



Advocates for Children of New York
Protecting every child's right to learn

Appeal Options for Regents Exams

New York State has appeal options for high school students whose Regents exam scores are keeping them from earning a diploma. Typically, you must pass 4 or 5 Regents exams, with scores of 65 or higher. But, in certain cases, you can appeal lower scores and still graduate.

Low Score Appeal

You may appeal up to two Regents exams if you get a 60, 61, 62, 63 or 64, and meet the requirements below. This option is available to all students.

If you successfully appeal one Regents exam and meet all other testing and course requirements, you will earn a Regents Diploma. If you successfully appeal two Regents exams, you will earn a Local Diploma. You cannot appeal more than two exams.

English Language Learner (ELL) Appeal

If you first enrolled in a New York school in 9th grade or later and you are an English Language Learner (ELL), you may appeal your score on the English Language Arts (ELA) Regents exam if you get a 55-59 and meet the requirements below. If your appeal is successful, you will earn a Local Diploma.

If you use this appeal, you are also allowed to appeal one other exam under the Low Score Appeal (above). For example, an ELL who scores a 55 on the ELA exam and a 63 on the Science exam may appeal both exams to graduate with a local diploma.

Students with Disabilities Appeal

If you have an IEP, or a 504 plan that says you are eligible for the “safety net,” you can appeal up to two Regents exams if you score a 52, 53 or 54 and meet the requirements below. If your appeal is successful, you will earn a Local Diploma.

There are a lot of other ways that students with disabilities can graduate with lower Regents exam scores. For information, check out AFC's *High School Graduation Options for Students with Disabilities*: www.advocatesforchildren.org/sites/default/files/library/graduation_options_for_students_with_disabilities.pdf.

Eligibility Conditions for the Special Appeal (limited rule)

nysed.gov/common/nysed/files/programs/curriculuminstruction/nysedmemospecialappeallowerscore22-23.pdf

Any students who meet the following criteria may utilize the special appeal to earn a diploma with a lower score on a regents exam. These conditions are specific to the special appeal.

- Taken the Regents Exam during the June 2022, August 2022, January 2023, June 2023, or August 2023 test administration.
- Must have a score of 50-64 on the Regents Exam that is the subject of appeal and was taken during one of the above administrations.
- Must meet or exceed the required passing grade in the course by the school and is recorded on the official transcripts.

*Please note that the exam being appealed only needs to be taken once as part of this limited rule to be eligible for appeal. Special appeals may be applied toward any diploma type.

Requirements

To appeal a Regents exam score using any of the appeals above, you must:

- Take the exam at least twice;
- Take advantage of academic help at your school in the same subject as the exam you are appealing;
- Pass your class in the same subject as the exam you are appealing; and
- Be recommended by your teacher or the chair of the department in the same subject as the exam you are appealing.

You, your parent/guardian, or you teacher can start the appeal process by filling out [this form](#) (fill out as much as you can of pages 5-7).

The application will be reviewed by a committee made up of the school principal, three teachers, and one other administrator. The committee should make a recommendation to the superintendent within 10 school days. The superintendent will then make a final decision to approve or deny the appeal.

NOTE:

If you a planned to take or re-take a Regents exam, work toward CDOS hours, or take a Language Other Than English (LOTE) exam in **June and/or August 2020**, you may be eligible to graduate without taking the exam.

To learn more about this COVID-19 exemption, [click here](#).

TYPES OF DIPLOMAS

Regents Diploma

This diploma is awarded to students who earn 22 credits (44 credits in NYC) in specific courses, score 65 or higher on 4 Regents exams (ELA, Math, History, and Science), and either pass one other State-approved exam or complete the requirements for a CDOS Commencement Credential.

Local Diploma

This diploma requires the same number of credits as the Regents Diploma. The Local Diploma is available to the following students:

- Any student who successfully appeals 2 Regents exams;
- Students classified as ELLs who successfully appeal the ELA exam;
- Students with disabilities who use a Safety Net or Superintendent Determination (see AFC's *High School Graduation Options for Students with Disabilities* for more information: www.advocatesforchildren.org/sites/default/files/library/graduation_options_for_students_with_disabilities.pdf).

Both Local and Regents diplomas give you access to college, the military and trade schools.

Still have more questions?

Please call the Jill Chaifetz Education Helpline

1-866-427-6033 (toll free) • Monday through Thursday • 10 am to 4 pm

This fact sheet does not constitute legal advice. This fact sheet attempts to summarize existing policies or laws without stating the opinion of AFC. If you have a legal problem, please contact an attorney or advocate.

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