

# WHAT'S BEHIND THE STATE'S IMPROVED GRADUATION RATES?

## REGENTS EXAM EXEMPTIONS AND REGULATORY CHANGES MAY BE THE CAUSE OF INFLATED GRADUATION RATES

Since 2016, New York's graduation rate has risen 9.4 percentage points, with double-digit increases in Buffalo, Rochester, and Syracuse. The class of 2021 continued this upward trend, with an 86.1% graduation rate in 2021, a 1.3% increase over the 2016 cohort. While this is great news on the surface, recent changes to state graduation requirements make it difficult to know if graduation rate improvements accurately reflect how well schools are preparing students — especially those who have been historically underserved by the education system — for future success.

For the past three years, the COVID-19 pandemic has interrupted regular administration of high school Regents exams. The New York State Education Department (NYSED) began cancelling Regents exams in June of 2020. Since then, the state has made additional regulatory changes that make it easier for students to graduate from high school, including cancellation of additional Regents exams and adoption of a growing number of exemptions designed to lessen the burden of pandemic interruptions on students.

Regulatory changes during the pandemic continue a pattern that began several years ago. Beginning in 2015, the state has made changes

to graduation requirements to provide more pathways and flexibility for students to earn a diploma. While the need for additional flexibility, particularly during the pandemic, is understandable, these changes represent a troubling trend with the potential to exacerbate longstanding inequities in postsecondary preparedness, including graduates needing and paying for non-credit bearing college courses or struggling to pass required workforce exams.

Additional changes and flexibility that have been granted since then:

- In 2015, NYSED introduced the 4+1 Pathway, allowing students to earn a Regents diploma by passing fewer Regents exams with an additional pathway, including the Career Development and Occupational Studies (CDOS) credential, which previously was only available to students with disabilities. Data from the 2015 student cohort showed that many school districts disproportionately used the CDOS pathway for historically underserved students.
- In 2016, the Regents changed the appeal process for students who fail a Regents exam, allowing scores of 60-64 to be appealed, down from a previous minimum of 62.

- In 2017 and 2018, there was an increase in the number of Local diplomas awarded to students, with **85% of the state's graduation rate increase** for the 2013 student cohort due to an increase in the number of less rigorous Local diplomas awarded to students statewide.
- In 2020, NYSED cancelled all Regents exams due to the COVID-19 pandemic and provided exemptions for students to graduate. An **analysis of data** from the 2016 student cohort, the class of 2020, showed that districts serving the largest shares of students of color and from low-income backgrounds were more likely to graduate students with the use of a Regents exam exemption.
- In 2022, the Regents cancelled the U.S. History Regents exam due to the massacre in Buffalo and more recently passed two emergency measures that allow students who score as low as 50% on their Regents exams to still receive a Local diploma.

The 2017 cohort, the class of 2021, represents the third consecutive class affected by COVID-19 related interruptions. An analysis of 2020-2021 graduation and Regents exemption data obtained

through a public records request shows alarming trends, with a significant increase — from 10% in 2020 to 70% in 2021 — in the number of graduates utilizing a Regents exam exemption.

