



April 7, 2020

**TO:** District Superintendents  
Superintendents of Schools  
Principals of Public, Religious, and Independent Schools  
Leaders of Charter Schools

**FROM:** Shannon Tahoe, Interim Commissioner *Shannon L. Tahoe*

**SUBJECT:** Cancellation of the June 2020 Administration of the New York State (NYS) High School Regents Examination Program in Response to COVID-19 Related School and District Closures

The purpose of this memorandum is to inform you that the New York State Education Department (NYSED or “the Department”) is cancelling the June 2020 administration of the NYS High School Regents Examination Program in response to the statewide closures of schools and districts to prevent the spread of COVID-19. This cancellation applies to all Regents Examinations that had been scheduled for the June 2020 Regents Examination period. This memorandum also provides information on the adjustments that NYSED will make to the examination requirements that students must ordinarily meet in order to earn diplomas, credentials, and endorsements so that the cancellation of these exams will not adversely impact students.

This situation has evolved rapidly such that schools have now closed statewide, and there is much uncertainty as to when regular in-school attendance and instruction will be able to resume throughout the State and/or whether students will be adequately prepared to take these assessments. It is most important that during the time of closure, educators be able to continue to focus their efforts toward local school and community needs and not have to be concerned about preparing students for State assessments.

### **Modifications to Diploma Requirements for Students Impacted by the Cancellation of June 2020 Regents Examinations**

Because of the cancellation of the June 2020 Regents Examinations, the Department is making certain modifications to the assessment requirements that students must meet in order to earn high school diplomas, credentials, and endorsements. These modifications apply to all students enrolled in grades 7-12 during the 2019-20 school year who were intending to participate in one or more of the June 2020 Regents Examinations.

### **Regents Examination Exemptions**

Students who during the June 2020 examination period would take one or more Regents Examinations shall be exempted from the requirements pertaining to passing such

examinations in order to be issued a diploma. In order to qualify for the exemption, students must meet one of the following eligibility requirements:

- 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. (See FAQ # 5 for additional information).

### **Pathway Assessments**

Any student preparing to take a NYSED-approved +1 Pathway Assessment in June 2020 shall be exempt from the requirements pertaining to passing an approved assessment for the purposes of meeting the diploma requirements. In order to qualify for the exemption students must meet one of the following eligibility requirements:

- 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.

## **Languages Other Than English (LOTE) Locally Developed Checkpoint B Examinations**

Districts and charter schools may exempt the requirement of passing the locally-developed LOTE Checkpoint B examination for any student who was intending to take such examination in June 2020 in order for the student to meet the requirements for an Advanced Regents diploma provided that the student will have earned at least 3 diploma credits in the LOTE subject prior to the end of the 2019-20 school year.

## **Career Development and Occupational Studies (CDOS) Commencement Credential and + 1 Pathway**

Any student exiting high school in June of 2020, including a student with a disability who meets the eligibility requirements for a Superintendent's Determination of a local diploma, who is unable to complete the requirements for the CDOS Commencement Credential or the CDOS +1 pathway as a result of the COVID-19 crisis, and has demonstrated proficiency of the CDOS learning standards, may be granted a waiver from the completion of the 216 hours of Career and Technical Education (CTE) instruction and/or the 54 hours of work-based learning requirement. With regard to students who are continuing their high school education beyond the 2019-20 school year, such students may be exempted from the requirements that were not met due to COVID-19 closures in the 2019-20 school year. Such students must fulfill any requirements scheduled or planned for completion in subsequent school years.

Students preparing to take a NYSED-approved examination leading to the CDOS commencement credential or CDOS +1 Pathway who are meeting or have met the expectations of the course of preparation for such examination may be exempted from the examination requirement for this pathway for the purpose of using the +1 Pathway to earn a Regents or local diploma.

## **Use of Safety Nets**

All current safety net options remain in effect for all students and must be considered in the determination of which diploma type can be awarded. To determine whether general education students, English language learners, and students with disabilities are eligible to earn either a Regents or local diploma, districts and charter schools should consider an exempted examination to be a score of 65. However, students with a disability eligible for the compensatory safety net may not use exemptions on tests to compensate for lower test scores. (See FAQ #32-33).

Any student including a student with a disability who does not earn a Regents or local diploma continues to be eligible for a free appropriate public education until the end of the school year in which the student turns age 21, or until the receipt of a Regents or local high school diploma.

## **Mastery, Honors, Technical Endorsements, Seal of Biliteracy**

Examinations from which students have been given an exemption as a result of the COVID-19 related cancellation of the June 2020 Regents Examinations shall be excluded from any calculation used for determining eligibility for an Honors or Mastery endorsement on a diploma. In the case of Honors endorsements to either a Regents Diploma or a Regents with Advanced Designation Diploma, if a student achieves a calculated average of 90 or above

(without rounding) of all examinations taken applicable to their diploma type, they will attain the honors endorsement on such diploma. Any examination exempted as a result of COVID-19 related cancellation of the June 2020 examinations shall not be included in such calculation.

In the case of a mastery in mathematics and/or science endorsement, the student must achieve an 85 or above on two Regents Examinations in mathematics and/or science, in addition to any Regents Examination for which the student was exempted in that subject. (See FAQ #26.)

In the case of the CTE Technical Endorsement, schools may exempt the student from the requirement of the three-part technical assessment for students scheduled to complete their technical studies and who have been successful in their coursework up to the point of the COVID-19 related school closures. Consideration should be given to length of program, percent of program unfinished, and whether the student has demonstrated the technical skills and knowledge to warrant such endorsement. Please note that students shall be exempted from the 3-part technical assessment requirement for the purpose of meeting the +1 pathway to a diploma; however, districts must make an individual determination of knowledge and skill attainment in granting the Technical Endorsement.

Guidance addressing how students can complete the requirements for the Seal of Biliteracy will be issued under separate cover and will include a separate set of frequently asked questions.

### **Recording Student Scores for the COVID-19 Exemptions**

NYSED will develop and disseminate guidance on how schools/districts should record the exemptions from examination requirements in their student management systems. The Department will develop new codes for reporting “COVID-19 Exemptions” and provide further guidance. Student transcripts should not reflect an examination score for any examination for which the student is exempted.

### **Accountability Determinations**

NYSED will not make high school accountability determinations for the 2019-20 school year based on the performance of the 2016 accountability cohort (i.e., the students who first entered grade 9 in September 2016). Instead all schools and districts will maintain in the 2020-21 school year the same accountability status that the school or district was assigned for the 2019-20 school year.

NYSED will work with the United States Department of Education to determine a methodology for meeting federal accountability requirements and making accountability determinations beginning with the 2017 accountability cohort (i.e., students who first entered grade 9 anytime between and including July 1, 2017 and June 30, 2018). More information on this issue will be forthcoming.

## **August Regents Examinations**

The Department has yet to make a decision about the August 2020 administration of Regents Examinations and will issue a separate announcement when such decision is made. However as stated previously, any student who enrolls in summer school to make up failed course credit in a course leading to a Regents Examination and is subsequently granted such credit, shall be exempt from the culminating Regents Examination.

Attached to this memorandum is a list of frequently asked questions that will be updated regularly on NYSED's [COVID-19 Information site](#). Any questions about the exemptions from examination requirements or the effect of such exemptions on student qualification for a diploma should be directed to [emscgradreq@nysed.gov](mailto:emscgradreq@nysed.gov).

The Department is grateful to the dedicated educators, school staff, community members, and parents who are working so diligently to ensure that students are safe and well. Please continue to monitor NYSED's [COVID-19 Information site](#) for additional guidance as it becomes available.