



Office of the Board of Regents
89 Washington Avenue, Room 110
Albany, New York 12234
Tel. (518) 474-5889
E-mail: RegentsOffice@nysed.gov

September 30, 2020

Dear Colleagues:

On behalf of the New York State Board of Regents and the State Education Department, I convey our sincere appreciation for the long hours you invested this summer crafting reopening plans and preparing safe and engaging learning environments as you welcomed students in September. You continue to impress us with your resilience and resourcefulness as you meet the unprecedented challenges faced every day in your schools and districts.

As we continue our work, the members of the Board of Regents acknowledge the uncertainty that abounds this school year. I can assure you that the Interim Commissioner and the Department are closely monitoring the situation throughout the State. Additionally, the Department will continue to provide you with updated information and resources as well as the flexibility needed to ensure educational access and a robust and engaging learning experience to students.

Recently there has been much speculation about the status of this year's State assessments. We are considering various factors that will weigh on the ultimate decision as to whether those assessments will be administered:

- Assessments must be done in a fair, equitable and safe manner for all students and teachers.
- Out of necessity, schools are providing instruction in different ways. Because of this, schools may require greater flexibility in the local scheduling of State assessments.
- The Department has determined that it will not be possible to administer any of this year's State assessments remotely. If they occur, assessments will be "school -based" and "in-person." We know this will present unique challenges for our schools and we are committed to working through these challenges with you.
- In a letter to chief state school officers, dated September 3, 2020, U.S. Secretary of Education Betsy DeVos stated she expects all states "to administer summative assessments during the 2020-2021 school year, consistent with the requirements of the law," and that states should not expect to receive waivers from these requirements as they did in 2020.

- Notwithstanding Secretary DeVos' assertion about summative assessments and waivers, the political context and public health considerations may well change as the school year advances.
- Finally, if it is determined exams cannot be safely and fairly administered to students in-person in school buildings, we will apply for federal waivers from testing and accountability requirements. These waivers, if granted, would allow New York to cancel the tests and extend the COVID exemptions that currently apply to our graduation requirements through the current school year.

It is early in the school year. The decision about State assessment administration is contingent upon the factors outlined above, the experiences of our schools and students over the coming weeks and the threat posed by the COVID-19 pandemic to health and safety of our school communities.

The Department is planning for the possibility that State assessments may be given and is issuing information to school leaders regarding exam ordering and administration as is done every year.

The Board of Regents and the State Education Department will continue to monitor data about how schools and students are faring during this challenging time. When it is time to decide about the assessment program, that decision will be fully informed by all available and relevant public health and educational data. And as always, we will put the health and safety of students and teachers first.

Thank you for all that you have done to make our learning environments – be they in-school, hybrid or remote - as welcoming and enriching as possible for our students under such difficult circumstances. We know that education provides the gateway through which our students will self-actualize and develop their potential as members of our communities and as citizens of our constitutional republic – where a well-educated and an informed public is so vital to the future.

Your continuing efforts to advance education as a force for justice and opportunity are recognized and deeply appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Andrew Brown', with a stylized flourish at the end.

T. Andrew Brown
Vice Chancellor