



Board of Regents Regulatory Updates as 4/6/2020

180 Days and the Continuity of Funding

- Charter schools and school districts can operate for less than 180 days during the 10-month school year, if the reduction in the number of days resulted from the Executive Order(s) issued by the Governor pursuant to the state of emergency for the COVID-19 crisis. If schools resume any time taken off will not count for an exemption from the 180 days requirement.

Commissioner's Regulation Section 119.1(c)(1) - Per Pupil Billing

- At the request of a charter school, the Commissioner may consider and excuse delays of up to 30 days for the required submission of per-pupil invoices, if the delay resulted from COVID-19 related operational issues. If such a delay is excused, the district may delay payment to the charter by up to 30-days from submission of said invoice.

Commissioner's Regulation Section 119.5(b) - Charter School Lotteries

- Charter schools must provide notice on their website of the date, time and place of lotteries for charter school student applicants, if such lottery is provided during a school closure ordered pursuant to an Executive Order of the Governor. Additionally, amendments to the regulations will permit these lotteries to be held remotely, provided that *the public can view or listen, and such lottery is recorded and later transcribed.*

Commissioner's Regulation Section 87.5(4) - Fingerprinting Regulations

- The regulation was amended to change the definition of "prospective employee," which now includes those who have online interactions with students, and not just those with direct, in person contact. These individuals, who include teachers that educate students remotely, must now be fingerprinted. Additional guidance on the fingerprinting requirements for charter schools can be found at <http://www.p12.nysed.gov/psc/aboutcharterschools/lawsandregs/aprilmemo.pdf>.