



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

FORM PRESCRIBED BY THE COMMISSIONER (Updated June 2023)

**SUPERINTENDENT DETERMINATION OF GRADUATION WITH A LOCAL DIPLOMA**

Return this form<sup>1</sup> no later than **August 31<sup>st</sup>** following the Superintendent's Determination to<sup>2</sup>:

New York State Education Department

Office of Special Education

89 Washington Avenue, Room 309 EB

Albany, NY 12234

or

Fax to: 518-473-5387

**Student Information**

**Directions: All "Student Information" fields must be completed except for "Submission Date".**

Student Name:	NYSSIS (NYS Student Identification System) #:
School District/Charter School/Registered Nonpublic High School:	BEDS Code:
Contact Person:	Telephone Number:
Email Address:	Graduation: <input type="checkbox"/> January <input type="checkbox"/> June <input type="checkbox"/> August Year:
Date Form Completed:	<b>For SED Use Only</b> Submission Date:

**Step 1. Eligibility Conditions**

I hereby certify that:

A. <input type="checkbox"/>	the parent/guardian submitted a written request that their child be considered for a Superintendent Determination;
B. <input type="checkbox"/>	the student has a current individualized education program (IEP) and is receiving special education services;
C. <input type="checkbox"/>	the student did not meet the graduation requirements through the low pass (55-64) safety net option or the compensatory option;
D. <input type="checkbox"/>	the student has earned the required course credits and has passed, in accordance with district policy, all courses required for graduation, including the Regents courses to prepare for the corresponding required Regents examination areas (English language arts (ELA), mathematics, social studies, and science);
E. <input type="checkbox"/>	the student: <ul style="list-style-type: none"><li>• earned a minimum score of 55 on the ELA and Mathematics Regents examinations<sup>3</sup>; and/or</li><li>• successfully appealed a score between 52 and 54 on ELA and Mathematics Regents examinations; and/or</li><li>• was unable to achieve a minimum score of 55 or did not initiate an appeal of a score between 52 and 54 on the ELA and/or Mathematics Regents examinations, but they completed the requirements for the New York State Career Development and Occupational Studies (CDOS) Commencement Credential;</li></ul>
F. <input type="checkbox"/>	the student has participated in all Regents examinations required for graduation, but has not passed one or more of these examinations; and
G. <input type="checkbox"/>	the student has otherwise demonstrated competency in the subject area where the student was not able to demonstrate their proficiency of the State's learning standards through a Regents examination.

<sup>1</sup> A copy of this form must be maintained in the student's record.

<sup>2</sup> Forms contain personally identifiable information (PII) and therefore should not be submitted by email.

<sup>3</sup> [Exemptions from the ELA and/or Mathematics Regents examinations](#) also satisfy this condition.

Student Name:

NYSSIS #:

**Complete Step 2 “Superintendent Determination Review” ONLY if all the above eligibility conditions A-G are met. Otherwise, proceed to Step 3 and check assurance that the student SHOULD NOT be awarded a local diploma.**

**Step 2. Superintendent Determination Review**

**Documentation of subject area(s) reviewed:** In conducting a review to ensure the student has met the academic standards, the school superintendent, or, as applicable, the principal, head of school, or their equivalent of the charter school or non-public school has considered evidence that demonstrates that the student:

1. Passed the course(s) in the subject area(s) where the student was not able to demonstrate their proficiency of the State’s learning standards through the corresponding Regents examination required for graduation. The evidence reviewed may include the student’s final course grade as well as student work completed throughout the school year and/or interim grades on homework, projects, class work, quizzes, tests, or other documentation that demonstrates that the student has met the learning standards for the course; and
2. Actively participated in the Regents examination(s).

**Subject Area(s) Reviewed**

Superintendent Determination subject area(s)	Regents examination(s)	Regents examination score(s)	Course grade(s)	Evidence reviewed to document subject proficiency (specify)	Subject area proficiency
<b>Example:</b> <i>Social Studies</i>	<i>US History</i>	<i>44</i>	<i>69</i>	- <i>69 final course grade</i> - <i>Quarterly grades</i> - <i>Mid-term and final examination grades</i>	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> N/A <sup>4</sup> : <input type="checkbox"/>
ELA <sup>5</sup>					Yes: <input type="checkbox"/> No: <input type="checkbox"/> N/A <sup>4</sup> : <input type="checkbox"/>
Mathematics <sup>5</sup>					Yes: <input type="checkbox"/> No: <input type="checkbox"/> N/A <sup>4</sup> : <input type="checkbox"/>
Science					Yes: <input type="checkbox"/> No: <input type="checkbox"/> N/A <sup>4</sup> : <input type="checkbox"/>
Social Studies					Yes: <input type="checkbox"/> No: <input type="checkbox"/> N/A <sup>4</sup> : <input type="checkbox"/>
Pathway					Yes: <input type="checkbox"/> No: <input type="checkbox"/> N/A <sup>4</sup> : <input type="checkbox"/>

<sup>4</sup> Check N/A if a superintendent review was not needed in the subject area.

<sup>5</sup> If CDOS was used to meet ELA and/or mathematics eligibility condition, the superintendent must conduct a review of the subject area(s).

**Step 3. Determination: Check one.**

- I hereby certify that it is my determination as the Superintendent of Schools (or, as applicable, the principal, head of school, or their equivalent of the charter school or registered non-public school) that this student **SHOULD NOT** be awarded a local high school diploma at this time.
- I hereby certify that it is my determination as the Superintendent of Schools (or, as applicable, the principal, head of school, or their equivalent of the charter school or registered non-public school) that this student **SHOULD** be awarded a local high school diploma.

Signature of School Superintendent<sup>6</sup>: \_\_\_\_\_ Date: \_\_\_\_\_

The student and the parent of the student must receive a copy of this documentation and written notification of the superintendent's decision.

- Where the superintendent determined that the student has not met the requirements for graduation, the notice must inform the student that they have the right to attend school until receipt of a local or Regents diploma or until the end of the school year in which the student turns 21, whichever shall occur first.
- Where the superintendent determined that the student has met the requirements for graduation, prior written notice must be provided that the student is not eligible to receive a free appropriate public education after graduation with a local diploma through the Superintendent Determination option.

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<sup>6</sup> School Superintendent (or, as applicable, the principal, head of school, or their equivalent of the charter school or registered non-public school)