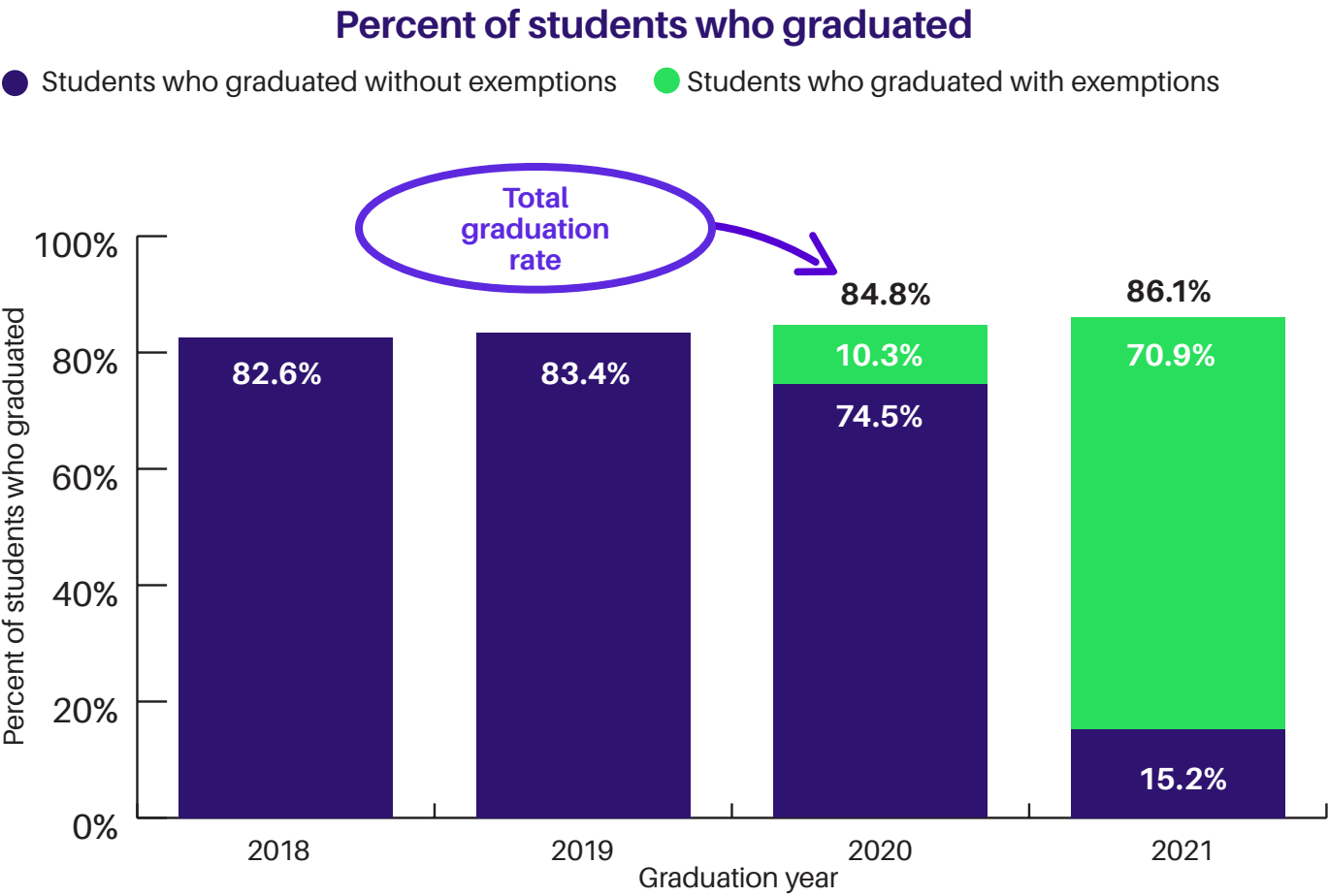
While students across the state continue to graduate at higher rates, it is unclear how much of that increase is due to exemptions and/or the regulatory changes outlined above. The improvement in graduation rates also stands in stark contrast to emerging data on the impact of the pandemic on students, which shows significant unfinished learning, mental health concerns, diminished in-person support for all students, and decreases in college enrollment.

As NYSED develops a Blue Ribbon Commission on graduation measures and local education agencies celebrate record graduation rates, there are deep concerns lurking beneath the surface. The widespread use of exemptions in high-need districts and in each of the Big Five signal that students may be underprepared for postsecondary opportunities – college or career. The findings in this report underscore the need to take a closer look at classroom teaching and learning, curriculum, and transition supports for graduating seniors.

