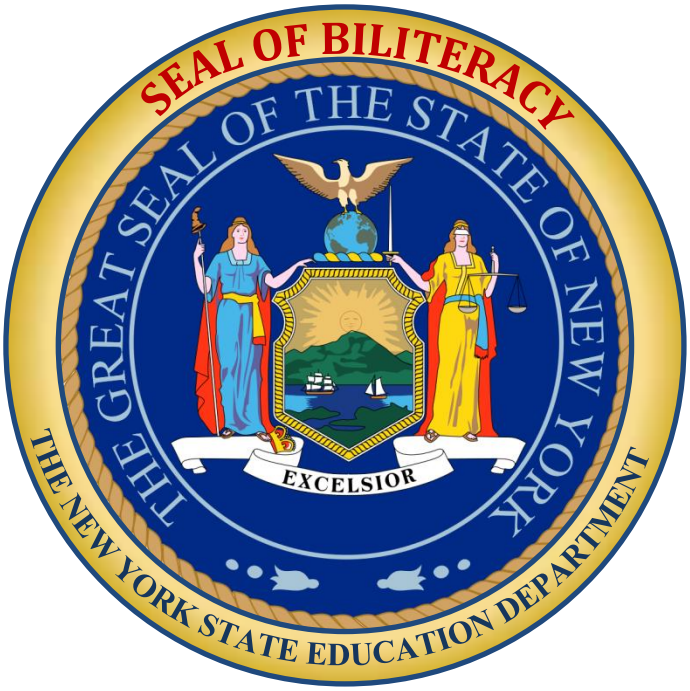
New York State Education Department

The New York State Seal of Biliteracy Handbook



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Introduction

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In recognition of the importance of bilingualism, many states, including New York, are beginning to award a seal of biliteracy in formal recognition of students who have studied and attained a high proficiency in two or more languages by high school graduation. “The intent of a seal of biliteracy is to: encourage the study of languages; identify high school graduates with language and biliteracy skills for employers; provide universities with additional information about applicants seeking admission; prepare students with twenty-first century skills; recognize the value of foreign and native language instruction in schools; and affirm the value of diversity in a multilingual society.” (Slentz, 2012)

The New York State Seal of Biliteracy (NYSSB), passed by the Legislature and signed into law by Governor Cuomo on July 31, 2012, was established to recognize high school graduates who have attained a "high level of proficiency in listening, speaking, reading, and writing in one or more languages, in addition to English."

Chapter 271 of the Laws of 2012 (Section 815 of Education Law) established the NYSSB. The NYSSB will be awarded by the Commissioner to students who meet criteria established by the Board of Regents and who attend schools in districts that voluntarily agree to participate in the program. The NYSSB will be affixed to the high school diploma and transcript of graduating pupils attaining the NYSSB criteria and must be made available to students at no cost.

In January 2014, the NYS Board of Regents approved the implementation of a NYSSB pilot program. This pilot program afforded self-selected districts the opportunity to develop innovative ways of measuring and creating an approved path to the attainment of the NYSSB. The pilot gave districts and schools the opportunity to inform policy development statewide and share best practices. Six districts and 20 public schools volunteered to participate in the pilot program. As a result of the yearlong pilot program, it was recommended that students have the flexibility to demonstrate proficiency in English and another language using a variety of methods, including nationally recognized assessments, coursework, projects, essays, portfolios, and prior coursework completed in a foreign country outside of the U.S. Furthermore, based on the recommendation of the educators in the pilot, world language proficiency was set at the Intermediate High level of the American Council on the Teaching of Foreign Languages (ACTFL) Proficiency Guidelines.

In January of 2016, the Office of Bilingual Education and World Languages (OBEWL) presented its recommendations to the New York State Board of Regents for students to earn the NYSSB. A brief history, statistics on NYS World Language programs, and the proposed criteria for earning the Seal were presented. The panel and Board members agreed on the importance of language instruction and bilingualism in the 21st century. The proposed program was open for public comment for a 45 day period followed by the adoption of the program at the April 2016 Regents meeting, with an effective date of May, 2016. The roll out of the NYSSB program in the spring of 2016 includes a guidance handbook as well as professional development to assist districts in implementing the program.

Questions and Answers

General Information

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Q: What is the New York State Seal of Biliteracy?

A: The New York State Seal of Biliteracy (NYSSB) was established to recognize high school graduates who have attained a high level of proficiency in listening, speaking, reading, and writing in one or more languages, in addition to English.

Q: What is the intent of the NYSSB?

A: The intent of the NYSSB is to:

- affirm the value of diversity in a multilingual society;
- encourage the study of languages;
- identify high school graduates with language and biliteracy skills for employers;
- provide universities with additional information about applicants seeking admission;
- prepare students with twenty-first century skills; and to
- recognize the value of world and home language instruction in schools.

These goals are consistent with the Regents Reform Agenda of ensuring that all New York State students graduate college- and career-ready.

Q: Why should districts implement a NYSSB program?

A: The NYSSB acknowledges the importance of being bilingual in today's global society. It highlights the hard work and achievement of students, and encourages students to pursue language study while in school. The recognition of attaining biliteracy becomes part of the high school transcript and diploma for these students and is a statement of accomplishment for future employers and for college admission.

Q: If a district elects to participate in the NYSSB, do all high schools in the district have to participate?

A: No, however, a student from a school that is not participating should be allowed to achieve the Seal at a participating school in the district.

Q: Who can receive the NYSSB?

A: A NYSSB is granted to all students who meet the criteria for the award set forth by NYSED (Appendix 1).

Q: For which languages can a student earn the NYSSB?

A: The NYSSB is intended for all students who master standard academic English and any other language, including American Sign Language.

Q: Who awards the NYSSB to the students?

A: NYSED will provide to participating districts a NYSSB digital Seal image to be placed directly on student diplomas. Districts may also have stickers created from the digital image to be placed on diplomas. Districts may choose to host an awards ceremony or celebration to honor these students.

Q: Is there a cost to students for the Seal?

A: No. A fee may not be charged to students who participate in the NYSSB program.

Q: How can I contact NYSED if I have questions?

A: For questions related to the NYSSB, contact the OBEWL at 518-474-8775 or by e-mail at *OBEFLS@nysed.gov.*

The New York State Seal of Biliteracy Process

Establishing a District New York State Seal of Biliteracy Committee [Back to Table]

Q: What must a district do to implement a NYSSB program in its community?

A: Districts interested in establishing a NYSSB program must form a NYSSB Committee (SBC) for the purpose of creating a NYSSB plan which includes committee recruitment/composition, communications, program development, student advisement, evaluation, and presentation of awards.

Q: In districts with multiple high schools, can an individual school create its own program?

A: In larger school districts with multiple schools, flexibility is given for an individual school to form its own SBC and create an independent NYSSB program within the district.

Q: Does a district need to notify NYSED of their intent to implement a NYSSB program?

A: Yes. A district needs to notify NYSED in writing via a NYSSB Notification Form when implementing a NYSSB program. This form will include contact information and a brief narrative describing how the district will measure language proficiency through projects, essays and portfolios. This information will allow NYSED to provide support to districts on the NYSSB process. The form can be found at: http://www.p12.nysed.gov/biling/bilinged/NewYorkStateSealofBiliteracy.html

In addition, at the end of the school year, districts will have to report the number of students receiving the NYSSB along with other relevant data.

Q: Who should be on the SBC?

A: The SBC should be comprised of, but not limited to, the following personnel: a World Language teacher, an English Language Arts (ELA) teacher, an English for Speakers of Other Languages (ESOL) teacher, a guidance counselor, and an administrator.

Q: Is there a timeline for NYSSB program activities?

A: The SBC will create a timeline for all activities pertaining to the NYSSB program. This will include outreach, a student advisement schedule, and dates for important benchmarks throughout the year.

Community Outreach **[Back to Table]**

Q: When should students be educated about the NYSSB?

A: Guidance counselors and teachers should begin speaking to students as early as possible so that they may plan their courses of study.

Q: How should the SBC promote the NYSSB?

A: The SBC must decide on methods for communicating the NYSSB program to its students, parents, faculty, and community, which may include informational meetings, parent letters, newsletters, school website, workshops, assemblies, and coverage in the local media. Information presented would contain background information on the NYSSB, NYSSB contact information, the student application process, the advisement process, and proficiency criteria.

Student Application Process **[Back to Table]**

Q: Is there a student application process?

A: Yes. Districts/schools should create an application form for students interested in applying for the NYSSB.

Q: If a school within the district does not offer a NYSSB program, can a student apply elsewhere?

