

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 208, 209, 215, 305, 2801-a, 3009, 3012-d, 3204, and 3205 of the Education Law.

1. Subdivision (d) of section 30-3.16 of the Rules of the Board of Regents is amended by adding a new paragraph (4) to read as follows:

(4) Notwithstanding the timeframes contained in paragraphs (1) and (2) of this subdivision, upon a finding by the commissioner of extraordinary circumstances, variance applications approved after December 1 of a school year may be implemented in that school year.

2. Subdivision (f) of section 155.17 of the Regulations of the Commissioner of Education is amended to read as follows:

(f) *Reporting.* Each superintendent shall notify the commissioner as soon as possible whenever the emergency plan or building-level school safety plan is activated and results in the closing of a school building in the district, and shall provide such information as the commissioner may require in a manner prescribed by the commissioner. School districts within a supervisory district shall provide such notification through the district superintendent, who shall be responsible for notifying the commissioner. Such information need not be provided for routine snow emergency days. Provided, however, that for the 2020-21 school year, districts shall provide such notification for snow emergency days, including those days converted to remote instruction under the 2020-21 snow day pilot in accordance with the provisions of this subdivision.

3. 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, at least 10 calendar days and for the 2020-21 school year, 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 [be]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) ...