## THE FINDINGS:

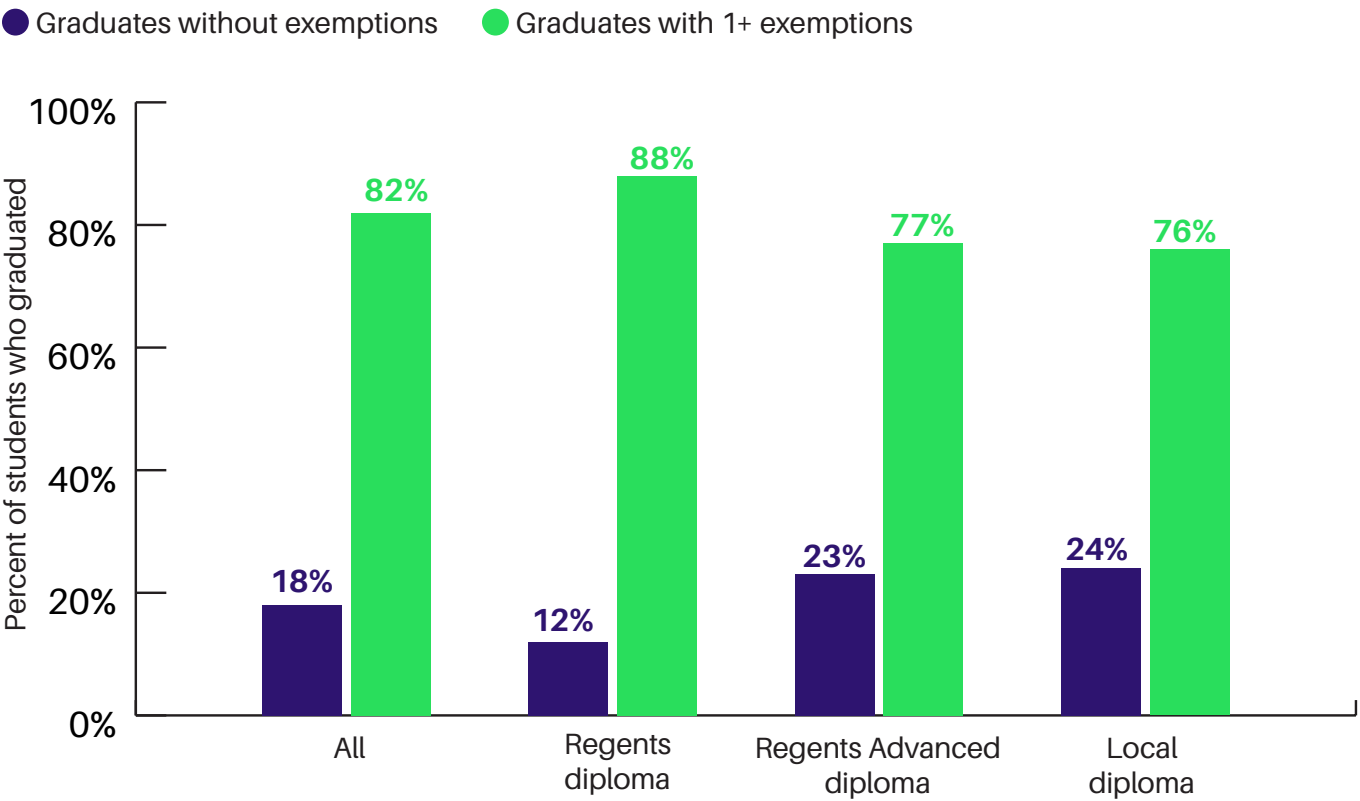
- 1 The majority of 2021 graduates relied upon at least one exemption to graduate.
- 2 The reliance on exemptions persisted across all diploma types.
- 3 Across the state, graduation rates for English Language Learners, students with disabilities, and students from low-income backgrounds have increased over the last four years. Yet their 2021 increases disproportionately relied on exemptions.
- 4 The Big Five have significant variance in graduation rates.

**FINDING 1: THE VAST MAJORITY OF 2021 GRADUATES  
RELIED UPON AT LEAST ONE EXEMPTION TO GRADUATE, UP  
SIGNIFICANTLY FROM THE CLASS OF 2020.**

