



New York State
EDUCATION DEPARTMENT
Knowledge > Skill > Opportunity

June/August 2021 LOTE Exemptions from Diploma Requirements

Candace Black, World Language Associate
Office of Bilingual Education & World Languages
April 2021



GOALS



1. I can identify where to find the original guidance memo and FAQ issued by NYSED in March.
2. I can explain how the exam exemptions apply to the LOTE Checkpoint A and B exams for June 2021.
3. I can explain the purpose of the inclusion of the LOTE exams on the Regents Examination Schedule.
4. I can explain how the exam exemptions apply to the Seal of Biliteracy.

NYSED Guidance issued March 2021



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

Commissioner of Education
President of the University of the State of New York
89 Washington Avenue, Room 111
Albany, New York 12234


E-mail: commissioner@nySED.gov
Twitter: @NYSEDNews
Tel: (518) 474-5844
Fax: (518) 473-4909



March 19, 2021

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

From: Betty A. Rosa, Commissioner 

Subject: Exemptions from Diploma Requirements and Cancellation of the August 2021 Administration of the New York State (NYS) High School Regents Examination Program in Response to the Ongoing Impact of the COVID-19 Pandemic

The purpose of this memorandum is to inform you that the New York State Education Department (NYSED) is cancelling all but four of the Regents Examinations scheduled to be administered in June 2021 and all of the Regents Examinations scheduled to be administered in August 2021. This memorandum also provides information on the adjustments with respect to the assessment requirements that students must ordinarily meet in order to earn diplomas, credentials, and endorsements so that the current pandemic will not adversely impact students.

June 2021 Administration of the NYS High School Regents Examination Program

Currently, NYSED plans to administer the following Regents Examinations in June 2021: Algebra I, Earth Science (written test only), English Language Arts, and Living Environment. NYSED is required to administer these four exams to comply with the federal Every Student Succeeds Act (ESSA). A schedule of administration dates for these four Regents Examinations is forthcoming. These examinations shall be administered only in instances where schools and districts can ensure the health and safety of students and teachers. Students receiving remote instruction should not be made to come to school for the sole purpose of taking a Regents Examination.

Frequently Asked Questions Related to the June 2021 and August 2021 Exemptions from Diploma Requirements

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Administration of Regents Examinations

1. Are the June 2021 Regents Examinations cancelled?

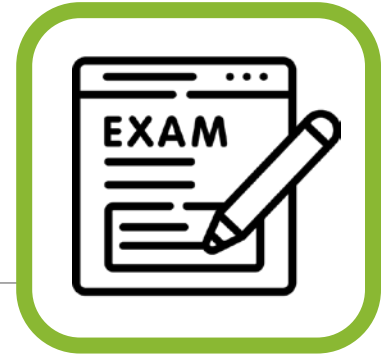
The NYSED is not yet aware of whether or not the United States Department of Education (USDE) will act favorably on our [waiver request](#). At this time, the NYSED plans to administer **only** the following Regents Examinations:

- Algebra I
- Earth Science (written test only)
- English Language Arts (ELA)
- Living Environment

If the USDE approves the waivers, the NYSED will not administer any Regents Examinations in June 2021. The NYSED anticipates a response from the USDE by April.

Click on either image to access the link to the original document.

Administration of Regents Exams



- At this time, NYSED plans to administer only four Regents Examinations in June 2021 [Algebra I, Earth Science (written test only), English Language Arts (ELA), Living Environment (written test only)].
- No Regents exams will be administered in August 2021.

NYSED Guidance issued 3/19/21

The LOTE exams are included on the Examination schedule for informational purposes and do **NOT** mean that schools are required to offer this exam.

The LOTE Checkpoint exams are eligible for the examination exemptions issued by NYSED.

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Office of State Assessment
Albany, New York 12234

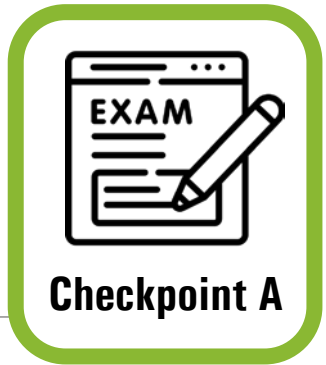
EXAMINATION SCHEDULE: JUNE 2021

Students must verify with their schools the exact times that they are to report for their State examinations.