A: The school should make every effort possible to make the program available to its students. If no program is available, a school can reach out to other schools within the district to let students participate in their NYSSB program.

Q: Is the NYSSB available to students with an Individualized Education Program (IEP)?

A: Yes. All accommodations listed on the student's IEP, including assessment and classroom accommodations, are applicable as the student proceeds to meet the NYSSB requirements.

Advisement [Back to Table]

Q: Should students be set up with an advisor after they apply for the NYSSB?

A: Yes. Once the committee receives a student application, the applicant must be assigned an advisor, preferably a faculty member from the same school. The advisor should go over the requirements for the program and meet regularly with the student to review progress. The advisor may require the student to keep a personal journal throughout the year that details activities relating to work being done for the NYSSB. Due to the large amount of potential student applicants for the NYSSB, the advisor may or may not be on the SSB to advise a student.

Q: Do advisors need to speak the language that the student is seeking for the NYSSB?

A: No. Although it is advised, it is not necessary for the advisor to know the language spoken by the student. The SBC can reach out to outside sources (e.g. Boards of Cooperative Educational Services [BOCES] or the Regional Bilingual Education Resource Network [RBERN]) for assistance, including community members and organizations.

Proficiency Level and Criteria [Back to Table]

Q: What is the target level of proficiency in a Language Other Than English for earning the NYSSB?

A: NYS has set the target level of proficiency at Intermediate High based on the American Council on the Teaching of Foreign Languages (ACTFL) Proficiency Guidelines, (http://www.actfl.org/publications/guidelines-and-manuals/actfl-proficiency-guidelines-2012).

Q: What are the requirements for earning the NYSSB?

A: Students must meet all requirements for graduating with a Regents diploma and also demonstrate proficiency in both English and world languages as outlined in Appendix 1 at the end of this document. A sample listing of nationally recognized Checkpoint C Examinations is also listed on Appendix 2.

Q: How will advisors keep track of the criteria that are required?

A: The SBC should document and keep on record all activities relating to a student's work with the NYSSB.

Language Assessments [Back to Table]

Q: In which languages are the Checkpoint C assessments offered?

A: See Appendix 2 for a list of languages for each examination.

Q: Are there costs associated with the Checkpoint C examinations?

A: Yes. Costs may vary. Districts should follow current procedures relating to testing costs.

Q: Does NYSED take into consideration the two levels of the International Baccalaureate (IB)?

A: Yes. The minimum score for the IB examination at the Standard Level is 5.
The minimum score for the IB examination at the Upper Level is 4.

Q: Can taking the ACTFL Oral Proficiency Interview (OPI) be enough to earn a point towards world language proficiency if that examination is not offered in the language's other modalities?

A: Yes. In the case of low-incidence languages where assessments are not offered in all four modalities, a student can take those examinations in the available modalities.

Q: Can districts use other nationally recognized Checkpoint C World Language assessments not listed on the Checkpoint C Assessments and Minimum Score Chart (Appendix 2)?

A: The assessment must be recognized as valid by the NYSED's Office of Bilingual Education and World Languages (OBEWL). Please contact the OBEWL at 518-474-8775.

Q: How should the American Sign Language Proficiency Interview (SLPI) be administered?

A: The school district should have access to people who are trained and qualified to administer the SLPI exam. They must also have the equipment to videotape the interviews. Each exam, to be properly rated, will take several hours and more than one evaluator to rate it. Preferably, the person who administers the exam is NOT the same person who evaluates it.

Essays, Projects, and Portfolios **[Back to Table]**

Q: What skills and understanding must students demonstrate in their essays?

A: According to the NYS Common Core Learning Standards for Writing, high school students should be able to communicate ideas through their writing by effectively asserting and defending claims, analyzing arguments, and conveying experiences (real or imagined). To be college and career ready writers, students must take task, purpose, and audience into careful consideration, and deliberately choose words, structures, and information. They need to know how to combine elements of different kinds of writing—for example, embedding narrative elements within an expository structure—to produce complex and nuanced writing. They need to be able to use technology strategically when creating, refining, and collaborating on writing. They have to become adept at gathering information, evaluating sources, and citing material accurately and report their findings and analysis from their research in a clear and cogent manner.
http://www.p12.nysed.gov/ciai/common_core_standards/pdfdocs/p12_common_core_learning_standards_ela.pdf

Q: What can be included in a culminating project?

A: The student will research a topic of interest and create a culminating project that showcases his/her skills, abilities and talents in the target language. The district SBC will have the flexibility to develop its own projects. As adapted from the Buffalo Public Schools Seal of Biliteracy pilot, projects may have the following components:

- Research – includes a project proposal page and a reference page citing all work in the target language.
- Reflective Journal – used to record ongoing thoughts, ideas, interactions with sources and other useful information. The district can assign a minimum number of journal entries.
- Artifacts, Data, and Evidence – includes any physical objects or artistic creations, data collected, and any visuals or presentations that are part of the project.
- Presentation – student will present, explain, defend, expose, demonstrate knowledge, and/or demonstrate understanding and command of the topic or idea to a panel of judges in the target language, whenever possible.
- Reflection Paper – a one-page reflection paper that summarizes the entire process and possible outcomes of the project in the target language.

Q: What resources are there to help with the development of essays and projects?

A: Although districts will be given flexibility with the development of projects and essays, it is recommended that they use the following standards and tools when creating their plans:

- **The NYS Common Core Learning Standard for English Language Arts** (for Grades 11 and 12 in the areas of reading, writing, listening and speaking) http://www.p12.nysed.gov/ciai/common_core_standards/pdfdocs/p12_common_core_learning standards_ela.pdf
- **The New York State Bilingual Common Core Progressions** https://www.engageny.org/resource/new-york-state-bilingual-common-core-initiative
- **The NYS Standards for Languages other than English (LOTE)** for Checkpoint C in the areas of reading, writing, listening and speaking. http://www.p12.nysed.gov/ciai/lote/lotels.html
- **ACTFL Proficiency Guidelines:** http://www.actfl.org/publications/guidelines-and-manuals/actfl-proficiency-guidelines-2012
- **NCSSFL-ACTFL Global Can-Do Benchmarks** http://www.actfl.org/global_statements

Q: What information/work should a student portfolio contain?

A: The student portfolio must contain evidence of language proficiency at the ACTFL Intermediate High level needed for earning the Seal of Biliteracy. It will include a collection of student work in all four modalities (reading, writing, listening, and speaking) and all three communication modes (interpersonal, interpretive, and presentational) http://www.actfl.org/sites/default/files/pdfs/ACTFLPerformance-Descriptors.pdf . Examples of student work include projects, problem-solving exercises, personal reflections, tests, essays, written or performed plays, videotaped interviews, Power point presentations, and travel diaries.

For help with developing portfolios, schools can refer to the NCSSFL LinguaFolio®. http://www.ncssfl.org/LinguaFolio/index.php?linguafolio_index, which is based on the European Language Portfolio (ELP) and the NCSSFL-ACTFL Can-Do Statements (http://www.actfl.org/publications/guidelines-and-manuals/ncssfl-actfl-can-do-statements , which tracks improvement and progress toward the Intermediate High level required for the NYSSB.

Evaluation [Back to Table]

Q: How will students be evaluated for the NYSSB?

A: Applicants for the NYSSB should be evaluated by a minimum of two members from the district or school SBC, following the criteria set by NYSED. The SBC will review all coursework, assessments, and other work completed by the student to ensure criteria for the Seal are met.

Q: Should students present work to the SBC?

A: Students will present all proof necessary to show they have met the criteria for earning the NYSSB. If a student is being evaluated on a portfolio, project, and/or essay assessment, a panel of judges selected by the SBC will interview the student in the chosen language to measure interpersonal and presentational skills. The SBC can choose to invite members of the community to help with the evaluation process, especially in the case of low-incidence languages. The SBC may also consult with its Regional Bilingual Education Resource Network (RBERN) to find qualified participants.

Q: What options do districts have if they cannot find local community members to participate on an interview panel?

A: Districts can work with their local Boards of Cooperative Educational Services (BOCES), Regional Bilingual Education Resource Networks (RBERNs), or other organizations to find interview panel participants. Districts may use any web-based platform available, to connect students with panel members. Districts may also choose to connect students with a panel by using a phone conferencing platform.

Q: What is the role of the interview panel?

A: The role of the interview panel is to measure the students' knowledge of the project/essay topics and/or portfolios being presented and the proficiency of the target language. Students may be asked questions regarding the presented topic, the students' process, personal feelings about the topic and other questions the panel feels necessary to measure the students' knowledge of the topic and proficiency level.

