

## AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

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

1. Subdivision (d) of section 100.7 of the Regulations of the Commissioner of Education is amended to read as follows:

(d) Retesting. A candidate may take the examination for the high school equivalency diploma more than once. A period of at least 60 days shall elapse between testing periods. A different form of the examination shall be used for each retesting. The application procedures for each retesting shall be the same as for the original testing. On each retesting, a candidate shall have the option of retaking any or all of the [five] four tests in the battery. [Candidates who do not qualify for the diploma on the basis of retest scores shall have their eligibility for the diploma reevaluated on the basis of the highest score obtained on each test previously taken in the current administration series, or under the conditions as outlined by subparagraph (ii) of paragraph (2) of subdivision (a) of this section.]

2. Section 100.7(f) of the Regulations of the Commissioner of Education is REPEALED and reserved.