

AMENDMENT TO THE REGULATIONS FO THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 208, 209, 305, 3204, and 3205 of the Education Law.

1. Subclause (4) of clause (a) subparagraph (vi) of paragraph (5) of subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(4) For purposes of meeting the diploma requirements of this subdivision, students deemed to have demonstrated attainment of the applicable New York learning standards in English, mathematics, science, United States history and government, and global history and geography shall be exempt from the applicable Regents examination requirements for the January 2022 Regents examination administration if such students:

(i) were enrolled in a course of study that would ordinarily culminate in the taking of [the]a January 2022 Regents [Examination in United States History and Government (Framework)] examination and earn credit for such course of study by the end of the first semester of the 2021-22 school year;

(ii) were enrolled in a course of study in grade 7 or grade 8 that would ordinarily culminate in the taking of a January 2022 Regents examination, and have met the learning standards in such course of study;

(iii) successfully completed a make-up program for the purpose of earning course credit [in a course that would ordinarily culminate in the taking of the Regents Examination in United States History and Government (Framework)] between September 1, 2021 and the end of the first semester of the 2021-22 school year;[or

(iii)] (iv) were preparing to take [the] a required Regents [Examination in United States History and Government (Framework)] examination in order to graduate at the end of the first semester of the 2021-22 school year; or

(v) transferred to a New York State high school from either a high school located outside of New York State or from another New York State high school in which Regents examinations were not administered, and earned credit in a course for which they intended to take a corresponding Regents examination in January 2022.

2. Subparagraph (viii) of paragraph (5) of subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(viii)(a) Notwithstanding subparagraph (vii) of this paragraph, no entry shall be recorded on the transcript or permanent record of a student in the event that a parent or person in a parental relation declines the exemption to the graduation assessment requirement(s) in accordance with clause (b) of this subparagraph.

(b) For the 2019-20 school year and the first semester of the 2021-22 school year, at least 10 calendar days and for the 2020-21 and second semester of the 2021-22 school [year] years and thereafter, at least 30 calendar days prior to the date on a which a student shall receive a high school diploma, the superintendent, or school principal of a charter school, or chief administrative officer of a registered nonpublic high school shall send notification by letter and also by email and text, if available, to the parents or persons in parental relation of all students scheduled to graduate [in June or August of 2020 or January, June or August of 2021] who have been exempted from a graduation assessment requirement pursuant to this section or paragraph (10) of subdivision (d) of section 100.6 of this title. Such notification shall be sent in English and

translated, when appropriate, into the recipient's native language or mode of communication.

(c) ...

(d) ...

(e) ...

(f) ...