Q: If a student has an Individualized Education Program (IEP) that states that the student should be exempted from one of the four modalities (e.g. the speaking modality because of a speech impediment that is documented in their IEP, and their IEP states they should be exempted from speaking assessments), how can the SBC evaluate the student's proficiency in a language?

A: If a student's IEP states an exemption from one of the four modalities, the individual district can use its discretion in regards to the Seal. A district can put more emphasis on the other three modalities or

look at other options. As stated in the criteria, in order to earn the NYSSB, students will earn credits on a point system. The criteria within the point system include assessments, coursework, projects, essays, and portfolios, etc. Assessments are only one area of proficiency, so the district can evaluate the students' language skills through other avenues.

End-of-Year Activities

Ordering the Seal Digital Image and Reporting Data [Back to Table]

Q: How does a district order the digital image of the Seal to attach to students' diplomas?

A: To order a digital image of the diploma seal, districts will complete the Seal Image Request Form and the End of the Year Data Form developed by NYSED which will include specific data relating to students receiving the Seal of Biliteracy. NYSED will then send a digital image of the NYSSB to the district. From this digital image of the Seal, districts can create stickers, certificates, medals, etc. for the use on diplomas and for awards ceremonies. The forms can be found at: http://www.p12.nysed.gov/biling/bilinged/NewYorkStateSealofBiliteracy.html

Q: Is there a specific SIRS code that districts can include on student transcripts to indicate the earning of the NYSSB?

A: Yes. Districts will include Program Service Code **8312** on student transcripts.

Q: What specific data/ information must districts submit to NYSED at the end of the school year?

A: Districts must supply total number of graduating students qualifying for the NYSSB per school. In addition, districts will also supply other data including the number of qualifying graduates who are ELLs, Ever ELLs, and non-ELLs; the languages other than English in which students are proficient; the number of students per language; and the methods by which students qualified for the NYSSB.

Q: Is there a cost to ordering the Seal from NYSED?

A: There is no cost to the districts for ordering the digital image of the Seal. The decision of how to place the Seal on the diploma (e.g. digitally or a Seal sticker) will be left to the individual district.

Q: When must the Seal Image Request Form be submitted to NYSED?

A: It is recommended that districts send requests 2-3 weeks in advance to allow time for NYSED to process the requests and for districts to have Seals affixed to the diplomas and/or transcripts. If required information is missing, the delivery of student Seals may be delayed.

Q: Some nationally recognized exams don't release scores until after graduation. Will these students be eligible to receive the NYSSB after graduation, and how can these students be recognized at their graduation ceremony?

A: The NYSSB may be awarded after graduation once the results are known. At graduation ceremonies, districts may wish to recognize these students as "candidates for the New York State Seal of Biliteracy". Once results are obtained and a student has completed all requirements for the NYSSB, the district will affix the diploma with the Seal image provided by NYSED and add appropriate language to the transcript.

Q: When ordering the digital file of the NYSSB, should districts include students whose test scores have not yet been released?

A: Schools and districts may estimate the number of students they believe will meet eligibility requirements by graduation based on work performed and advisor/SBC recommendation, though the NYSSB is to be awarded only to those students who fully meet the eligibility requirements.

Q: Can a student be recognized for proficiency in more than one language other than English?

A: The district may award a NYSSB for each language other than English in which the student demonstrates language proficiency at the required level. The student must meet the criteria for each language.

Celebrating Accomplishments **[Back to Table]**

Q: How should schools acknowledge the accomplishment of students earning the NYSSB?

A: Although not mandatory, districts might consider developing an award (e.g., certificate, ribbon) in addition to the required designation on the diploma and transcript for all students earning the NYSSB. These awards can be distributed at a school or district reception, celebration, or special awards assembly. They can also be awarded as part of the school graduation.

Resources: Website Links **[Back to Table]**

New York State Graduation Requirements
http://www.p12.nysed.gov/part100/pages/1005.html

New York State P-12 Common Core Standards for English Language Arts and Literacy
http://www.p12.nysed.gov/ciai/common_core_standards/pdfdocs/p12_common_core_learning_standards_ela.pdf

New York State Languages other than English (LOTE) Learning Standards
http://www.p12.nysed.gov/ciai/lote/lotels.html

National Guidelines for Implementing the Seal of Biliteracy
http://www.actfl.org/sites/default/files/pdfs/SealofBiliteracyGuidelines_0.pdf

Seal of Biliteracy – Californians Together and Velázquez Press
http://sealofbiliteracy.org/

American Council on the Teaching of Foreign Languages (ACTFL)
http://www.actfl.org/about-the-american-council-the-teaching-foreign-languages

ACTFL Proficiency Guidelines 2012
http://www.actfl.org/publications/guidelines-and-manuals/actfl-proficiency-guidelines-2012

ACTFL Can-Do Statements
http://www.actfl.org/publications/guidelines-and-manuals/ncssfl-actfl-can-do-statements

ACTFL Performance Descriptors for Language Learners
http://www.actfl.org/publications/guidelines-and-manuals/actfl-performance-descriptors-language-learners

National Council of State Supervisors for Languages (NCSSFL)
http://ncssfl.org/

The New York State Bilingual Common Core Progressions
https://www.engageny.org/resource/new-york-state-bilingual-common-core-initiative

NCSSFL LinguaFolio®
http://www.ncssfl.org/LinguaFolio/index.php?linguafolio_index

Appendix 1

Earning the New York State Seal of Biliteracy

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A. Students wishing to receive the New York State (NYS) Seal of Biliteracy must complete all requirements for graduating with a NYS Regents diploma*;
B. In addition to the above minimum requirement, students wishing to receive a NYS Seal of Biliteracy must earn **three (3) points** in each of **the two (2) areas** listed below:

Criteria for Demonstrating Proficiency in **English**	Point Value	Criteria for Demonstrating Proficiency in a **World Language**	Point Value
Score 75 or higher on the NYS Comprehensive English Regents Examination or score 80 or higher on the NYS Regents Examination in English Language Arts (Common Core)* or English Language Learners (ELLs) score 75 or above on two Regents exams other than English, without translation.	**1**	Complete a Checkpoint C level World Language course, with a grade of 85 or higher, or a comparable score using another scoring system set by the district and approved by the Commissioner, for both the coursework and final examination consistent with Checkpoint C standards.	**1**
ELLs score at the Commanding level on two modalities on the New York State English as a Second Language Achievement Test (NYSESLAT).	**1**	Provide transcripts from a school in a country outside of the U.S. showing at least three years of instruction in the student's home/native language in Grade 8 or beyond, with an equivalent grade average of B or higher.	**1**
Complete all 11th and 12th grade ELA courses with an average of 85 or higher or a comparable score using another scoring system set by the district and approved by the Commissioner.	**1**	For students enrolled in a Bilingual Education program, complete all required Home Language Arts (HLA) coursework and the district HLA exam with an 85 or higher or a comparable score using another scoring system set by the district and approved by the Commissioner.	**1**
Achieve the following scores on the examinations listed below: -3 or higher on an Advanced Placement (AP) English Language or English Literature examination, or -80 or higher on the Test of English as a Foreign Language (TOEFL).	**1**	Score at a proficient level on an accredited Checkpoint C World Language assessment (See "Checkpoint C World Language Assessments and Minimum Scores" on the following page.)	**1**
Present a culminating project, scholarly essay or portfolio that meets the criteria for speaking, listening, reading, and writing established by the district's NYS Seal of Biliteracy Committee to a panel of reviewers with proficiency in English.	**2**	Present a culminating project, scholarly essay, or portfolio that meets the criteria for speaking, listening, reading, and writing established by the district's NYS Seal of Biliteracy Committee and that is aligned to the NYS Checkpoint C Learning Standards to a panel of reviewers with proficiency in the target language.	**2**

Testing accommodations recommended in an individualized education program or section 504 Accommodations Plan must be provided for all State and districtwide assessments administered to students with disabilities, as consistent with State policy. Students with disabilities should also receive these testing accommodations on Checkpoint C World Language Assessments, as permitted.

*** Students in schools with an alternate pathway for graduation approved by the Commissioner will be held to those schools' criteria.**

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Checkpoint C World Language Assessments and Minimum Scores

(based on ACTFL Intermediate High standards)

Completing one or one group of these examinations will yield one point towards the three total points necessary on the criteria point system for demonstrating world language proficiency.

