

## Questions and Answers

### Superintendent Determination of Graduation with a Local Diploma

- 1. Must a student take the Regents examination more than once to be eligible for the Superintendent's Determination of Graduation with a Local Diploma?**

No. Students are not required to take any Regents examinations more than once to be eligible for the Superintendent Determination.

- 2. Must a student pass both the ELA and math Regents examinations in order to be eligible for the Superintendent Determination?**

Yes. A student must have received a minimum score of 55 on both the ELA and math Regents examinations or a successful appeal of a score between 52 and 54 on the ELA and math in order to be eligible for the Superintendent Determination through this process.

- 3. If the student meets the assessment requirements for graduation using the low pass (55-64) and/or the compensatory safety net options, is the student eligible for consideration of the Superintendent Determination for graduation with a local diploma?**

No. The Superintendent's Determination is used only for students with disabilities who do not meet the assessment requirements for graduation through the existing safety net options.

- 4. Must the student use the appeal option prior to consideration of the superintendent's determination for graduation with a local diploma?**

No.

- 5. Must the student's teacher and school principal be involved in the review of a student's academic proficiency when the student has not been successful, because of his/her disability, in demonstrating proficiency on the Regents examinations required for graduation?**

The school principal and the superintendent, and whenever possible the student's teacher from the Regents course under review, must review documentation of evidence that the student has otherwise met the standards for graduation with a local diploma. The school principal and superintendent must certify, on a form prescribed by the Commissioner, that the student either did or did not demonstrate academic proficiency in the subject area(s) in which the student did not receive a

passing score on the Regents examination(s) and does or does not meet the requirements for award of a local diploma.

- 6. Must the superintendent submit the form to NYSED if, based upon a review of the documentation, the superintendent determines the student did not demonstrate proficiency in the learning standards necessary for graduation?**

Yes.

- 7. How will the State ensure consistent implementation of the Superintendent Determination of Graduation with a Local Diploma?**

NYSED will conduct periodic audits of the superintendent's determinations to ensure consistency with the requirements of section 100.5(d)(12) of the Regulations of the Commissioner of Education. School districts, registered nonpublic high schools and charter schools are required to maintain completed ***Superintendent Determination of Graduation with a Local Diploma*** forms and all records considered in review of the determination.

- 8. Does the Superintendent Determination apply to students who have a 504 Accommodation Plan or who have been declassified from special education?**

No. Only those students with disabilities who have a current individualized education program (IEP) and are receiving special education services can be considered for the Superintendent Determination.

- 9. May a student with a disability who exited school without a local or Regents diploma reenroll in school and be considered for the Superintendent Determination?**

Yes. A student with a disability who has not yet earned a diploma may reenroll in school until the end of the school year in which the student turns age 21 and graduate through this option, provided the student has a current IEP, is receiving special education programs and services and is participating in the required coursework.

- 10. If a student who entered grade 9 prior to September 2011 and has passed a Regents Competency Test (RCT) for one or more of the required Regents, is the student eligible for the Superintendent Determination?**

In this case, the student would not have passed one or more of the required Regents examinations and the superintendent must conduct the Superintendent Determination. The Superintendent may consider whether the student passed the RCT as one component of evidence that the student has otherwise met proficiency standards in that subject area.