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Frequently Asked Questions (FAQ)
NYS Colleges and Universities Impacted by the COVID-19
Public Health Emergency

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As conditions in New York State related to the COVID-19 public health emergency have continued to evolve and change, the New York State Education Department (NYSED) has issued several guidance documents for colleges and universities on addressing the needs of students and each institution's ability to continue to offer academic programs. This FAQ document clarifies and supplements the guidance document that was first issued on March 5, 2020 and updated on April 2, 2020 and responds to related questions received from the field. The FAQs are divided into two sections: Section 1 includes responses to questions of general applicability for colleges and universities and Section 2 includes responses to questions specific to educator preparation programs.

Section 1: General Questions

Continuity of Instruction in Spring 2020

Q1. My institution extended Spring 2020 break in order to transition to remote instruction. Do we need to file anything with NYSED or seek any approval from NYSED due to this brief disruption in instruction?

A1. Some NYS institutions of higher education experienced brief disruptions in academic course delivery during the Spring 2020 semester because of the COVID-19 public health emergency. Institutions incorporated many strategies to maintain continuity of instruction to offset brief disruptions in academic course delivery as they shifted to distance learning and other remote delivery platforms.

New York State program registration standards (Parts 50 and 52 of the Commissioner's Regulations) and financial aid eligibility requirements (Part 145 of the Commissioner's Regulations) include requirements concerning credit hour, and length of academic semesters. Understanding that institutions may have experienced brief disruptions in course delivery and unexpected shifts to remote delivery, they are still expected to maintain the requirements for the awarding of credit as defined in Section 50.1(o) of the Commissioner's

Regulations. To ensure that Spring 2020 courses were consistent with the program registration and financial aid requirements, when considering time and credit hour calculations, institutions should consider the time it took for students to engage in the following: interacting with course presentations/lectures; reading other assigned materials; participating in online discussions; conducting research; writing papers or other assignments; engaging in clinical simulations and other activities; and completing all other assignments (e.g., projects).

Institutions of higher education that experienced brief disruptions in academic course delivery due to the COVID-19 public health emergency, and that employed these alternative strategies, are not required to request the Commissioner's approval pursuant to Section 52.2(c)(4)(iii) of the Regulations of the Commissioner of Education.

While no documentation of the strategies that institutions employed to assure continuity of instruction is required to be submitted to NYSED; consistent with guidance issued by the [United States Education Department \(USDE\) on April 3, 2020](#), NYSED recommends that institutions document in their records, as contemporaneously as possible, all actions taken to ensure continuity of instruction in response to the COVID-19 public health emergency.

Serving Postsecondary Students with Disabilities

Q2. Since institutions have shifted to distance learning, there are challenges related to ensuring that students with disabilities receive the necessary accommodations and support. Is there guidance for postsecondary students with disabilities?

A2. As NYS colleges and universities continue to offer programs and classes in online learning formats during the COVID-19 public health emergency, it is important to remember that institutions continue to have an affirmative obligation under federal law (including Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA)) to provide equal access to educational services for eligible students with disabilities. For further information about the federal guidance on **servicing students with disabilities** and for other matters pertaining to COVID-19 related school interruptions, please refer to the [April 3, 2020 guidance memo published by the U.S. Department of Education \(USDE\)](#). In addition, the USDE urges institutions to consult its Office for Civil Rights (OCR) webinar to learn more about reasonable accommodations, available on the [USDE's coronavirus webpage](#). Institutions may seek additional information or technical assistance from OCR's Outreach, Prevention, Education and Non-discrimination (OPEN) Center at OPEN@ed.gov.

Institutions should also consider whether potential funding under the Federal CARES act offers any solutions for technology or support associated with students with disabilities.

Campus Climate Surveys Required by Education Law Article 129-B: Enough is Enough Statute

Q3. The NYS Enough is Enough statute requires institutions of higher education to conduct campus climate assessments (surveys) concerning the provisions of the Enough is Enough statute every other year. We were planning to conduct our campus climate survey during the Spring 2020 semester but with campus facilities closed, we were not able to conduct the survey in a way that was administratively manageable and that would have resulted in useful data. Will NYSED extend the deadline for the campus climate survey until the end of the 2020 calendar year so that we can conduct the survey during the Fall 2020 semester and still be considered in compliance with this statutory requirement?

