

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 (10) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education is added, effective July 15, 2011, as follows:

(10) Credit for Online and Blended Courses.

(i) Definitions. For purposes of this paragraph:

(a) Online course means instruction in a specific subject consisting of teacher-to-student, student-to-student and/or student-to-content interactions that occur solely through digital and/or Internet-connected media.

(b) Blended course means instruction in a specific subject consisting of teacher-to-student, student-to-student and/or student-to-content interactions that occur through a combination of classroom-based and digital and/or Internet-connected media.

(c) Certified teacher means a teacher who holds a New York State teaching certificate in the subject area in which instruction is provided.

(ii) A school district, a charter school or a registered nonpublic school may provide its students with an opportunity to earn units of credit towards a Regents diploma through online and/or blended course study, pursuant to the following:

(a) To receive credit, the student shall successfully complete an online or blended course and demonstrate mastery of the learning outcomes for the subject, including passing the Regents examination in the subject and/or other assessment in the subject if required for earning a diploma.

(b) The school district, registered nonpublic school or charter school shall ensure that:

(1) courses are aligned with the applicable New York State Learning Standards for the subject area;

(2) courses provide for documentation of student mastery of the learning outcomes for such subjects, including passing the Regents examination in the subject and/or other assessment in the subject if required for earning a diploma;

(3) instruction is provided by or under the direction and/or supervision of:

(i) a certified teacher from the school district in which the student is enrolled; or

(ii) a certified teacher from a board of cooperative educational services (BOCES)

that contracts with the school district to provide instruction in the subject area where authorized pursuant to Education Law §1950; or

(iii) a certified teacher from a school district who provides instruction in the subject area under a shared service agreement; or

(iv) in the case of a registered nonpublic school, a teacher of the subject area from a registered nonpublic school; or

(v) in the case of a charter school, a teacher of the subject area from a charter school.

(4) courses include regular and substantive interaction between the student and the teacher providing direction and/or supervision pursuant to subclause (3) of this clause; and

(5) instruction satisfies the unit of study and unit of credit requirements in section 100.1(a) and (b) of this Part.