



May 27, 2020

**TO:** District Superintendents  
Superintendents of Schools  
Principals of Registered Nonpublic High Schools  
Leaders of Charter Schools

**FROM:** Marybeth Casey, Assistant Commissioner  
Christopher Suriano, Assistant Commissioner

**SUBJECT:** Parental Right to Decline Examination Waivers

On April 7, 2020 the New York State Education Department (NYSED or “the Department”) issued a [memorandum cancelling the June 2020 administration of Regents Examinations](#) and subsequently cancelled the [August 2020 administration of Regents Examinations](#) due to the COVID-19 health crisis. Due to the cancellations, the Department announced certain modifications to the assessment requirements that students must meet in order to earn high school diplomas, credentials, and/or endorsements. The modifications apply to all students enrolled in grades 7-12 during the 2019-20 school year.

The purpose of this memorandum is to inform a parent or person in parental relation that they have the option to Commencement Credentials requirements child, a diploma will not be conferred on such student at this time. If a parent or person in parental relation exercises t



Student Date of Birth	Name of High School Student Attends:
Parent or Legal Guardian:	Daytime Phone:
Mailing Address:	
Examination 3:	Examination 7:
Examination 4:	Examination 8:
<input type="checkbox"/> Unfinished Requirements for Career Development and Occupational Studies	
<input type="checkbox"/> I decline all exemptions that my son/daughter is eligible to receive.	
<p><b><i>As identified above, I am declining the exemptions to the requirements for graduation available in school year 2019-20 as a result of the COVID-19 outbreak in New York State for my son/daughter,</i></b></p> <p>_____</p> <p>Insert Student Name Above</p> <p><b><i>I understand that this applies to all the Regents Examinations or their equivalents including unfinished requirements to earn the Career Development Commencement Credential or +1 Pathway, that my child was intending to take in June or August 2020 in a course for which my child has earned high school credit. By signing this form, I also understand that my child will remain eligible to receive a free public education until the end of the school year in which the child attains age 21, or until the child receives a high school diploma, whichever occurs first. In order to receive a diploma in the future, my child will no longer be eligible for such exemptions and must pass all applicable graduation assessment requirements.</i></b></p>	
Parent/Guardian Signature: _____ Date: _____	

Information on the NYS diploma requirements as a result of COVID-19 can be found on the [NYS COVID Webpage](#)

1.) What is the purpose of the “Parent Right to Decline” process?

There may be a situation in which a student wishes to return to school rather than receive an exemption and graduate to finish his or her planned educational program and the parent or person in parental relation would prefer the child to continue to receive educational services for a 5<sup>th</sup> or 6<sup>th</sup> year of high school. In such cases the parent has the right to decline the exemptions leading to a diploma and elect to have their child remain enrolled in school for subsequent school years until s/he passes the assessments for which the exemptions were declined, or the school year ends in which s/he turns 21, whichever occurs first. However, parents and persons in parental relation must be fully informed that declining the exemptions shall mean that in the future, their child will need to pass any remaining assessments required for graduation including those previously eligible for exemption.

2.) Are there parent notification requirements a school must follow if students will graduate as a result of being exempt from one or more assessment requirements?

Yes. At a minimum, 10 calendar days prior to the date on which a student shall

- 5.) If a student with a disability has an individualized education program (IEP) and/or other Committee on Special Education (CSE) documentation that indicates s/he was planning to return to school to continue his or her education, but could qualify to graduate as a result of an examination exemption, can the school confer the diploma if no declination form has been submitted?

No. There may be a situation in which a student wishes to return to school to finish his or her planned educational program and the parent or person in parental relation would prefer the child to continue to receive educational services for a 5<sup>th</sup> or 6<sup>th</sup> year of high school. In all such cases, the school must have confirmed documentation that they

