administer required State assessments in the middle grades (English language arts, mathematics, social studies, science, technology education) as well as grade-by-grade tests required under No Child Left Behind that will begin in the 2005-06 school year.
- Schools must employ teaching staff that are properly certified to teach assigned subjects/classes.
- Schools must develop and maintain a supportive learning environment that promotes both academic learning and youth development.
- Schools must have stronger relationships with colleges and universities that have the most effective programs to prepare teachers to work in middle schools.
- Schools must involve and engage key stakeholders and constituencies from the larger community.

2. Existing Flexibility at the Middle-Level and Additional Flexibility Needed for Essential Elements to Work

The following provisions of flexibility are now allowed under Section 100.4 of the Commissioner's Regulations:

- Languages other than English (LOTE) instruction may commence at any grade level prior to grade 8, but no later than the beginning of grade 8 so that students are provided the required two units of study by the end of grade 9.
- Unit of study requirements in grades 7 and 8 may be reduced but not eliminated for students determined to need academic intervention services. (This provision will be phased out for certain schools as they are permitted to schedule units of study and time requirements over grades 5-8.)
- Students may meet the required half unit of study in music by participation in a school's band, chorus, or orchestra, provided that such participation is consistent with the goals and objectives of the school's music programs for grades 7-8.
- The requirements for technology education, home and career skills and library and information skills may be met by the integration of State learning standards into other courses.
- Qualified students in grade 8 must be given the opportunity to take high school courses in mathematics and in at least one of the following areas: English, social studies, languages other than English, art, music, career and technical education, or science. Schools may allow students in other grades to take high school courses in these subjects.

To implement the Essential Elements and meet the educational conditions that must be in place, while at the same time ensuring that students receive instruction from qualified

Low Performing Schools with Middle-Level Grades

Under this option, the Department would define the specifics of the self-study and external peer review approach for low performing schools with middle grades (i.e., SURR and Schools In Need of Improvement). This is because these schools need more guidance and direction to undertake this process and to develop a plan to improve areas of the middle-level program that are weak. Emphasis will be placed on:

- ensuring that all teachers in the middle grades are properly certified;
- improving the knowledge and skills of teaching staff;
- redesigning curricula;
- ensuring that all students are given opportunities to receive instruction in core academic subjects and exploratory subjects such as the arts, technology, home and career skills and second language;
- ensuring consistency of instructional practice;
- creating more effective academic intervention;
- understanding and supporting individual student developmental needs (with attention to students with disabilities and English language learners).

The Department's regional networks would provide technical assistance to these schools.

The generic school improvement plan currently required for low performing schools with middle grades would be replaced with a specific school improvement plan which addresses the Essential Elements of Standards-Focused Middle-Level Schools and Programs and emphasizes the areas identified above. This plan would be reviewed and approved by the State Education Department.

After Department approval of the school improvement plan, it would be reviewed every year based on student performance results. Schools that demonstrate improvement in student performance would be granted the flexibility available to other schools with better performance. In this way, the schools can "buy" more flexibility by improving--essentially acquiring greater flexibility through greater accountability.

High Performing Schools with Middle-Level Grades

Schools that have demonstrated high student performance have shown that they can bring all of their students, including all student subpopulations, to meet the core learning standards. As a result, they would be permitted to design and implement approaches to middle-level education that focus on aspects of the learning standards, such as the interconnectedness of common themes, interdisciplinary problem-solving, and/or how academic knowledge and skills can be applied in the workplace and other settings, but do not necessarily conform to the unit of study and time requirements prescribed in regulations.

Such high performing schools with middle-level grades would agree to conduct the self-study and external peer review and would also be required to:

- submit an application to the State Education Department to implement an approach in the middle grades (e.g., a theme school [the arts, math/science/ technology, etc.], a school-within-a-school, an integrated curriculum, etc.) that reflects the self-study and the external peer review;
- include in the application how the approach would be evaluated for effectiveness as well as assurances that it will reflect the Regents Policy Statement on Middle-Level Education and the Department's Essential Elements of Standards-Focused Middle-Level Schools and Programs and address the identified educational conditions;
- consult with key stakeholders and constituencies in the development of the application and obtain sign-off that consultation has occurred;
- monitor, document and evaluate implementation of the approach and its impact on student achievement; and
- conduct a follow-up structured self-study and external peer review every two years.

The Department would review and approve the application from these schools. This option could also be made available for new schools being created.

Conclusion

If the Board of Regents proceeded with this Strategy for Implementing the Regents Policy Statement on Middle-Level Education, Commissioner's Regulations would need to be amended to include:

- a statement of the Essential Elements of Standards-Focused Middle-Level Schools and Programs;
- general requirements and conditions for the self-study and external peer review process;
- specific requirements and conditions for low performing districts/schools with middle-level grades to implement the self-study and external peer review process and implement school improvement programs;
- specific requirements and conditions for high performing districts/schools with middle-level grades to implement the self-study and external peer review process and design new programs; and
- a description of the levels of flexibility given to schools with middle-level grades implementing the self-study and external peer review process with variations depending on level of school performance.

Unit of Study Requirements for Grades 7-8 Under Part 100.4(b)

Commissioner's Regulation 100.4(b) defines the unit of study requirements in grades 7 and 8. Under the option proposed, schools would have the flexibility to program certain required units of study over grades 5-8. These units are:

- Technology Education – 1 unit
- Home and Career Skills – $\frac{3}{4}$ unit
- Health Education – $\frac{1}{2}$ unit
- The Arts – 1 unit

The existing requirements for the other subjects would remain the same:

- English – 2 units in grades 7-8
- Social Studies - 2 units in grades 7-8
- Science - 2 units in grades 7-8
- Mathematics - 2 units in grades 7-8
- Physical Education – minimum of three periods per week in one semester and two periods per week during the other semester in grades 7-8
- Library and Information Skills – the equivalent of one period per week in grades 7-8
- Languages Other than English – 2 units by end of grade 9