June 17 THURSDAY	June 18 FRIDAY	June 21 MONDAY
9:15 a.m.		9:15 a.m.
English Language Arts	Juneteenth Holiday Observed	Ⓢ World Language Assessment suggested date/time: Locally developed Checkpoint A Exams
		1:15 p.m.
		Ⓢ World Language Assessment suggested date/time: Locally developed Checkpoint B Exams

FAQ #20: The suggested timeslots for the locally-developed World Language Checkpoint A and B Exams are included on the June 2021 Regents Exam schedule because districts may still choose to administer these exams to their students. It is a local decision whether these assessments should be cancelled and department-approved exemptions be granted to students.

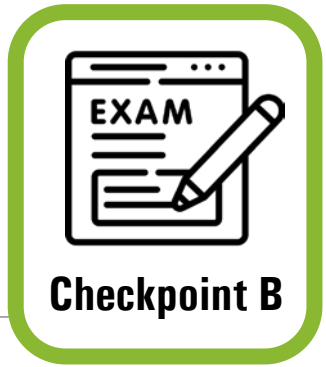
Question 20 – Checkpoint A Exam



Can students earn diploma credit in Languages Other Than English (LOTE)/World Languages prior to grade 9 without successfully passing a locally developed Checkpoint A exam?

If the student has met the learning standards assessed in a course (passed the course) leading to the Checkpoint A LOTE/World Languages exam, the district may waive the examination requirement and grant the student their first unit of diploma credit in LOTE/World Languages.

Question 38 – Checkpoint B Exam



Are students intending to take a Checkpoint B examination in a Language Other than English (LOTE)/World Languages exempted from the associated diploma requirement?

Yes. Students who earn credit in a course that would ordinarily culminate in the taking of a Checkpoint B LOTE/World Languages exam and intended to take such exam in June or August 2021 may be exempted from the associated diploma requirement.

Question 9 – Intention to take exam



A student is eligible for an exemption if the student “was intending to take the test in June or August to achieve a passing score.” How do I know if a student “intended” to take a Regents Examination?

Schools can apply the “intended to take a Regents Examination” eligibility requirement under one of the following circumstances:

- the student informed the school that they wished to retake the examination, or
- the student was receiving academic intervention, supplemental instruction, or tutoring of some kind in preparation to take the examination.

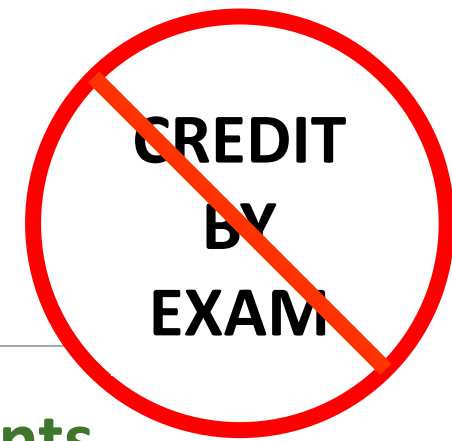
Question 10 – Parent Intention



If a student or parent expresses the student’s intention to take a Regents Examination, even if such intention was not in the student’s educational plan, is the student still entitled to the exemption?

If the student meets an eligibility condition for a Regents Examination exemption, the district must honor the confirmation of intention from either the student or the parent. In such cases, the district should discuss the implications of such decision with the student and parent to ensure the exemption is in the best interest of the student. Districts must inform the student and parent that the receipt of a diploma terminates the student’s right to a free public education.

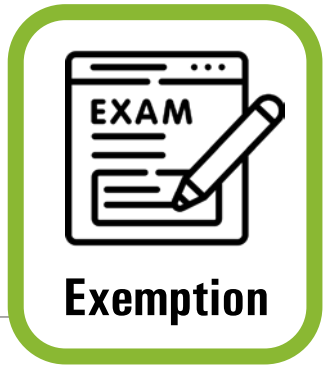
Question 15 – No credit by exam



Can students earn credit by examination through the Regents Examination exemptions?

No. Students cannot earn credit by examination using the exemptions due to COVID-19.

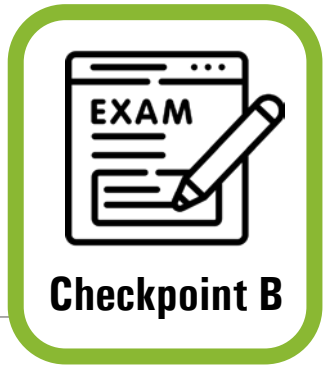
Question 7 – Exemptions



How will students who are granted exemptions to exams meet assessment requirements for graduation?

