

SED Issues Memo & FAQ on Regents Cancellations and Updated Graduation & Course Requirements

This morning, the State Education Department released a [memo](#) officially stating that it is cancelling the June 2020 Regents examinations in response to the COVID-19 closures. Additionally, the memorandum includes guidance on the adjusted course and graduation requirements for students. SED has also posted an accompanying [FAQ](#) which further addresses these updates.

We are providing a summary of the memo and FAQ, as follows:

Modified Diploma Requirements

These modified diploma requirements only apply to students in grades 7-12 who were affected by the Regents cancellations.

Affected students will be exempt from the requirements to pass Regents examinations in order to be issued a diploma, so long as one of the following applies:

- The student is currently enrolled in a course of study culminating in a Regents Examination and will have earned credit in such course of study by the end of the 2019-20 school year;
- The student is in grade 7, is enrolled in a course of study culminating in a Regents Examination and will have passed such course of study by the end of the 2019-20 school year;
- The student is currently enrolled in a course of study culminating in a Regents Examination and has failed to earn credit by the end of the school year. Such student returns for summer instruction to make up the failed course credit and is subsequently granted diploma credit in August 2020; or
- The student was previously enrolled in the course of study leading to an applicable Regents Examination, has achieved course credit, and has not yet passed the associated Regents Examination but was intending to take the test in June 2020 to achieve a passing score.
 - For purposes of this fourth bullet, a student is considered to have intended to take a Regents examination if the student: (1) informed the school that he/she wished to retake the exam; (2) was receiving academic intervention, supplemental instruction, or tutoring to prepare for the exam; or (3) took the exam in June 2019, August 2019, or January 2020 in an attempt to pass or improve his/her score.

These Regents exemptions apply to all June 2020 Regents examinations. The FAQ makes clear that students do not need to satisfy their laboratory experience requirement in order to be exempt from the corresponding science Regents exam.

The FAQ also notes that school districts will provide opportunities for exempted students to take the Regents examinations in future administrations periods, if students so choose.

Furthermore, such cancelled Regents examinations will not be considered when determining an exempted student's eligibility for an Honors or Mastery diploma endorsement.

August Regents Examinations

The memo states that these exemptions only apply to the June 2020 examinations, and that SED is still considering whether the August 2020 Regents examinations will be administered. However, students enrolled in summer school to make up failed credit for courses leading to a June 2020 Regents exam will be exempt from such exam requirements.

Pathway Assessment Exemptions

Students who were planning to take any approved +1 Pathway Assessments in June 2020 will be exempt from any diploma requirements to pass such assessments, so long as one of the following applies:

- The student is currently enrolled in the course of study leading to the +1 Pathway Assessment and will have earned credit in such course of study by the end of the 2019-20 school year;
- The student was previously enrolled in the course of study leading to the +1 Pathway Assessment, has achieved the applicable course credit and has not yet passed the associated +1 Pathway Assessment but was intending to take the test in June 2020 to achieve a passing score;
- The student is currently or was previously identified as an English Language Learner whose home language is one of the languages that is tested by the NYSED-approved Languages Other Than English (LOTE) +1 Pathway Assessments (Chinese, French, Italian, Korean, or Spanish), or a student who was deemed qualified by the principal in consultation with relevant faculty, and was intending to take the LOTE +1 Assessment in June 2020 to achieve a passing score; or
- A student who was deemed qualified by the principal in consultation with relevant faculty in the use of American Sign Language (ASL) and was intending to take the LOTE +1 Pathway Assessment in ASL in June 2020 to achieve a passing score.

Career Development and Occupational Studies (CDOS) Exemptions

Any student (including students with disabilities) who meet the requirements to receive a local diploma but who cannot complete the requirements for the CDOS commencement credential or CDOS +1 pathway may receive a waiver from the 216 Career and Technical Education (CTE) hour and/or 54 work-based learning hour requirements, so long as the student has demonstrated proficiency of the CDOS learning standards.

Similarly, any students who were preparing to take an approved exam leading to the CDOS commencement credential or CDOS +1 pathway will be exempt from any diploma requirements to take such exams.

Career and Technical Education (CTE) Technical Endorsements

For the purposes of granting a CTE technical endorsement, schools may exempt students from the three-part technical assessment requirement so long as the student was scheduled to complete his/her technical studies and has been successful in their coursework up until COVID-19 closures. SED notes that, in determining such exemptions, schools should consider the length of the program, percent the program is unfinished, and the student's technical skills and knowledge.

Languages Other Than English (LOTE) Checkpoint B Exam Exemptions

School districts are authorized to exempt students from Advanced Regents diploma requirements of passing the locally developed LOTE Checkpoint B examination, so long as the student will have earned at least 3 diploma credits in the LOTE subject before the end of the 2019-20 school year.

Safety Nets

The memo notes that all current safety net options remain in effect for all students, and that schools must consider them when determining which diploma type to award. In making such determinations, exempted exams should be considered scores of 65, **but should not be reported on a student's transcript, and must also not be considered when determining a student's eligibility for an Honors or Mastery diploma.**

However, students with a disability may not use an exempted Regents exam (considered a score of 65) to compensate for a lower Regents exam score using the compensatory safety net option. As a reminder, students with disabilities who do not receive a diploma are eligible to receive a FAPE until the end of the school year in which they turn 21.

Additional Guidance Will Be Released In The Future

SED states that it will be disseminating additional guidance in the future which will discuss how school districts should record COVID-19 exemptions from examination requirements in their student management systems, as well as Seal of Biliteracy requirements.

We will continue to monitor these areas and provide updates as we receive new information.