A3. Yes. NYSED will interpret Education Law Article 129-B's requirement that the campus climate surveys be conducted "no less than every other year" as allowing the surveys to be conducted until the end of the 2020 calendar year.

Ability to Benefit (ATB) Tests

Q4. We have prospective students who need to take the Ability to Benefit (ATB) test in order to be eligible for federal and state student financial aid. Testing centers and institutions have been closed, making it impossible for students to take the ATB test. Is the Board of Regents considering approving additional online ATB tests and permitting remote proctoring of the ATB exams?

A4. Education Law §661 requires that, to be eligible for NYS student financial aid, certain students must have achieved a passing score on a federally approved ATB test identified by the NYS Board of Regents for that purpose. NYSED has information on our website about [approved ATB tests](#), including some that are offered in an online format. Should the USDE approve additional ATB tests, NYSED and the Board of Regents will consider whether to add those tests to their list of approved ATB tests in New York State.

The USDE does not currently permit remote proctoring of the ATB tests, even those offered in an online format. Should the USDE issue guidance concerning permitting remote proctoring of the ATB tests during the COVID-19 public health emergency, NYSED will consider extending similar flexibility for purposes of NYS student financial aid programs.

Fall 2020 Flexibility and Guidance

Q5. What guidance does NYSED have for the Fall 2020 term? Will the flexibility to provide online instruction be extended beyond the Summer 2020 term? Both institutions and students are making decisions about Fall 2020 now. When will NYSED decide?

A5. NYSED understands that planning for the Fall 2020 term is underway now. NYSED anticipates issuing guidance on this topic in the near future.

Q6. My institution has several programs that enroll large numbers of international students. Even if we are back to on the ground operation in Fall 2020, we are concerned that international students will not be able to return to the United States to continue or begin their studies in the Fall. Will we be able to continue to offer those students online courses? What approval will we need from NYSED to do this and how quickly will we be able to get that approval as we need to let students know what, if any, options they have?

A6. NYSED understands that planning for the Fall 2020 term is underway now. NYSED anticipates issuing guidance on this in the near future. Institutions should also contact the appropriate federal agencies regarding federal requirements for international students, including but not limited to, limitations on the percentage of academic programs that can be completed online and requirements for Optional Practical Training (OPT) for F-1 students.

Q7. Due to the uncertainty related to campus openings for Fall 2020, does NYSED have any requirements or guidance related to alternative academic calendars/formats for the Fall 2020 semester?

A7. Please send questions related to alternative calendars/formats to the Office of College and University Evaluation (OCUE) at: OCUEinfo@nysed.gov. Questions related to programs that lead to professional licensure should be send to the Office of the Professions at: OPPROGS@nysed.gov.

Requirements/Conditions for Reopening Campuses

Q8. When campuses are able to reopen, will there be guidance on requirements and precautions that institutions will be required to meet concerning social distancing, dormitories, etc.? Who will be providing that guidance and when will we receive it?

A8. NYS colleges and universities will be required to comply with all requirements and guidelines from federal, state and local public health and other governmental agencies, concerning social distancing requirements, and other precautions that must be taken when campuses reopen. NYSED will provide information and guidance as soon as possible. NYSED's March 5th guidance document (updated on April 2nd) includes links to the CDC and federal and state health agencies and protocols and will be updated with any specific guidance or requirements as soon as possible.

Section 2: Questions Specifically Related to Educator Preparation Programs (EPPs)

Update on Certification Examination Guidance

Q9. Has NYSED issued updated guidance about certification examinations for candidates enrolled in NYS registered educator preparation programs and seeking NYS certification?

A9. Yes, on [May 4, 2020, NYSED issued updated guidance concerning certification examinations and the creation of an Emergency COVID-19 certificate](#). That guidance document was emailed to all NYS education deans and is posted on NYSED's website. NYSED has also created a special webpage with [information about the Emergency COVID-19 certificate](#). Questions about the May 4th guidance and the Emergency COVID-19 certificate should be sent to OTIADMIN@nysed.gov.