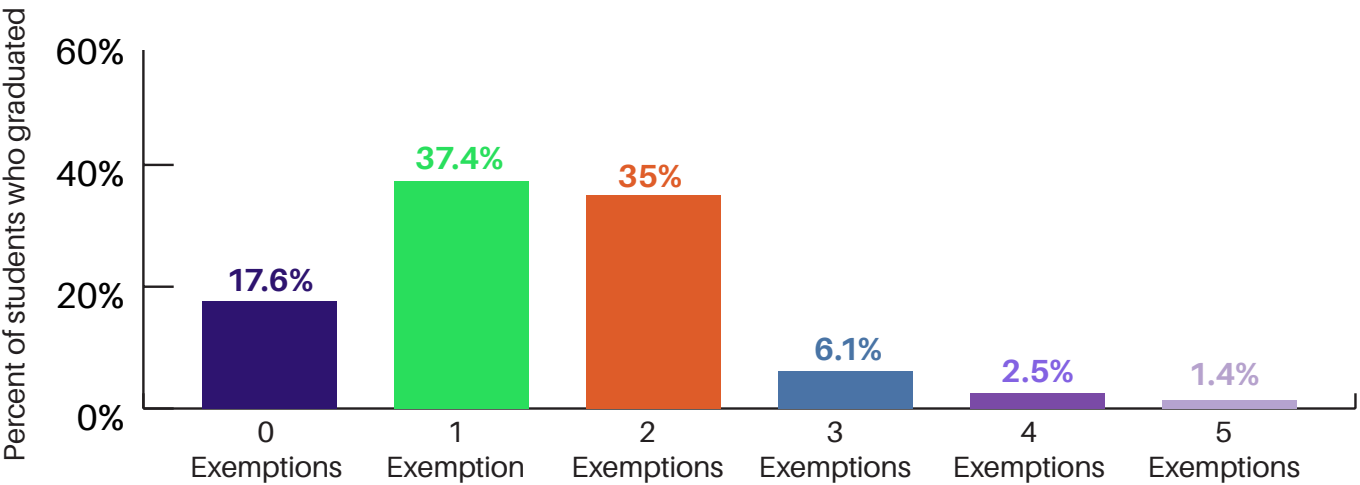


# FINDING 2: THE RELIANCE ON EXEMPTIONS PERSISTED ACROSS ALL DIPLOMA TYPES.

