

The Commissioner of Education proposes to amend section 100.5(b) of the Regulations of the Commissioner of Education relating school safety plans. The purpose of the proposed rule is to allow students to satisfy the science laboratory experience requirement through a combination of hands-on and simulated experience.

The Board of Regents voted to adopt the proposed amendment as an emergency measure, effective September 13, 2022, upon a finding that such action is necessary for preservation of the general welfare in order to allow students to satisfy the science laboratory experience requirement through a combination of hands-on and simulated experience. A Notice of Emergency Adoption and Proposed Rule Making will be published in the State Register on September 29, 2022. It is anticipated that the proposed amendment will be presented for permanent adoption at the January 2023 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the January 2023 meeting, the proposed rule will become effective as a permanent rule on January 25, 2023.

Communications regarding the proposed action may be submitted to Shannon Logan, Office of Standards and Instruction, Room 860 EBA, 89 Washington Avenue, Albany, NY 12234 (REGCOMMENTS@nysed.gov). Comments must be received by the State Education Department on or before November 28, 2022.

The text of the proposed rule follows:

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 208, 209, 305, 308, 309, and 3204 of the Education Law

Clause (d) of subparagraph (iv) of paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(d) Science, three units of credit and one of the Regents examinations in science or an approved alternative pursuant to section 100.2(f) of this Part. In order to qualify to take a Regents examination in any of the sciences a student must complete 1,200 minutes of [actual hands-on (not simulated)] laboratory experience which may be met through any combination of hands-on and simulated laboratory experience with satisfactory documented laboratory reports[, provided that, for students who attend educational programs administered pursuant to Education Law section 112 and Part 116 or 118 of this Title, and for all students where such hands-on laboratory experience cannot be completed as a result of the COVID-19 crisis, the 1,200 minutes of laboratory experience may be met through a combination of hands-on and simulated laboratory experience]. The 1,200 minutes of laboratory experience must be in addition to the required classroom instruction associated with earning a unit of credit, provided, however, for the 2019-2020 and 2020-2021 school years, including the 2020 and 2021 summer sessions, the 1,200 minutes of laboratory experience is not required for a student to qualify to take a Regents examination where such student is unable to meet the 1,200-minute requirement due to the COVID-19 crisis and, provided further, that 1,200 minutes of laboratory experience is not required for a student to be exempted

from a Regents examination pursuant to subparagraph (vi) of paragraph (5) of subdivision (a) of this section.