ASSESSMENT	MIN SCORE
AP – Advanced Placement Examination Chinese, French, German, Italian, Japanese, Latin, Spanish, Spanish Literature	**4**
IB - International Baccalaureate	**5**
STAMP4S - Standard Based Measurement of Proficiency Arabic, Chinese (Traditional and Simplified), English, French, Hebrew, Japanese, Spanish, German, and Italian	**6**
DELE (Diplomas of Spanish as a Foreign Language) – through Cervantes Institute NYC	**B1**
AAPPL -The ACTFL Assessment of Performance toward Proficiency in Languages Arabic, Chinese, French, German, Portuguese, Russian, Spanish, and ESL	**I-5**
OPI – The ACTFL Oral Proficiency Interview Afrikaans, Akan-Twi, Albanian, Amharic, Arabic, Armenian, Azerbaijani, Baluchi, Bengali, Bosnian, Bulgarian, Burmese, Cambodian, Cantonese, Cebuano, Czech, Dari, Dutch, English, French, Ga, Georgian, German, Greek (Modern), Gujarati, Haitian, Creole, Hausa, Hebrew, Hiligaynon, Hindi, Hmong-Mong, Hungarian, Igbo, Ilocano, Indonesian, Italian, Japanese, Javanese, Kashmiri, Kazakh, Kikongo-Kongo, Korean, Krio, Kurdish, Lao, Malay, Malayalam, Mandarin, Mandingo-Bambara, Nepali, Norwegian, Pashto, Persian-Farsi, Polish, Portuguese, Punjabi, Romanian, Russian, Serbian/Croatian, Sindhi, Sinhalese, Slovak, Somali, Spanish, Swahili, Tagalog, Tajik, Tamil, Tausug, Telugu, Thai, Tigrinya, Turkish, Turkmen, Uighur, Urdu, Uzbek, Vietnamese, Wolof, Wu, and Yoruba **OPIc** - The ACTFL Oral Proficiency Interview by Computer Arabic, English, French, German, Italian*, Korean, Mandarin, Pashto, Persian, Farsi, *Portuguese, Russian and Spanish. (*Limitations apply) **WPT/BWT** – The ACTFL Writing Proficiency Test/Business Writing Test **Paper & Pen:** Albanian, Arabic, Chinese-Cantonese, Chinese-Mandarin, English, French, German, Greek, Haitian Creole, Hebrew, Hindi, Italian, Japanese, Korean, Persian, Polish, Portuguese, Russian, Serbian/Croatian, Spanish, Turkish, Urdu, and Vietnamese **-Internet:** Arabic, Chinese-Cantonese, Chinese-Mandarin, Danish, English, French, German, Greek, Hindi, Italian, Japanese, Korean, Norwegian, Polish, Portuguese, Russian, Spanish, Turkish, Vietnamese **RPT** – The ACTFL Reading Proficiency Test English, French, German, Italian, Portuguese, Russian, and Spanish **LPT** – The ACTFL Listening Proficiency Test English, French, Italian, Portuguese, Russian, Spanish, and German.	**Intermediate High** In this section, Students must take exams in all four modalities (speaking, listening, reading and writing) to qualify for Checkpoint C credit (When applicable)
ALIRA – The ACTFL Latin Interpretive Reading Assessment	**I-4**
SLPI: ASL – American Sign Language Proficiency Interview	**Intermediate Plus**

NOTE: Some exams do not give results until after June, so students/advisors may need to plan accordingly.
Other nationally recognized examinations may be used if approved by the district's NYS Seal of Biliteracy Committee

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District/School Seal of Biliteracy Notification Form

2016-2017

This form is to be used by New York State (NYS) school districts to notify the New York State Education Department (NYSED) of their intent to offer the NYS Seal of Biliteracy to students of their district/school.

District Name:			
School Name:			
BEDS Code:			
Street:			
City:		County	Zip
School Year:			
Contact Person:		Phone:	
Email:			

Districts interested in establishing a Seal of Biliteracy program must form a Seal of Biliteracy Committee (SBC) for the purpose of creating a Seal of Biliteracy plan which includes committee recruitment/composition, program details, communications, student advisement, evaluation, and presentation of awards.

Please answer the following questions as thoroughly as possible:

1. List names and titles of its members on the SBC.

NAME	TITLE

2. Describe how your district will measure student language proficiency through projects, essays and/or portfolios that are aligned to the American Council on the Teaching of Foreign Languages (ACTFL) Intermediate High proficiency level, the NYS Checkpoint C LOTE learning standards and/or the NYS ELA Common Core Learning standards.
Please include a copy of the scoring rubric(s) you will be using.

Submit this form electronically by January 10, 2017 to:

obewldocsubmit@nysed.gov

Please place the form name and district name in the email subject heading:
"Seal of Biliteracy, <*insert name of District/School*>

We recognize that committing to this process requires that we:
1. agree to the criteria set by NYSED (attachment 1) and
2. agree to deliver program data and information pertaining to the Seal of Biliteracy program to NYSED via an end of year report form.

Superintendent/Chief Administrative Officer or designee electronic signature.
By entering your name below, you are signing this form electronically. You agree that your electronic signature is the legal equivalent of your manual signature on this form.

Name: **Title:** **Date:**

Email:

Submit this form electronically to:

obewldocsubmit@nysed.gov

Please place the form name and district name in the email subject heading:
"Seal of Biliteracy, <*insert name of District/School* >

Note: NYSED reserves the right to randomly audit a district's program to verify and maintain the integrity of the NYS Seal of Biliteracy.

FOR A COPY OF THIS FORM, GO TO: http://www.p12.nysed.gov/biling/bilinged/NewYorkStateSealofBiliteracy.html

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The New York State Seal of Biliteracy

Seal Image Request Form

2016-2017

District Name:	
Address:	
City/State/Zip:	

Request Date:	
Graduation Year	

School Name	BEDS Code	Number of Students Receiving Seal
	Student Total:	

Please provide the information requested on the data spreadsheet.

Superintendent/Chief Administrative Officer or designee electronic signature.
By entering your name below, you are signing this form electronically. You agree that your electronic signature is the legal equivalent of your manual signature on this form.

Name: **Title:** **Date:**

Email:

Submit this form electronically to:

obewldocsubmit@nysed.gov

Please place the form name and district name in the email subject heading:
"Seal of Biliteracy, <*insert name of District/School*>

FOR A COPY OF THIS FORM, GO TO: http://www.p12.nysed.gov/biling/bilinged/NewYorkStateSealofBiliteracy.html

End of Year Data Form [Back to Table]

FOR A COPY OF THIS FORM, GO TO: http://www.p12.nysed.gov/biling/bilinged/NewYorkStateSealofBiliteracy.html

Please allow 2-3 weeks to process your request

Seal of Biliteracy 2016-2017

Seal Request Data Form (to be included with the Seal Digital Image Request Form)

Date:

District:

						Criteria for English Proficiency (Place X for all that apply)							Criteria for World Language Proficiency (X)				
School	**Student ID**	**Country of Origin**	ELL	Non-ELL	Ever-ELL	English Regents Exam	ELLs - two Regents exams	NYS-ESLAT	11th and 12th grade ELA course	AP English or TOEFL	Project, Essay or Portfolio	Language (LOTE) for Seal	Check point C level WL course	Home Language Arts	Foreign Transcript	Checkpoint C World Language assessment	Project, Essay, Portfolio

Press Release [Back to Table]
July 31, 2012 / Albany, NY

Governor Cuomo Signs Bill to Recognize High School Graduates Who Demonstrate Proficiency in Multiple Languages

Governor Cuomo today signed into law a bill to recognize New York State high school graduates who demonstrate academic excellence in attaining proficiency in one or more languages other than English with a state seal of biliteracy. The seal will be attached to diplomas and transcripts of graduates who excel in listening, speaking, reading, and writing in multiple languages.

New York State should recognize the outstanding achievements of our students who have dedicated themselves to learning different languages, Governor Cuomo said. Acknowledging those students who have pushed themselves to do their very best and learn another language will provide them with an advantage when dealing with future employers and academic institutions. New York is a richly diverse state and these students are doing their part to ensure that we remain an active member of the global community. I thank Senator Robach and Assemblywoman Arroyo for their hard work on this legislation.

The purpose of the seal is to increase the prospect of a student's future employment and educational success. The Commissioner of Education will award seals according to regulations developed by the Board of Regents. The bill will take effect September 1.

Senator Robach, sponsor of the bill, said, giving the proper credentials for those students who are proficient in English and a second language will be instantly recognizable as an achievement of language proficiency for both colleges and employers. Being proficient in English and a second language is a plus and we should give credit to those students for this achievement. In today's world, proficiency in both English and a second language allows our students to be better communicators both in institutions of higher learning and places of employment.