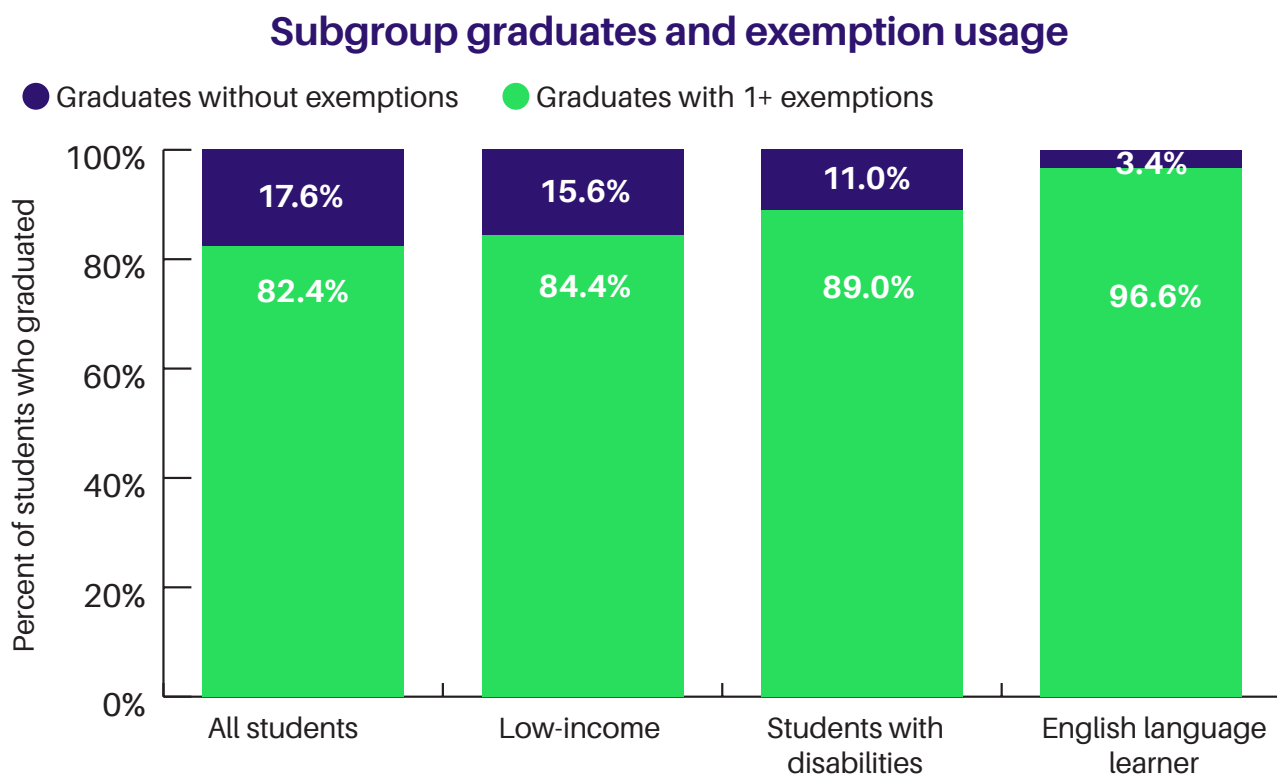
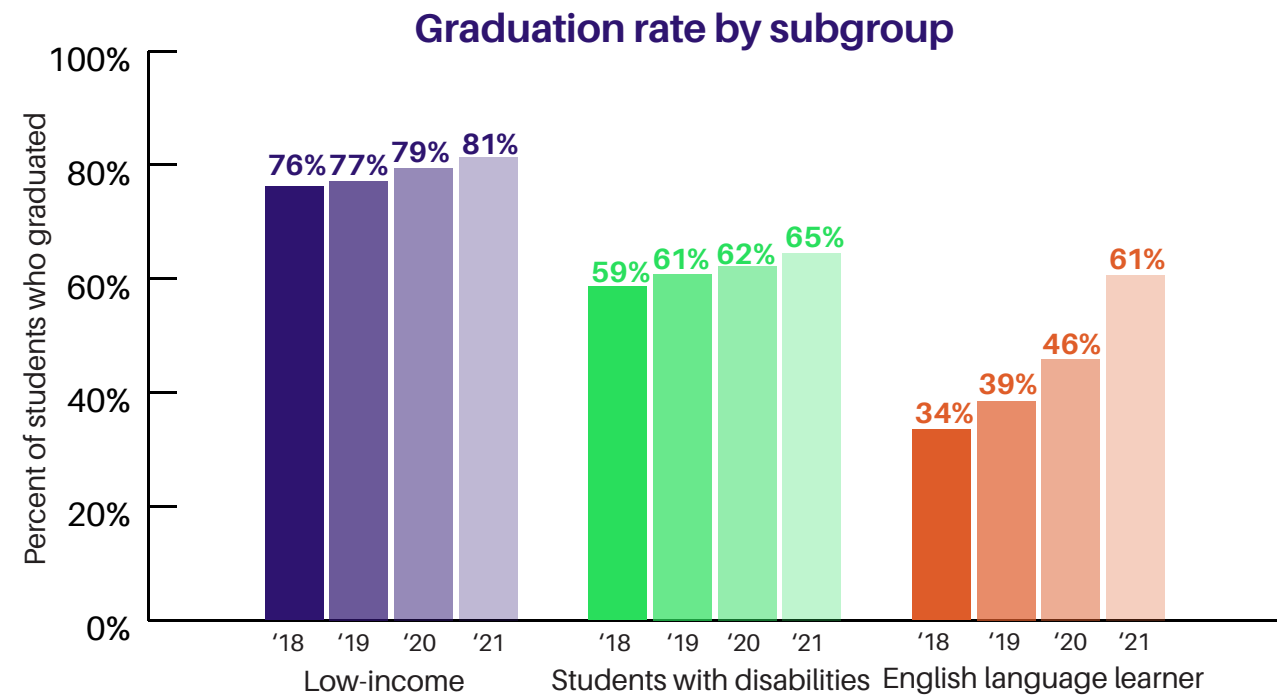
Percent of graduates by diploma type



