



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

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November 5, 2020

**TO:** District Superintendents  
Superintendents of Schools  
Principals of Public, Religious, and Independent Schools  
Leaders of Charter Schools

**FROM:** Betty A. Rosa, Interim Commissioner 

**SUBJECT:** Cancellation of the January 2021 Administration of the New York State (NYS) High School Regents Examination Program in Response to the Ongoing Impact of the COVID-19 Pandemic

The purpose of this memorandum is to inform you that the New York State Education Department (NYSED or “the Department”) is cancelling the January 2021 administration of the NYS High School Regents Examination Program in response to the ongoing impact of the COVID–19 pandemic. This cancellation applies to all Regents Examinations that had been scheduled for the January 2021 Regents Examination period. This memorandum also provides information on the adjustments that I will ask the Board of Regents to adopt as emergency regulations with respect to the assessment requirements that students must ordinarily meet in order to earn diplomas, credentials, and endorsements so that the cancellation of these exams will not adversely impact students.

In a September 30, 2020 letter, Vice Chancellor Brown wrote:

“The members of the Board of Regents acknowledge the uncertainty that abounds this school year. I can assure you that the Interim Commissioner and the Department are closely monitoring the situation throughout the State.”

As this school year has progressed and the dates for the administration of the January 2021 Regents Examinations have grown nearer, there remains much uncertainty as to when all secondary-level students in schools all across the State will return to fully in-person instruction. Consequently, we are cancelling the January 2021 Regents Examinations administration as we cannot be certain that these examinations can be administered in a fair, equitable and safe manner for all secondary-level students and teachers across the State at that time.

The Department has not yet made decisions about the June and August 2021 administrations of Regents Examinations or any of the other State assessment programs. The Board of Regents and the State Education Department will continue to monitor data related to modes of instruction amid the ongoing pandemic. When it is time to decide about these Regents Examination and other State examination administration periods, those decisions will be fully informed by all available and relevant public health and educational data. And as always, we will put the health and safety of students and teachers first.

## **Modifications to Diploma Requirements for Students Impacted by the Cancellation of January 2021 Regents Examinations**

Because of the cancellation of the January 2021 Regents Examinations, the Department is making modifications to the assessment requirements that students must meet in order to earn high school diplomas, credentials, and endorsements. These modifications apply to all students who are completing a secondary-level course of study or make-up program in January and are scheduled to participate in one or more of the January 2021 Regents Examinations.

### **Regents Examination Exemptions**

Subject to adoption of emergency regulations by the Board of Regents, students who are planning to take one or more Regents Examinations during the January 2021 examination period at the conclusion of a course of study or make up program shall be exempted from the requirements pertaining to passing such Regents Examination in order to be issued a diploma. To qualify for the exemption, the student must meet one of the following requirements:

- Be currently enrolled in a course of study that would ordinarily culminate in the taking of a January 2021 Regents Examination and earn credit for such course of study by the end of the first semester of the 2020-21 school year; or
- Between September 1, 2020 and the end of the first semester of the 2020-21 school year, successfully complete a make-up program for the purpose of earning course credit; or
- Be preparing to take a required Regents Examination in order to graduate at the end of the first semester of the 2020-21 school year.

### **Use of Safety Nets**

All current safety net options remain in effect for all students and must be considered in the determination of which diploma type can be awarded. To determine whether general education students, English language learners, and students with disabilities are eligible to earn either a Regents or local diploma, districts and charter schools should consider an exempted examination to be a score of 65. However, students with a disability eligible for the compensatory safety net may not use exemptions on tests to compensate for lower test scores.

Any student including a student with a disability who does not earn a Regents or local diploma continues to be eligible for a free appropriate public education until the end of the school year in which the student turns age 21, or until the receipt of a Regents or local high school diploma.

### **Mastery, Honors, Technical Endorsements**

Examinations from which students have been given an exemption as a result of the COVID-19 related cancellation of the January 2021 Regents Examinations shall be excluded from any calculation used for determining eligibility for an Honors or Mastery endorsement on a diploma. In the case of Honors endorsements to either a Regents Diploma or a Regents with Advanced Designation Diploma, if a student achieves a calculated average of 90 or above (without rounding) of all examinations taken applicable to their diploma type, they will attain the honors endorsement on such diploma. Any examination exempted as a result of COVID-19 related cancellation of the January 2021 examinations shall not be included in such calculation.

In the case of a mastery in mathematics and/or science endorsement, the student must achieve an 85 or above on at least two Regents Examinations in mathematics and/or science, in addition to being granted a Regents Examination exemption for a third Regents Examination in math and/or science.

### **Recording Student Scores for the January 2021 COVID-19 Exemptions**

Student transcripts should reflect the examination name and a score of “E” for exempt for those students meeting the eligibility requirements for such exemption outlined above. Schools must report a Standard Achieved Code of “86” with the course of study in which the student earned credit. No other Standard Achieved Code may be used to report these exemptions.

Any questions about the exemptions from examination requirements or the effect of such exemptions on student qualification for a diploma should be directed to [emscgradreq@nysed.gov](mailto:emscgradreq@nysed.gov).

The Department is grateful to the dedicated educators, school staff, community members, and parents who are working so diligently to ensure that students are safe and well. Please continue to monitor NYSED’s [COVID-19 Information site](#) for additional guidance as it becomes available.