Assemblywoman Carmen E. Arroyo, sponsor of the bill, said, New York State takes pride in its tradition of ethnic, racial and linguistic diversity. The State Seal of Biliteracy recognizes the value and importance of bilingualism and will encourage the teaching and learning of languages other than English by all students in our elementary and high schools. In the spirit of bilingualism, I want to give thanks, gracias, to Speaker Sheldon Silver, and Senate Majority Dean G. Skelos for their support. A special thank you to Senator Joseph Robach for his leadership and support in the New York State Senate and all my colleagues in the New York State Assembly and Senate. And lastly un millon de gracias, to our very special Governor Andrew Cuomo for signing this important bill into law.

TO: The Honorable Members of the Board of Regents

FROM: Angelica Infante-Green

SUBJECT: Addition of section 100.5(h) of the Commissioner's Regulations, relating to the New York State Seal of Biliteracy

DATE: April 11, 2016

AUTHORIZATION(S):

SUMMARY

Issue for Decision (Consent Agenda)

Should the Board of Regents add a new subdivision (h) to section 100.5 of the Commissioner's Regulations to establish criteria (including proficiency levels and assessment options) that students must achieve to earn a Seal of Biliteracy?

Reason(s) for Consideration

Implementation of statute (Education Law §815).

Proposed Handling

This item will come before the Full Board for action at the April 2016 Regents meeting.

Procedural History

The proposed rule was discussed by the P-12 Education Committee at the January 2016 Regents meeting. A Notice of Proposed Rule Making was published in the State Register on January 27, 2016.

The proposed rule was revised to correct certain inadvertent omissions and grammatical and typographical errors. A Notice of Revised Rule Making was published in the State Register on February 10, 2016.

A copy of the proposed rule and an Assessment of Public Comment are attached. Supporting materials are available upon request from the Secretary to the Board of Regents.

Background Information

Chapter 271 of the Laws of 2012 added a new Education Law §815, effective September 1, 2012, to establish the New York State (NYS) Seal of Biliteracy to recognize high school graduates who have attained a "high level of proficiency in listening, speaking, reading, and writing in one or more languages, in addition to English". NYS is the second state to implement a Seal of Biliteracy program, after California, which established a similar program in 2012. In the first year of implementation, California awarded its seal to more than 10,000 graduating high school students who demonstrated proficiency in more than 40 different languages.

In January 2014, the Board of Regents approved a Seal of Biliteracy pilot program for implementation by the New York State Education Department (NYSED) during the 2014-15 school year. The Seal of Biliteracy pilot program afforded districts and individual schools an opportunity to develop innovative ways of measuring and creating an approved path to attaining the Seal of Biliteracy, inform statewide policy development, and share best practices. Six districts and twenty individual schools voluntarily participated in the pilot.

The NYS Seal of Biliteracy will be awarded by the Commissioner to students who meet criteria established by the Board of Regents and attend schools in districts that voluntarily agree to participate in the program. The Seal of Biliteracy will be affixed to high school diplomas and transcripts of graduating pupils attaining Seal criteria and must be made available to students at no cost.

As a result of the yearlong pilot, NYSED set the target level of proficiency to attain the Seal of Biliteracy at Intermediate High, based on the American Council on the Teaching of Foreign Languages (ACTFL) scale. Findings from the pilot indicated that students should also have the flexibility to demonstrate proficiency in English and another language using a variety of methods including formal, nationally recognized assessments, coursework, projects, essays, portfolios, and prior coursework completed in a foreign country.

Implementation

A school district interested in implementing a Seal of Biliteracy program must notify NYSED in writing through an application process. The goal of this application process is to ensure planning, responsibility, and accountability.

Districts interested in establishing a Seal of Biliteracy program must also form a Seal of Biliteracy Committee (SBC) to create a Seal of Biliteracy plan for implementation. This plan must include details concerning communications, student application process, advisement, evaluation, and presentation of awards.

The SBC must include, but is not limited to, the following personnel: a World Language teacher, an English Language Arts (ELA) teacher, an English for Speakers of Other Languages (ESOL) teacher, a guidance counselor, and an administrator. The SBC will create a timeline for all activities pertaining to Seal of Biliteracy program implementation. The SBC's responsibilities are as follows:

- Development of a student application process;
- Oversight of student advisement;
- Evaluation of students; and

- Presentation of Seal of Biliteracy awards.

In addition, at the end of the school year, participating districts will report to NYSED the number of students receiving the seal along with relevant data (e.g. languages, number of ELLs, criteria chosen).

Criteria for Awarding the NYS Seal of Biliteracy

Lessons learned from the Seal of Biliteracy pilot indicate that districts should have flexibility when assessing student language proficiency. Each district should consider its student population and available resources when developing its Seal of Biliteracy program. Although standardized exams such as the Advanced Placement exam are good measures of language proficiency, such exams can be costly. Furthermore, most nationally recognized assessments are not offered in less common, low-incidence languages. On the occasions when such assessments are available in low-incidence languages, they often only test oral proficiency. NYSED will implement a menu of criteria from which students can choose their path to biliteracy, with faculty advisement, if needed. (This menu of criteria is set forth in Attachment 1). NYSED will set minimum requirements that students will need to earn the Seal of Biliteracy, as well as a point system with a menu of choices for students to demonstrate their proficiency in English and another language to be considered by the Board of Regents.

The minimum requirements and the point system will benefit all students, including those who speak a low-incidence language. Individual districts will have the flexibility to produce their own portfolios, culminating projects, and/or scholarly essays. Culminating projects and scholarly essays can be part of a larger portfolio that districts choose as a requirement toward earning the Seal of Biliteracy.

Evaluation

Applicants for the Seal of Biliteracy will be evaluated by the district or school SBC. The SBC will look at all coursework, assessments, and other work completed by students to ensure criteria for the Seal are met. The SBC should consider interviewing students in the target language to measure language proficiency, especially when students have been working on a portfolio, project, or essay assessment.

Awarding of Seals

NYSED will create a seal to be placed on student diplomas, which will be available to districts at no cost. To order diploma seals, districts will complete a Seal Request Form developed by NYSED.

If the results of a language assessment (e.g. Advanced Placement) taken while the student is enrolled in the district are not available at the time of graduation, seals may be awarded after graduation once the results are known. Districts may recognize these students as “candidates for the Seal of Biliteracy” during graduation ceremonies.

When the Seal of Biliteracy is awarded, a seal will be affixed to the student’s diploma and language will be added in the student’s transcript regarding the Seal.

Summary of Proposed Rule

The proposed rule establishes the following criteria for the NYS Seal of Biliteracy.

The minimum requirement for students to earn a NYS Seal of Biliteracy will be to graduate with a NYS Regents diploma.

In addition, students seeking to earn a NYS Seal of Biliteracy must earn three points in each of the two areas listed below:

- Area 1: Proficiency in English
  - One point for achieving each of the items below:
    - Score 75 or higher on the NYS Comprehensive English Regents Examination, or score 80 or higher on the NYS Regents Examination in English Language Arts (Common Core), * or
      ELLs score 75 or above on two Regents exams other than English, without translation;
    - ELLs score at the Commanding level in two modalities on the New York State English as a Second Language Achievement Test (NYSESLAT);
    - Complete all 11th and 12th grade ELA courses with an average of 85 or higher or a comparable score using another scoring system set by the district and approved by the Commissioner;
    - Receive a score of 3 or higher on an Advanced Placement (AP) English Language or English Literature exam, or receive a total score of 80 or higher on the Test of English as a Foreign Language (TOEFL).

  - Two points for achieving this item:
    - Present a culminating project, scholarly essay or portfolio that meets the criteria for speaking, listening, reading, and writing established by the district's Seal of Biliteracy Committee to a panel of reviewers with proficiency in English.

