



P-12 Education  
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TO: District Superintendents of Schools with State-Funded Pre-K Programs  
Program Contacts for State-Funded Pre-K Programs

From: Jason Breslin, Director - Office of Early Learning *Jason Breslin*

Date: May 18, 2020

Re: COVID-19 Emergency Regulations Impacting State-Funded Pre-K Programs

On March 16, 2020 Governor Cuomo signed an executive order directing all schools in New York State to close by March 18 and has continued that order through the end of the 2019-20 academic year in response to the Novel Coronavirus (COVID-19) emergency. The Office of Early Learning (OEL) has received many questions from school districts regarding having to administer assessments to monitor and track progress of their Prekindergartners and their Prekindergarten programs. In order to address current state-wide school closures, the Office of Early Learning is putting forth the following guidance with respect to assessments to monitor programs.

At its regular meeting on May 4, 2020, the New York State Board of Regents enacted a second package of emergency regulations in response to the continuing COVID-19 crisis. Included in this package were amendments to the requirements set forth in Section 151-1.3(b)(2) and (3) of the regulations of the Commissioner of Education pertaining to the assessment and monitoring of Prekindergarten programs and prekindergartners. Section 151-1.3 (b)(2) and (3) are amended as follows:

- The requirement that school districts must annually monitor and track Prekindergarten program effectiveness is waived for the 2019-2020 school year, and;
- The requirement that districts submit an annual report of percentage of Prekindergarten students making significant gains is waived for the 2019-2020 school year. Annual assessments will not have to be given to determine the gains that students made during the 2019-2020 school year.

Questions related to this guidance can be forwarded to the Office of Early Learning mailbox at [OEL@nysed.gov](mailto:OEL@nysed.gov) ATTN: Emergency Regulations.