Most graduates required one or two exemptions

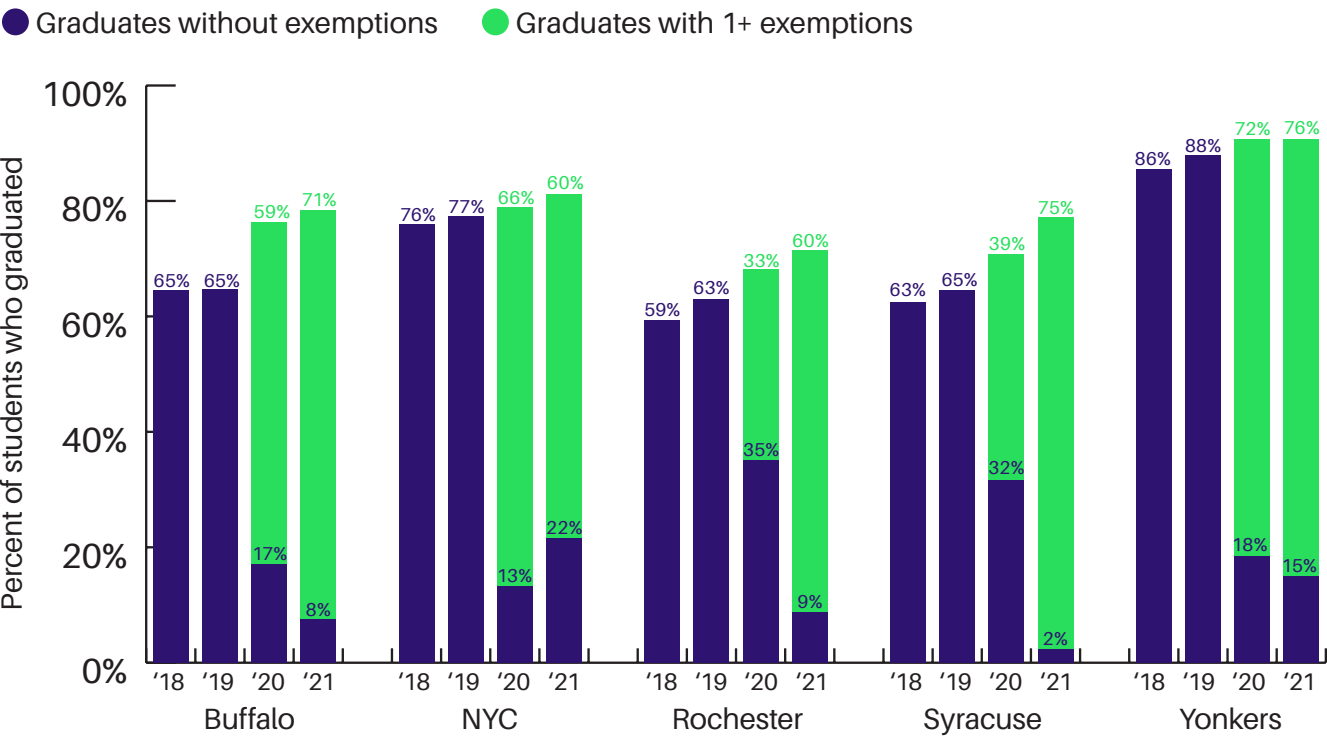


**FINDING 3: ACROSS THE STATE, GRADUATION RATES FOR ENGLISH LANGUAGE LEARNERS, STUDENTS WITH DISABILITIES, AND STUDENTS FROM LOW-INCOME BACKGROUNDS HAVE INCREASED OVER THE LAST FOUR YEARS. YET THEIR 2021 INCREASES DISPROPORTIONATELY RELIED ON EXEMPTIONS.**



# FINDING 4: THE BIG FIVE HAVE SIGNIFICANT VARIANCE IN GRADUATION RATES AND EXEMPTION USAGE.

## Large districts: Year over year graduation rates with exemptions.





The four findings in this analysis underscore the need for focused and targeted support for all high school students, particularly as more flexibility is provided. If exemptions and appeals are to remain common practice, there is a critical need to ensure that classroom instruction – teaching, learning and formative assessment – is aligned to the rigor of Regents examinations. Additionally, the state must ensure that exemption data are collected and disaggregated for public review. Now more than ever, the most vulnerable students require support and flexibility that ensures that they are prepared for postsecondary success.

