



The Diploma Issue

The NYS Department of Education says, “only registered schools may issue a diploma.”

According to the Regulations of the Commissioner:

“Only those public and nonpublic high schools which are registered by the Board of Regents upon recommendation of the commissioner, may issue diplomas and administer Regents examinations.”

--- (Part 100.2 9ps) - Regulations of the Commissioner

We strongly disagree.

Registration is voluntary, and our schools choose not to register. The alternative is being deemed “**substantially equivalent**” by the local Board of the local public school district, and is usually handled by the Superintendent. The new school submits a letter of intention, a copy of the curriculum plan, a Certificate of Occupancy, a calendar showing that the students will receive approximately 180 days of instruction. The Board then makes a determination: Is the school “substantially equivalent” or not. This makes the school “legal” and then provides proof that their students are in compliance with the compulsory education law of the State of New York. Since our schools are “substantially equivalent,” the diploma given to our graduates are also “substantially equivalent.” Our schools do not give a Regents or State diploma.

Since last year, we have received a number of calls from member schools having a problem with community colleges in New York. The registrar or financial aid person questioned whether a school was “accredited” by the State of New York. As you know, the State of New York does not “accredit” any school, private or public. Usually this misunderstanding can be cleared up through telephone calls or letters from our office.

Most of these misunderstandings have to do with Federal Student and the new guidelines issued by the Federal Department of Education. According to the Federal Student Aid website the new requirements are:

“If you enroll in higher education for the first time on or after July 1, 2012, in order to be eligible for federal student aid, you must have either a high school diploma or a recognized equivalent (such as a General Educational Development certificate (GED) or a *homeschool* education).” <http://studentaid.ed.gov/about/announcements/recent-changes>

Furthermore New York State Education Law section 661(4)(c) specifies that to be eligible for State student financial aid, a student “must have a certificate of graduation from a school providing secondary education; or the recognized equivalent of such certificate; or have achieved a passing score, as determined by the United States secretary of education, on a federally approved examination which demonstrates that the student can benefit from the education being offered.”

<http://www.p12.nysed.gov/nonpub/homeinstruction/homeinstruct.html>

Both the FSA Guidelines and NYS Law specially refer to “a diploma (or certificate of graduation) or a recognized equivalent. Our college-bound seniors take either the SAT or ACT which are both recognized by the U.S. Secretary of Education. We therefore believe that there is no reason to deny these students entrance to college, or federal funds.