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Frequently Asked Questions Related to Flexibility in the Use of 2021-22 and 2022-23 Regents Examination Scores to Satisfy Diploma Requirements

This resource addresses frequently asked questions related to the "Flexibility in the Use of 2021-22 and 2022-23 Regents Examination Scores to Satisfy Diploma Requirements" memo. Topics include:

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Examination score is excluded from the calculation of the course average when determining a student's eligibility for the Special Appeal. The format of transcripts is locally determined.

2b. Could a student fail one marking period and still be eligible for a Special Appeal?

Yes, if the combined average of course grades earned throughout the school year results in a passing average and the student earned a score in the 50-64 range on a Regents Examination taken during one of the five administration periods (June 2022, August 2022, January 2023, June 2023, or August 2023), the student would be eligible for a Special Appeal.

For example, a student earned a 54 on the Algebra I Regents Examination in June 2022. The student's course grades in Algebra I were: Q1 – 60, Q2 – 65, Q3 – 70, Q4 – 75. The average of the student's Algebra I course grades equals 67.5. The school's passing grade is a 65. Since the student took the Regents Examination in June 2022, earned a score of 50-64, and earned a final course average that meets or exceeds the required passing grade by the school, the student is eligible for the Special Appeal.

Note: If this school's local grading policy included the Regents Examination score as 20% of the final course average, while the student would not yet earn credit for the Algebra I course (based on the local grading policy), the student remains eligible for the Special Appeal.

3.

5. Do the special appeals only apply to students who are graduating in the 2021-22 or 2022-23 school year?
   No. The special appeals may be granted to any student who takes a Regents Examination during the June 2022, August 2022, January 2023, June 2023, or August 2023 test administration periods who also meets the eligibility conditions listed above. Questions 8-13 provide additional information on the appeals process.

6. Are the special appeals to earn a diploma with a lower score on a Regents Examination taken in the 2021-22 or 2022-23 school year subject to New York State Education Department approval?
   No. The school superintendent or, in the City School District of the City of New York, the chancellor of the city school district or his/her designee, or the equivalent administrator of a charter school or registered nonpublic school, shall make a final determination to accept or deny the appeal.

7. Do the special appeals to earn a diploma with a lower score on a Regents Examination taken in the 2021-22 or 2022-23 school year apply to students earning diploma credit through accelerated coursework in grade 8?
   Yes. If a grade 8 student enrolled in accelerated coursework is granted a special appeal, they may earn diploma credit in the course and may use the appeal to satisfy the assessment requirements for any diploma type (local, Regents, Regents with Advanced Designation).

8. What is the appeals process?
   An appeal committee comprised of the school principal as chair, three teachers (not including the teacher of the student making the appeal), and one additional administrator will review the appeal to determine if the student has demonstrated the knowledge and skills required. The appeal committee may, in its discretion, interview the student or the teacher or department chairperson recommending the appeal. The appeal committee shall review an appeal within ten school days of its receipt and make a recommendation to the school superintendent, or in the case of New York City, the Chancellor or his/her designee, to accept or deny the appeal. The superintendent or in the case of New York City, the Chancellor or his/her designee, may also interview the student and will sign off on all appeals.

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9. Who can bring forth an appeal?
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11. Can a parent or person in parental relation refuse the appeal on behalf of a student if they wish the student to remain in school and receive additional instruction?
    Yes. If a parent wishes their child to remain in school for additional instruction and the granting of such an appeal would complete the student's diploma requirements, the parent may refuse an appeal sought by the school on behalf of the student.

12. If a parent or person in parental relation refused an appeal so their child could remain in school, can the student be considered for an appeal in the future?
    Yes. An eligible student may file an appeal at any time before they meet the diploma requirements and graduate.

13. Does the appeals process need to be completed immediately after a score is earned on a June 2022, August 2022, January 2023, June 2023, or August 2023 Regents Examination?
    No. The appeals process may be completed any time prior to a student's graduation. However, once an appeal is requested, the school should respond within 10 school days.

14. If a student received remote instruction for the 2021-2022 school year, is the student exempt from the Regents Examinations?
    No. If a student is receiving remote instruction due to a documented medical condition that prevents them from being in person, the district can send a district representative to the student's home or hospital and administer the test at the same date and time the other students are taking the test to ensure it is administered fairly. Otherwise, schools must arrange for students to report to the building for the administration of the Regents Examinations.

Diploma Types and Endorsements

15. Can students earn a Regents Diploma with Advanced Designation using a special appeal to earn a diploma with a lower score on a Regents Examination taken in the 2021-22 or 2022-23 school year ?
    Yes. Unlike the ordinary appeal provision, these special appeals may be applied to any diploma type (local, Regents, or Regents with Advanced Designation).

16. Is there a maximum number of special appeals that can be applied to a specific diploma type?
    No. Appeals granted under this temporary rule for lower scores earned during these specific administration dates (June 2022, August 2022, January 2023, June 2023, or August 2023), do not count towards the maximum number of appeals that can be applied to specific diploma types.

    In addition to any special appeals, students may continue to meet the assessment requirements for the Regents Diploma using one traditional appeal. In addition to any special appeals, students may continue to meet the assessment requirements for the NYS Local Diploma using two traditional appeals. Traditional appeals may not be used towards the Regents Diploma with Advanced Designation. Additional information on the traditional appeal process may be referenced in the Appeal to Graduate with a Lower Score on a Regents Examination memo (April 2017).

Examination scores required for the diploma (not including exemptions) equals 90 or above, the student earned the honors endorsement.

Students with fewer than three scored Regents Examinations applicable to the diploma
The student's final course grade for each exempted Regents Examination will be substituted in the calculation for

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The Department is grateful to the dedicated educators, school staff, community members, and parents who are working so diligently to ensure that students are safe and well. Any questions about the special appeal or the effect of such appeals on student qualification for a diploma should be directed to emscgradreq@nysed.gov.

Revision Log

08/18/22	Additional questions: 2a, 2b, 4a Amended questions: 13, 23