



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

FORM PRESCRIBED BY THE COMMISSIONER Updated February 2017

SUPERINTENDENT DETERMINATION OF GRADUATION WITH A LOCAL DIPLOMA

Return this formⁱ no later than **August 31st** following the Superintendent's Determination to:ⁱⁱ

New York State Education Department
 Office of Special Education
 89 Washington Avenue, Room 309 EB
 Albany, NY 12234
 OR
 Fax to: 518-473-5387

Student Information	
Directions: All "Student Information" fields <u>must</u> be filled in except for "Submission Date."	
Student Name:	NYS Student Identification System (NYSSIS) #:
School District/Charter School/Registered Nonpublic High School:	BEDS Code:
Contact Person:	Telephone Number:
Email Address:	Graduation: <input type="checkbox"/> January <input type="checkbox"/> June <input type="checkbox"/> August Year:
Date Form Completed:	For SED Use Only Submission Date:

STEP 1- ELIGIBILITY:

I hereby certify that (check all that apply):

- _____ the parent/guardian submitted a written request that their child be considered for a superintendent determination;
- _____ the student has a current individualized education program (IEP) and is receiving special education programs and/or related services;
- _____ the student did not meet the graduation requirements through the low pass (55-64) safety net option or the compensatory option [section 100.5(b)(7)(vi)(c) or section 100.5(d)(7)];
- _____ the student has earned the required course credits and has passed, in accordance with district policy, all courses required for graduation, including the Regents courses to prepare for the corresponding required Regents examination areas (ELA, mathematics, social studies and science);
- _____ the student has earned a minimum score of 55 on both the Regents ELA and mathematics examinations or a successful appeal of a score between 52 and 54;

- _____ the student has participated in the other Regents examinations (science and social studies), but has not passed one or more of these examinations as required for graduation [section 100.5(a)(5)]; and
- _____ the student has otherwise demonstrated competency in the subject area where the student was not able to demonstrate his/her proficiency of the State's learning standards through the Regents examination.

COMPLETE STEP 2 "SUPERINTENDENT DETERMINATION REVIEW" ONLY IF ALL OF THE ABOVE ELIGIBILITY CONDITIONS ARE MET. OTHERWISE, PROCEED TO STEP 3.

STEP 2 - SUPERINTENDENT DETERMINATION REVIEW:

Documentation of subject areas reviewed: In conducting a review to ensure the student has met the academic standards, the school superintendent, or, as applicable, the principal, head of school, or their equivalent, of the charter school or nonpublic school has considered evidence that demonstrates that the student:

1. Passed the course(s) in the subject area(s) where the student was not able to demonstrate his/her proficiency of the State's learning standards through the corresponding Regents examination required for graduation. The evidence reviewed may include the student's final course grade as well as student work completed throughout the school year and/or interim grades on homework, projects, class work, quizzes, tests, or other documentation that demonstrates that the student has met the learning standards for the course; and
2. Actively participated in the Regents examination(s).

SUBJECT AREAS REVIEWED						
Superintendent determination subject area(s)	Regents Exam(s)	Regents Exam Score(s)	Course Grade(s)	Evidence reviewed to document subject proficiency (specify)	Subject area proficiency	
					Yes	No
<i>Example: Social Studies</i>	<i>U.S. History</i>	<i>44</i>	<i>69</i>	<ul style="list-style-type: none"> - <i>69 final course grade</i> - <i>quarterly grades</i> - <i>mid-term and final exam grades</i> 	✓	

STEP 3 – DETERMINATION (check one):

_____ I hereby certify that it is my determination as the Superintendent of Schools (or, as applicable, the principal, head of school, or their equivalent, of the charter school or nonpublic school) that this student **SHOULD NOT** be awarded a local high school diploma at this time.

_____ I hereby certify that it is my determination as the Superintendent of Schools (or, as applicable, the principal or head of school, or their equivalent, of the charter school or nonpublic school) that this student **SHOULD** be awarded a local high school diploma.

Signature of School Superintendent¹

Date

The student and the parent of the student must receive a copy of this documentation and written notification of the superintendent's determination.

- Where the superintendent determined that the student has not met requirements for graduation, the notice must inform the student that he/she has the right to attend school until receipt of a local or Regents diploma or until the end of the school year in which the student turns age 21, whichever shall occur first.
- Where the superintendent determined that the student has met the requirements for graduation, prior written notice must be provided that the student is not eligible to receive a free appropriate public education after graduation with a local diploma through the Superintendent Determination.

ⁱ A copy of the form must be placed in the student's record.

ⁱⁱ Forms should not be submitted by email.

¹ Signature of school superintendent or, as applicable, the principal, head of school, or their equivalent of the charter school or nonpublic school.