Students granted an exemption from any examination are not required to pass such specific examinations to meet the assessment requirements for any diploma type (local, Regents, or Regents with Advanced Designation).

Question 42 – RAD Diploma



Can a district exempt a student from the locally developed Checkpoint B Languages Other Than English (LOTE)/World Languages examination in order for students to meet the requirements for the Regents Diploma with Advanced Designation?

A district may exempt a student from the locally developed Checkpoint B examination to meet the requirements for the Regents Diploma with Advanced Designation if the student earns at least 3 diploma credits in the LOTE/World Languages subject by August 2021.

Question 49 – Scores on Transcripts



How should schools reflect examination exemptions on a student's transcript?

Student transcripts should not reflect a numeric score for any examination where the student is granted an exemption.

Student transcripts should reflect the examination name and a score of "E" for exempt.

Question 22 – 4 + 1 LOTE Pathway Exams

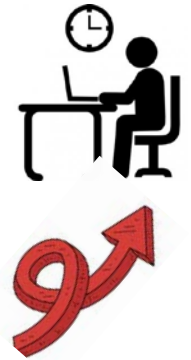


2020-21

Eligible students are those:

Currently enrolled in the course of study leading to the +1 Pathway assessment and earn credit in such course of study by the end of the 2020-21 school year.

Question 22 – 4 + 1 LOTE Pathway Exams



2020-21

Eligible students are those:

Previously enrolled in the course of study leading to the +1 Pathway, achieved the applicable course credit, and has not yet passed the associated +1 Pathway assessment, but intended to take the test in spring or summer 2021 to achieve a passing score.

Question 22 – 4 + 1 LOTE Pathway Exams



Eligible students are those:

Currently or previously identified as an English Language Learner (ELL), including provisionally identified ELLs, and Multilingual Learners (including heritage language speakers) whose home language is one of the languages tested by the NYSED-approved LOTE/World Languages +1 Pathway Assessments (Arabic, Chinese, French, Italian, Korean, or Spanish), or a student deemed qualified by the principal in consultation with relevant faculty, and was intended to take the LOTE/World Languages +1 Assessment in Spring or Summer 2021 to achieve a passing score.

Question 22 – 4 + 1 ASL Pathway Exams



Eligible students are those:

Deemed qualified by the principal in consultation with relevant faculty in the use of American Sign Language (ASL) and intended to take the +1 Pathway Assessment in ASL in Spring or Summer 2021 to achieve a passing score.

Question 39 – Seal of Biliteracy



Can a student earn associated points towards the New York State Seal of Biliteracy (NYSSB) if the student is granted an exemption from a Regents Examination in English Language Arts?

Yes. A student who has received an exemption from a Regents Examination in English Language Arts (ELA) can apply this exemption towards criterion 1A of the NYSSB's "Criteria for Demonstrating Proficiency in English" so long as the student has demonstrated proficiency in the ELA learning standards assessed through the provided coursework and earned credit for such course that culminates in a Regents Examination in ELA by the end of the 2020-21 school year.

Question 40 – Seal of Biliteracy



Can an English Language Learner (ELL) earn associated points towards the NYSSB if the student is granted exemptions from two Regents Examinations to fulfill the requirements for criterion 1A of the NYSSB of earning a score of 75% or better on two Regents Examinations other than ELA without translation?

Yes. ELLs who, due to COVID-19-related school closures, have received exemptions from two Regents Examination in subjects other than ELA without translation can apply those exemptions towards criterion 1A of the NYSSB's "Criteria for Demonstrating Proficiency in English" so long as the student has demonstrated proficiency in the course learning standards assessed through the provided coursework and earned credit for such courses.

No NYSESLAT Exemption



The spring 2020 NYSESLAT exam was cancelled and students who were not able to take this exam and who received credit for their ENL course ending in June 2020 were eligible to receive an exemption that earned them a point towards criterion 1B of the Seal of Biliteracy.

Since the spring 2021 NYSESLAT is NOT cancelled, there is no exemption for this exam.

Additional Seal Guidance



- Detailed guidance on the NYS Seal of Biliteracy will be forthcoming soon.
- Each school's Seal Coordinator will be emailed when the guidance is available.
- The guidance will be posted on OBEWL's NYSSB website.

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**For questions, please contact:
Candace Black
(585) 356-0951
candace.black@nysed.gov**