- Area 2: Proficiency in a World Language
  - One point for achieving each of the items below:
    - Complete a level four "Checkpoint C" level World Language course, with a grade of 85 or higher or a comparable score using another scoring system set by the district and approved by the Commissioner for both the coursework and final examination;
    - Score at a proficient level (minimum passing scores listed below) on an accredited Checkpoint C World Language assessment, as follows:
      - **AP –** Advanced Placement Examination (minimum score 4)
      - **IB –** International Baccalaureate (minimum score 5)
      - **STAMP4S –** Standard Based Measurement of Proficiency (minimum score 6)
      - **DELE –** Diplomas of Spanish as a Foreign Language through Cervantes Institute of NYC (minimum score B1)
      - **AAPPL –** The ACTFL Assessment of Performance toward Proficiency in Languages (minimum score I-5)
      - **OPI –** The ACTFL Oral Proficiency Interview
      - **OPIc –** The ACTFL Oral Proficiency Computer Test

- **WPT/BWT –** The ACTFL Writing Proficiency Test/Business Writing Test
- **RPT –** The ACTFL Reading Proficiency Test
- **LPT –** The ACTFL Listening Proficiency Test
- ALIRA – The ACTFL Latin Interpretive Reading Assessment (minimum score I-4)
- **SLPI: ASL –** American Sign Language Proficiency Interview (minimum score intermediate plus);

▪ For students enrolled in a bilingual education program, complete all required Home Language Arts (HLA) coursework and district HLA exam with a score of 85 or higher or a comparable score using another scoring system set by the district and approved by the Commissioner;

▪ Provide transcripts from a school in a foreign country showing at least three years of instruction in the student's home/native language in Grade 8 or beyond, with equivalent grade average of B or higher.

o Two points for achieving this item:

▪ Present a culminating project, scholarly essay, or portfolio that meets the criteria for speaking, listening, reading, and writing established by the district's Seal of Biliteracy Committee and that is aligned to the NYS Checkpoint C Learning Standards to a panel of reviewers with proficiency in the target language.

Finally, the proposed rule sets forth the following unique requirements for the following specific languages:

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- **Latin and Classical Greek:** The NYS Seal of Biliteracy will be earned by assessment of interpretive reading and presentational writing, not of listening or interpersonal face-to-face communication;
- **American Sign Language (ASL)**: The NYS Seal of Biliteracy will be earned by assessment of interpersonal signed exchange, presentational signing, and demonstrating understanding of ASL (such as interpreting a signed lecture or by summarizing and responding to questions aimed at overarching understanding);
- **Native American Languages:** The NYS Seal of Biliteracy will be earned by assessment of interpersonal face-to-face communication as well as interpretive listening and presentational speaking, and writing and reading where a written code exists.

Revisions to Proposed Rule

Since publication of the Notice of Proposed Rule Making in the State Register on January 27, 2016, the proposed rule was revised to correct certain inadvertent omissions and grammatical and typographical errors as follows:

- In section 100.5(h)(4)(ii)(b)(1)(iv), relating to "Area 2: Criteria for Demonstrating Proficiency in a World Language", in the phrase "provide transcripts from a school in a foreign country showing at least three years of instruction in the student's home/native language in Grade 6 or beyond, with equivalent grade average of B or higher" the reference to "Grade 6" was changed to "Grade 8". This change was made to ensure consistency with the higher level of instruction that the proposed rule requires from students in order to demonstrate proficiency in a World Language.

- In section 100.5(h)(3)(i)(a)(1), for grammatical purposes the term “World Language teacher” has been substituted for “world language teacher.”

- In section 100.5(h)(4)(ii)(b)(1)(iii) deleted, as redundant, the word “Spanish” at the end of the phrase “DELE – Diplomas of Spanish as a Foreign Language through Cervantes Institute of NYC Spanish.”

- In addition, for purposes of grammar and clarity, commas were inserted as follows:

1. In section 100.5(h)(1), lines 8- 9, after the phrase “the value of diversity”;
2. In section 100.5(h)(2), between “Native American Languages” and “native languages”;
3. In section 100.5(h)(3)(i)(b)(2), after the phrase “but not limited to” and after “a student advisement schedule”;
4. In section 100.5(h)(4)(ii), after the phrase “listed in subparagraph (i) of this paragraph”; and
5. In section 100.5(h)(4)(ii)(a)(2), after the term “scholarly essay.”

Recommendation

Staff recommends that the Regents take the following action:

VOTED: That subdivision (h) of section 100.5 of the Regulations of the Commissioner of Education be added as submitted, effective May 4, 2016.

Timetable for Implementation

If adopted at the April Regents meeting, the proposed rule will become effective on May 4, 2016.

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 208, 209, 305, 308, 309 and 815

Subdivision (h) of section 100.5 of the Regulations of the Commissioner of Education is added, effective May 4, 2016, as follows:

(h) New York State Seal of Biliteracy.

(1) Purpose and Intent. The purpose of this subdivision is to establish requirements for earning a New York State (NYS) Seal of Biliteracy pursuant to Education Law §815. The intent of the NYS Seal of Biliteracy is to encourage the study of languages; certify attainment of biliteracy; provide employers with a method of identifying high school graduates with language and biliteracy skills; provide universities with an additional method to recognize applicants seeking admission; prepare students with twenty-first century skills; recognize the value of foreign and home language instruction in schools; and strengthen intergroup relationships, affirm the value of diversity, and honor the multiple cultures and languages of a community. The NYS Seal of Biliteracy shall be awarded by the Commissioner to students who meet the criteria of this subdivision and attend schools in school districts that are approved by the Commissioner pursuant to this subdivision to participate in the program. The NYS Seal of Biliteracy shall be affixed to high school diplomas and transcripts of graduating pupils attaining Seal criteria. No fee shall be charged to a student pursuant to this subdivision.

(2) Definitions. For purposes of this section, “foreign language” means any language other than English (LOTE) including all modern languages, Latin, American Sign Language, Native American languages, and native languages.

(3) School district requirements. School district participation in the NYS Seal of Biliteracy program is voluntary. A school district that wishes to participate in the program shall:

(i) form a Seal of Biliteracy Committee (SBC).

(a) The SBC shall include, but is not limited to, the following personnel:

(1) a World Language teacher,

(2) an English Language Arts (ELA) teacher,

(3) an English for Speakers of Other Languages (ESOL) teacher,

(4) a guidance counselor, and

(5) an administrator;

(b) The SBC shall:

(1) create a Seal of Biliteracy plan that includes, but is not limited to, details concerning committee recruitment and composition, communications, student advisement, evaluation, and presentation of awards;

(2) create a timeline for all activities pertaining to the Seal of Biliteracy program including, but not limited to, communications, a student advisement schedule, and dates for important benchmarks throughout the program year;

(3) develop a student application process, including an application form to be completed by interested students and returned to the SBC;

(4) provide for the assignment of an advisor to each student accepted into the program to review program requirements and meet regularly with the student to review the student's progress; and

(5) review and evaluate all coursework, assessments, and other work completed by each student to ensure criteria for the seal are met.

(ii) submit an application to the Commissioner, in a form and by a date prescribed by the Commissioner, for approval for the school district to participate in the program. Such application shall include a narrative that describes how the district will implement the NYS Seal of Biliteracy program, including plans for program communications, processes pertaining to student application, advisement and evaluation, and timelines and benchmarks for the program.

(iii) Participating school districts shall maintain appropriate records in order to identify students who have earned a NYS Seal of Biliteracy. At the end of each school year in which a school district participates in the program, the school district shall submit a report to the

Commissioner, in a form and by a date prescribed by the Commissioner, that includes the number of students receiving the Seal along with relevant data including, but not limited to, the types of languages, number of English Language Learner (ELL) students, and the criteria chosen under subparagraphs (ii) and (iii) of paragraph (4) of this subdivision.

(4) Student requirements.

(i) Minimum requirement. Students who wish to receive the NYS Seal of Biliteracy shall complete all requirements for graduating with a Regents diploma (however, students in schools with an alternate pathway for graduation approved by the Commissioner will be held to those schools' criteria);

(ii) Additional requirements. Except as provided in subparagraph (iii) of this paragraph, in addition to the minimum requirement listed in subparagraph (i) of this paragraph, students shall earn at least three points in each of the two areas listed below:

(a) Area 1: Criteria for Demonstrating Proficiency in English.

(1) Students shall earn one point per item for achieving the following items:

(i) Score 75 or higher on the NYS Comprehensive English Regents Examination, or score 80 or higher on the NYS Regents Examination in English Language Arts (Common Core) (however, students in schools with an alternate pathway for graduation approved by the Commissioner will be held to those schools' criteria), or English Language Learners (ELLs) score 75 or above on two Regents exams other than English, without translation;

(ii) ELLs score at the Commanding level in two modalities on the New York State English as a Second Language Achievement Test (NYSESLAT);

(iii) complete all 11th and 12th grade ELA courses with an average of 85 or higher, or a comparable score using another scoring system set by the district and approved by the Commissioner; and

(iv) receive a score of 3 or higher on an Advanced Placement English Language or English Literature exam, or receive a total score of 80 or higher on the Test of English as a Foreign Language (TOEFL).

(2) Students shall earn two points for achieving the following item: present a culminating project, scholarly essay, or portfolio that meets the criteria for speaking, listening, reading, and writing established by the school district's SBC to a panel of reviewers with proficiency in English.

(b) Area 2: Criteria for Demonstrating Proficiency in a World Language.

