

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 208, 209, 305, 308, 309 and 3204 of the Education Law.

Paragraph (9) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education is added, effective August 11, 2010, as follows:

(9) Credit for Independent Study. Students enrolled in a school district, a charter school or a registered nonpublic school may earn a maximum of 3 units of elective credit towards a Regents diploma through independent study, pursuant to the following:

(i) a school district or a registered nonpublic school shall, and a charter school may, provide its students with an opportunity to earn such credit through independent study;

(ii) in the case of a school district or a registered nonpublic school, the student's participation in independent study shall be approved by a school-based panel consisting of, at a minimum, the principal, a teacher in the subject area for which independent study credit is sought, and a guidance director or other administrator. The panel shall approve the student's participation in independent study based on the following criteria:

(a) the student has demonstrated readiness and has a high likelihood of success (may be indicated by a given grade point average in general or in the given subject area, as determined by the school district or registered nonpublic school) in each subject in which he or she seeks to undertake independent study; and

(b) the student has accumulated the expected number of units of credit for the student's grade level; and

(c) the student has passed the appropriate number of Regents examinations or other assessments required for graduation, for the student's grade level.

(iii) The principal, after consultation with relevant faculty, shall award credit to the student for successful completion of the independent study and demonstrated mastery of the learning outcomes for the subject.

(iv) For purposes of this paragraph, independent study shall be:

(a) academically rigorous and aligned to the New York State commencement-level learning standards;

(b) overseen by a teacher knowledgeable and experienced in the subject area of the independent study;

(c) based on a syllabus on file for each independent study; and

(d) of comparable scope and quality to classroom work that would have been done at the school district, charter school or registered nonpublic school awarding the credit.

(v) For purposes of this paragraph, credit for independent study may be awarded for elective courses only, and shall not be awarded for courses required for the Regents diploma as specified in subparagraph (iv) of paragraph (7) of subdivision (b) of this section.