## **We offer the following equity-driven recommendations:**

**Utilize new federal and state funding to support students to meet graduation requirements.** New York State received an **unprecedented infusion** of \$9 billion in new federal funding, a portion of which was required to be used to address pandemic-related unfinished learning. Schools have also received two consecutive years of record increases in state aid. Local education agencies should identify students at risk of not graduating and leverage the additional resources to provide extra support, tutoring, postsecondary planning, and other evidence-based instructional resources that prepare them for postsecondary success.

**Administer Regents examinations to all eligible students.** With more New Yorkers adjusting to life with COVID-19, NYSED must ensure that all eligible students are able to take Regents exams in upcoming years. In the event of a COVID-19 surge, NYSED should take full advantage of available flexibility, such as extending the testing window or moving exams to the summer or fall. Disaggregated Regents exam data should be made public so that parents and other stakeholders can track whether all students are leaving high school prepared for postsecondary opportunities and educators can drive resources to the students most in need of support. Districts with troubling trends of exemption data for any subgroup of students, diploma type, and subject to establish action plans that ensure all students

are getting the proper instruction and support to pass Regents exams and be college and career ready. Action plans should be developed with educator, student, and parent input.

**Increase data accuracy and transparency.** We strongly recommend the state commit to publicly release disaggregated Regents exemption data at the school and district level for all years that exemptions are available, including the special appeal and determination changes made in June 2022. Districts that disproportionately relied on exemptions for any subgroup of students, diploma type, or subject should be required to establish an action plan that outlines how all students will receive the support they need to pass Regents exams.

Districts that have limited or decreased their reliance on the use of Regents exemptions and other regulatory changes to boost graduation rates should be provided with additional funding, resources and other supports. Their strategies should be highlighted by the state as best practices for other districts to adopt.

The state should also collect and publish annual “to and through” data on the postsecondary pathways of high school seniors, including college matriculation, remediation, persistence, completion, wage and employment data. Such reports will help stakeholders understand how

graduates that have been impacted by the pandemic are faring compared to prior cohorts. The state should use this data to identify additional interventions for students still in high school, design CTE credentialing programs, and provide wraparound supports in the postsecondary space. Finally, the state should provide tools for school districts to use *“on track to graduation”* data for students in grades 9-11 as an early warning indicator to prevent students from dropping out.

**Provide evidence-based transition support to all students.** Three cohorts of young people have transitioned to postsecondary opportunities during the pandemic. State leaders should continue to fund and support programs like CUNY ASAP program and other opportunity programs. The state should also provide local education agencies with structures and supports that incentivize on-time graduation.

**Institute corequisites in New York State postsecondary institutions.** Non-credit bearing college courses lead to increased student debt

and **lower postsecondary graduation rates for students**, especially students of color or from low-income backgrounds. State leaders should study **recent efforts in California** and other states to eliminate the use of remedial courses at community colleges and require that students needing extra support are placed in co-requisite, credit bearing courses that provide additional resources to help students succeed academically.

**Increase and improve the use of dual enrollment programs across the state.** Dual enrollment is a **proven strategy** to accelerate student learning, improve graduation rates, and student debt. The state should work to increase transparency and integration of dual enrollment programs across the state. The state should adopt a common and meaningful definition of dual enrollment programs and direct resources to school districts to develop programs that could provide students a new pathway to graduation. This implementation should be accompanied by the development of consistent standards and oversight that includes collecting data on student outcomes.

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## Data Note

Data on graduation rates from 2018-2021 are from publicly posted annual Graduation Rate Databases, which can be found at <https://data.nysed.gov/downloads.php>.

All graduation data in this brief refers to 4-year August graduation rates. Charts showing graduates include the following graduation outcomes: graduating with a Regents diploma, graduating with an Advanced Regents diploma, and graduating with a Local diploma. Our figures do not depict students who did not graduate with a diploma, including those who dropped out, remained enrolled, or earned a non-diploma credential or GED.

Data on graduation exemptions from SY 2019-20 are from publicly posted graduation exemption data, which were shared via press release in January 2021. This data can be found at <http://www.nysed.gov/news/2021/state-education-department-releases-2016-cohort-high-school-graduation-rates>

Data on graduation exemptions from SY2021-22 comes from unpublished data shared with The Education Trust–New York in response to a public records request.