(1) Students shall earn one point per item for achieving the following items:

(i) complete a level four Checkpoint C World Language course, with a grade of 85 or higher, or a comparable score using another scoring system set by the district and approved by the Commissioner, for both the coursework and final examination consistent with Checkpoint C Learning Standards;

(ii) for students enrolled in a bilingual education program, complete all required Home Language Arts (HLA) coursework and the district HLA exam with an 85 or higher, or a comparable score using another scoring system set by the district and approved by the Commissioner;

(iii) score at a proficient level on one or one group, as applicable, of the following accredited Checkpoint C World Language assessments:

AP – Advanced Placement Examination (minimum score 4)

IB – International Baccalaureate (minimum score 5)

STAMP4S – Standard Based Measurement of Proficiency (minimum score 6)

DELE – Diplomas of Spanish as a Foreign Language through Cervantes Institute of NYC (minimum score B1)

AAPPL – The ACTFL Assessment of Performance toward Proficiency in Languages (minimum score I-5)

OPI – The ACTFL Oral Proficiency Interview (minimum score Intermediate High)

OPIc – The ACTFL Oral Proficiency Computer Test (minimum score Intermediate High)

WPT/BWT – The ACTFL Writing Proficiency Test/Business Writing Test (minimum score Intermediate High)

RPT – The ACTFL Reading Proficiency Test (minimum score Intermediate High)

LPT – The ACTFL Listening Proficiency Test (minimum score Intermediate High)

ALIRA – The ACTFL Latin Interpretive Reading Assessment (minimum score I-4)

SLPI: ASL – American Sign Language Proficiency Interview (minimum score intermediate plus); and

(iv) provide transcripts from a school in a foreign country showing at least three years of instruction in the student's home/native language in Grade 8 or beyond, with equivalent grade average of B or higher .

(2) Students shall earn two points for achieving this item: present a culminating project, scholarly essay, or portfolio that meets the criteria for speaking, listening, reading, and writing established by the district's SBC and that is aligned to the NYS Checkpoint C Learning Standards to a panel selected by the SBC consisting of at least one SBC member and at least two reviewers who are proficient in the target language.

(iii) Unique Requirements for Specific Languages: Special allowances may be necessary to accommodate the unique characteristics of certain languages. In cases where language assessments across all three modes of communication (interpersonal, interpretive and presentational) may not be appropriate or available, school districts may substitute a different assessment that meets the intent of the NYS Seal of Biliteracy. Students seeking the Seal through languages not characterized by the use of listening, speaking, reading, or for which there is not a writing system, shall demonstrate the expected level of proficiency on an assessment of the modalities that characterize communication in that language, consistent with the recommendations in the "Guidelines for Implementing the Seal of Biliteracy" of the American

Council on the Teaching of Foreign Languages (ACTFL), the National Association for Bilingual Education (NABE), the National Council of State Supervisors for Languages (NCSSFL) and TESOL International Association.

(a) Latin and Classical Greek: The NYS Seal of Biliteracy shall be earned by assessment of interpretive reading and presentational writing, not of listening or interpersonal face-to-face communication.

(b) American Sign Language (ASL): The NYS Seal of Biliteracy shall be earned by assessment of interpersonal signed exchange, presentational signing, and demonstrating understanding of ASL (such as interpreting a signed lecture or by summarizing and responding to questions aimed at overarching understanding).

(c) Native American Languages: The NYS Seal of Biliteracy shall be earned by assessment of interpersonal face-to-face communication as well as interpretive listening and presentational speaking, and writing and reading where a written code exists.

Attachment 1

Earning the New York State Seal of Biliteracy

A. Students wishing to receive the New York State (NYS) Seal of Biliteracy must complete all requirements for graduating with a NYS Regents diploma*;
B. In addition to the above minimum requirement, students wishing to receive a NYS Seal of Biliteracy must earn **three (3) points** in each of **the two (2) areas** listed below:

Criteria for Demonstrating Proficiency in English	Point Value	Criteria for Demonstrating Proficiency in a World Language	Point Value
Score 75 or higher on the NYS Comprehensive English Regents Examination or score 80, or higher on the NYS Regents Examination in English Language Arts (Common Core)* or English Language Learners (ELLs) score 75 or above on two Regents exams other than English, without translation.	1	Complete a Checkpoint C level World Language course, with a grade of 85 or higher, or a comparable score using another scoring system set by the district and approved by the Commissioner, for both the coursework and final examination consistent with Checkpoint C standards.	1
ELLs score at the Commanding level on two modalities on the New York State English as a Second Language Achievement Test (NYSESLAT).	1	Provide transcripts from a school in a foreign country showing at least three years of instruction in the student's home/native language in Grade 8 or beyond, with an equivalent grade average of B or higher.	1
Complete all 11th and 12th grade ELA courses with an average of 85 or higher or a comparable score using another scoring system set by the district and approved by the Commissioner.	1	For students enrolled in a bilingual education program, complete all required Home Language Arts (HLA) coursework and the district HLA exam with an 85 or higher, or a comparable score using another scoring system set by the district and approved by the Commissioner.	1
Achieve the following scores on the examinations listed below: -3 or higher on an Advanced Placement (AP) English Language or English Literature examination, or -80 or higher on the Test of English as a Foreign Language (TOEFL).	1	Score at a proficient level on an accredited Checkpoint C World Language assessment (See "Checkpoint C World Language Assessments and Minimum Scores" on the following page.)	1
Present a culminating project, scholarly essay or portfolio that meets the criteria for speaking, listening, reading, and writing established by the district's Seal of Biliteracy Committee to a panel of reviewers with proficiency in English.	2	Present a culminating project, scholarly essay, or portfolio that meets the criteria for speaking, listening, reading, and writing established by the district's Seal of Biliteracy Committee and that is aligned to the NYS Checkpoint C Learning Standards to a panel of reviewers with proficiency in the target language.	2

Testing accommodations recommended in an individualized education program or section 504 Accommodations Plan must be provided for all State and districtwide assessments administered to students with disabilities, as consistent with State policy. Students with disabilities should also receive these testing accommodations on Checkpoint C World Language Assessments, as permitted.

*** Students in schools with an alternate pathway for graduation approved by the Commissioner will be held to those schools' criteria.**

Checkpoint C World Language Assessments and Minimum Scores
(based on ACTFL Intermediate High standards)

Completing one or one group of these examinations will yield one point towards the three total points necessary on the criteria point system for demonstrating world language proficiency.

ASSESSMENT	MIN SCORE
AP – Advanced Placement Examination	4
IB - International Baccalaureate	5
STAMP4S - Standard Based Measurement of Proficiency	6
DELE (Diplomas of Spanish as a Foreign Language) – through Cervantes Institute of NYC	B1
AAPPL -The ACTFL Assessment of Performance toward Proficiency in Languages	I-5
OPI – The ACTFL Oral Proficiency Interview **OPIc** - The ACTFL Oral Proficiency Interview by Computer **WPT/BWT** – The ACTFL Writing Proficiency Test/Business Writing Test **RPT** – The ACTFL Reading Proficiency Test **LPT -** The ACTFL Listening Proficiency Test .	Intermediate High In this section, students should take exams in as many modalities (speaking, listening, reading and writing) ***as available*** to qualify for Checkpoint C credit.
ALIRA - The ACTFL Latin Interpretive Reading Assessment	I-4
SLPI: ASL – American Sign Language Proficiency Interview	Intermediate Plus

<u>NOTE</u>: Some exams do not give results until after June. Students and advisors may need to plan accordingly.

8 NYCRR §100.5(h)

ASSESSMENT OF PUBLIC COMMENT

Since publication of a Notice of Proposed Rule Making in the State Register on March 14, 2016 and a Notice of Revised Rule Making in the State Register on March 11, 2016, the State Education Department received the following comments:

1. COMMENT:

Comments reflected strong support for the Seal of Biliteracy, for recognizing the achievement of high school graduates who obtain high levels of proficiency in multiple languages, encouraging school districts to recognize bilingualism as an asset, and acknowledging the diversity of student strengths by implementing a point system which allows students to demonstrate proficiency through a variety of methods.

DEPARTMENT RESPONSE:

No response is necessary as the comment is supportive.

2. COMMENT:

In order to recognize the rigorous work completed by students in College Now, early college and dual enrollment programs, Seal of Biliteracy criteria should award one point toward the English proficiency requirement for the completion of a college-English composition course with a passing grade.

DEPARTMENT RESPONSE:

Under the proposed regulations, the Seal of Biliteracy criteria awards one point for scoring a 3 or above on the Advanced Placement (AP) English examination which tests students' skills at the college level. However, the Department will take the comment's recommendation under consideration for a possible future rulemaking.