Moving to Pass/Fail Grades for Content and Pedagogy Courses

Q10. Is NYSED going to relax the requirement that a grade of "Pass" equate to a letter grade of C or better for undergraduate courses and a letter grade of B- or better for graduate courses in the content or pedagogical core courses through the Individual Evaluation pathway to certification, so that our teacher candidates who are not enrolled in registered programs are able to avail themselves of the same Pass/Fail options that we are providing to other students in our institution?

A10. In response to the COVID-19 public health crisis, NYSED will allow any undergraduate or graduate level content core or pedagogical core course, completed during the Spring, Summer or Fall 2020 terms, with a "Pass" grade, or its equivalent, to count toward the content core or pedagogical core semester hour requirements for certification through the Individual Evaluation pathway. The passing grade or its equivalent must be in accordance with the grading policy (e.g., pass/fail, satisfactory/unsatisfactory policy). Please refer to the [April 27, 2020 memo](#) for more details.

Liberal Arts and Sciences (LAS) Core

Q11. We have students who were planning to take CLEP exams to fulfill program requirements for the Liberal Arts and Sciences (LAS) core. Testing centers were closed for a period of time, have limited availability now, and CLEP exams are not offered online, so the exams were not an option for the Spring 2020 semester. Finding online courses available for mid-semester registration, and that could be completed in time for May 2020 graduation, was impossible for many of our students. Consequently, we have students on track for May 2020 graduation who will be blocked from graduating as a result of a single outstanding LAS requirement. Will NYSED make any accommodation for these candidates?

A11. Section 52.21(b)(2)(ii)(a) of the Regulations of the Commissioner of Education require that candidates for initial certification complete a general education core in the liberal arts and

sciences (LAS). The regulations do not identify a required number of credits or courses that must be completed to meet this requirement. Institutions attest that they will ensure that their candidates have met the general education core in LAS as described in §52.21(b)(2)(ii)(a). It is up to the institution to determine what courses will be accepted to meet the requirements. The institution is required to establish and follow its own policies concerning acceptable study and to ensure that those determinations are made and applied on a consistent, equitable and transparent basis. NYSED does not provide a list of courses that will meet the requirements. NYSED does provide [guidance on our website concerning the types of courses that are generally considered to be within the liberal arts and sciences](#) and those that are not.

Programs that Lead to School District Leader (SDL) and School District Business Leader (SDBL) Certification

Q12. Passage of the SDL and SDBL certification assessment is a program completion requirement as well as a certification requirement for SDL and SDBL candidates. Will NYSED exempt candidates in these programs from the assessment requirements for both program completion and certification?

A12. On [May 4, 2020, NYSED issued updated guidance concerning certification examinations and the creation of an Emergency COVID-19 certificate](#). Information concerning SDL and SDBL candidates, including information about an assessment exemption for program completion is included in that document. The SDL and SDBL assessments are not exempted for Professional certification. That guidance document was emailed to all NYS education deans and is posted on NYSED's website.

NYSED has also created a special webpage with [information about the Emergency COVID-19 certificate](#). Questions about the May 4th guidance and the Emergency COVID-19 certificate should be sent to OTIADMIN@nysed.gov.

Programs that Lead to Both Certification and Professional Licensure

Q13. Does the March 30, 2020 Guidance for Educator Preparation Programs apply to programs that lead to certification as a teacher of Speech and Language Disabilities and to programs that lead to both certification as a teacher of Speech and Language Disabilities and professional licensure in Speech Language Pathology?

A13. Yes. The March 30, 2020 Guidance applies to these programs, as Speech and Language Disabilities is a classroom teaching certificate. If the program leads only to certification, then a plan for alternative models of clinical experiences should have been filed with NYSED's Office of College and University Evaluation (OCUEdapps@nysed.gov). If the program leads to both certification and professional licensure, then a copy of the plan for meeting clinical experience requirements submitted to, and approved by, NYSED's Office of the Professions should also be filed with the Office of College and University Evaluation.

Q14. Does the March 30, 2020 Guidance for Educator Preparation Programs apply to programs in School Psychology that require a full year of clinical experience?

A14. Yes, the March 30th Guidance applies to these programs. Commissioner's Regulations Section 80-2.3 requires a college supervised internship in the field of school psychology; the length of the internship is not defined in regulation. For a program that leads only to certification, the institution should file a plan for alternative models of clinical experiences to address the learning objectives of the program as registered if the students have not completed the required college supervised internship. If the program leads to both certification and professional licensure in Psychology, a copy of the plan for meeting clinical experience requirements submitted to, and approved by, NYSED's Office of the Professions should be filed with the Office of College and University Evaluation (OCUEdapps@nysed.gov).

Institutions should consult with accrediting agencies regarding applicable accreditation standards and requirements for accredited programs.

Summer 2020 EPP Clinical Experiences

Q15. Will NYSED be providing guidance regarding clinical experiences (i.e., student teaching, practica, residencies and internships, field experiences prior to student teaching) during Summer 2020 sessions? May Summer 2020 students complete their entire clinical experiences through alternative means?

A15. The clinical experience flexibility was available for the Spring 2020 semester due to the unforeseen disruptions in the middle of that semester. Candidates were already engaged in their clinical experiences and were working with their p-12 cooperating teachers/ mentors/ supervisors and p-12 students. Where possible, clinical experiences were able to continue remotely, working with the cooperating teachers/ mentors/supervisors and students. Where remote clinical experiences were not possible, colleges supplemented the in-school experiences that had already taken place with simulations, video archive case studies, and other academic exercises focused on planning, teaching and assessment.

On May 1, 2020, Governor Cuomo directed that NYS p-12 schools will remain closed for the rest of the current academic school year and that a decision about whether summer school program will operate has not yet been made. NYSED recognizes that some EPP programs have candidates who are scheduled to complete clinical experiences during Summer 2020 and is extending the following flexibility for those clinical experiences:

Candidates enrolled in registered programs leading to their first teaching or pupil personnel services certificate:

Clinical experiences during Summer 2020, other than field experience hours **must include** direct interaction with cooperating teachers/mentors/supervisors and p-12 students, either in person

or remotely, and may be supplemented with alternative methods such as simulations, video case studies and other academic exercises.

Candidates who are completing their **field experience** hours for their program leading to their first certificate may do so entirely through alternative methods, such as simulations, video case studies and other academic exercises.

Candidates enrolled in registered programs leading to an additional teaching certificate:

All clinical experiences for these candidates during Summer 2020 may include direct interaction with cooperating teachers/supervisors and p-12 students, either in person or remotely, supplemented with alternative methods such as simulations, video case studies and other academic exercises; **or** may be completed entirely through alternative methods, such as simulations, video case studies and other academic exercises.

Candidates enrolled in registered programs leading to educational leadership certificates:

Clinical experiences during Summer 2020, **must include** direct interaction with P-12 administrators, faculty, staff and/or students, either in person or remotely, and may be supplemented with alternative methods such as simulations, video case studies and other academic exercises focused on school or district leadership.

Alternative Models Plan Addendum

Colleges that have arranged for Summer 2020 clinical experiences as outlined above, should submit an addendum to the Alternative Models Plan submitted to NYSED for the Spring 2020 semester to OCUEdapps@nysed.gov by June 1, 2020. That addendum should describe the clinical experiences that have been arranged and how those clinical experiences will provide the candidates with the opportunity to achieve the objectives of their programs.

GRE Requirement for Admission to Graduate Teacher and Educational Leadership Programs

Q16. Some applicants for Fall 2020 admission to graduate programs that lead to teacher or educational leadership certification will not be able to take the GRE (or equivalent) exam in time for Fall 2020 admission because testing sites were closed for a period of time. Will NYSED waive this requirement for Fall 2020 admission?

A16. The requirement that applicants must take the GRE (or equivalent) exam for admission to a graduate teacher or educational leadership program is a statutory requirement and cannot be waived by NYSED. The ETS website provides the latest information about the reopening of testing locations. In addition, ETS is currently offering an “at-home” administration of the GRE that may be an option for some students. The statute also provides institutions with flexibility to admit a limited number of applicants who have not met the statutory admissions requirements (up to 15% of an entering class) under certain circumstances.