3. COMMENT:

In order to recognize the rigorous work completed by students in College Now, early college and dual enrollment programs, Seal of Biliteracy criteria should award one point toward

the world language proficiency requirement by completing a college literature course in a language other than English with a passing grade.

DEPARTMENT RESPONSE:

The Seal of Biliteracy awards one point towards demonstration of world language proficiency to students who complete a Checkpoint C level World Language course. A college literature course in a language other than English would be considered a Checkpoint C level language course. A student would be required to receive a grade of 85 or higher or comparable score using another scoring system set by the district and approved by the Commissioner, for both the coursework and final examination consistent with Checkpoint C standards.

4. COMMENT:

The Seal of Biliteracy should set forth unique requirements for all low incidence languages that may not have a written code, similar to the unique requirements proposed for Native American languages.

DEPARTMENT RESPONSE:

The Department acknowledges that low incidence languages may be difficult to assess for proficiency. As stated in the proposed regulations, “special allowances may be necessary to accommodate the unique characteristics of certain languages. In cases where language assessments across all three modes of communication (interpersonal, interpretive and presentational) may not be appropriate or available, school districts may substitute a different assessment that meets the intent of the NYS Seal of Biliteracy”. Under this special allowance, students seeking the Seal of Biliteracy in languages not characterized by the use of listening, speaking, reading, or for which there is no writing system, will demonstrate proficiency on an assessment of modalities that characterize communication in such languages.

5. COMMENT:

One point toward the world language proficiency requirement should be awarded to students who earn a 3 on the AP World Language exam. Under the proposed regulations, a 4 or

above on the AP World Language exam is required to earn a point. Most universities accept a 3 or higher on the AP World Language exam as a criteria of admission and to award credit. Also, only a 3 or above is required on the AP English exam to earn a point for English proficiency under the proposed regulations.

DEPARTMENT RESPONSE:

Although colleges and universities may award credit for scoring a 3 on an AP World Language examination, a score of 4 or higher on the AP World Language examination is required for students to demonstrate proficiency at the Intermediate High level (according to the proficiency guidelines established by the American Council on the Teaching of Foreign Languages). By contrast, a score of 3 or higher on the Advanced Placement English examination meets the Intermediate High level for English proficiency.

6. COMMENT:

Commenter recommends that the Department provide students with financial assistance to take the exams required to earn points toward the Seal of Biliteracy.

DEPARTMENT RESPONSE:

Examinations are not required to attain the New York State Seal of Biliteracy. If a student elects to take an examination, financial assistance may be determined at the district level.

7. COMMENT:

The Seal of Biliteracy should create additional opportunities for English Language Learners (ELLs)/ Multilingual Learners (MLLs) to demonstrate proficiency in a broader array of languages. Many students have high levels of proficiency in languages not currently widely available for study, and thus have limited opportunity to demonstrate such proficiency. This challenge is exacerbated by the fact that many such students may not have transcripts from their home countries.

DEPARTMENT RESPONSE:

The Department will take this recommendation under consideration for possible future creation of additional avenues for ELLs/MLLS and other students to demonstrate proficiency in a broader array of languages.

8. COMMENT:

Three of the four languages most widely available for study in New York State schools (French, German, Italian, and Spanish) are not those languages most commonly spoken by ELLs/MLLs. This disadvantages ELLs/MLLs in the ability to obtain the Seal of Biliteracy. Therefore, opportunities to study those languages most frequently spoken by New York's ELLs/MLLs - Spanish, Chinese, Arabic, Bengali, and Haitian Creole – must be expanded, as well as the over 200 languages spoken by New York's ELLs/MLLs. These opportunities may be created via bilingual programs at all levels, as well as home language and literature classes at the secondary level.

DEPARTMENT RESPONSE:

The Department agrees that language programs are essential to the education of all students and is committed to supporting and expanding bilingual education in New York State schools. Through the flexibility of the Seal of Biliteracy criteria, students who speak languages not commonly taught in New York State schools still have the opportunity to earn the Seal through a variety of avenues. The Department will also continue to work with districts to expand opportunities to study the full array of languages spoken by New York's ELLs/MLLs.

9. COMMENT:

To expand opportunities for students who speak low incidence languages and languages for which there is no written code, it is necessary to innovate sound multilingual programs focused on those languages. In so doing, the expertise of English for Speakers of Other Languages (ESOL) teachers currently working with students speaking such languages must be leveraged.

DEPARTMENT RESPONSE:

The Department will take this recommendation under consideration for possible future expansion of multilingual programs in low incidence languages and for which there is no written code.

10. COMMENT:

ESOL certified teachers, like bilingual teachers, can contribute in unique ways to achieve positive outcomes for ELLs/MLLs in the development of multilingual skills and resources. This connection must be clarified and emphasized.

DEPARTMENT RESPONSE:

If the proposed regulations are approved by the Board of Regents, the Department will take this recommendation into consideration for future guidance documents.

11. COMMENT:

Comment desires clarification whether a district must first obtain approval from the Department before granting the Seal of Biliteracy.

DEPARTMENT RESPONSE:

A district must complete a form available from the Office of Bilingual Education and World Languages to notify the Department of its intent to establish a Seal of Biliteracy program. Additionally, in order to award the Seal of Biliteracy, a district must complete an end-of-year form which will include relevant data regarding its program and its student recipients.

12. COMMENT:

Comment desires clarification whether 12th grade students in the 2015-16 school year are eligible for the Seal of Biliteracy.

DEPARTMENT RESPONSE:

If the proposed regulations are passed, students who graduate in 2016 who meet the requirements set forth therein are eligible for the Seal of Biliteracy.

13. COMMENT:

Comment desires clarification whether it is permissible for districts to form a Seal of Biliteracy committee prior to passage of the proposed regulations.

DEPARTMENT RESPONSE:

It is permissible for districts to form a Seal of Biliteracy Committee in advance of the proposed regulation's passage, provided that their activities conform to the parameters set forth in the proposed regulations.

Glossary of Terms [Back to Table]

Term	Definition
AAPPL	The ACTFL Assessment of Performance toward Proficiency in Languages (AAPPL) is an assessment that addresses the *World-Readiness Standards for Learning Languages* and uses today's communication media in which test takers perform tasks such as participating in a virtual video chat, creating wikis, e-mailing, and using apps to demonstrate language ability. The AAPPL assesses interpersonal listening and speaking, presentational writing, and interpretive reading and listening. http://aappl.actfl.org/
ACTFL	The American Council on the Teaching of Foreign Languages (ACTFL) is dedicated to the improvement and expansion of the teaching and learning of all languages at all levels of instruction. ACTFL is an individual membership organization of more than 12,500 language educators and administrators from elementary through graduate education, as well as government and industry. http://www.actfl.org/about-the-american-council-the-teaching-foreign-languages
ALIRA	The ACTFL Latin Interpretive Reading Assessment (ALIRA) is a computer-adaptive assessment of Latin students' ability to read for comprehension a variety of Latin-language texts that typify those used in an instructional setting. One or two multiple-choice questions accompany each text and gather evidence of understanding of main ideas, supporting details, point-of-view, inferences, or text purpose. It is administered by Language Testing International. http://www.languagetesting.com/alira-the-actfl-latin-interpretive-reading-assessment.
AP	**A**dvanced **P**lacement (AP) is a program created by the College Board which offers college-level curricula and examinations to high school students. American colleges and universities often grant placement and course credit to students who obtain high scores on the examinations.https://professionals.collegeboard.com/testing/ap
ASL	**A**merican **S**ign **L**anguage (ASL) is a complete, complex language that employs signs made by moving the hands combined with facial expressions and postures of the body. It is the used primarily by members of the North American deaf community or hard-of-hearing. In New York State, ASL is considered a world language.
Checkpoint C	Checkpoint C study of languages other than English represents at least one year of additional study beyond Checkpoint B and the locally developed Checkpoint B Comprehensive Examination in a language other than English. http://www.p12.nysed.gov/ciai/lote/pub/lotelea.pdf.
College Board	This is a mission-driven, not-for-profit organization that helps students for a successful transition to college through programs and services in college readiness and college success – including the SAT and the Advanced Placement Program. https://www.collegeboard.org/.
DELE	The *DELE*, granted by Instituto Cervantes on behalf of the Spanish Ministry of Education is an official and international accreditation of a person's degree of proficiency in Spanish. http://nyork.cervantes.es/en/classes_spanish/students_spanish/diplomas_information_spanish.htm
ELA	**E**nglish **L**anguage **A**rts

ELL	English Language Learner is a student who speaks or understands a language other than English and who scores below a State designated level of proficiency on the NYSITELL or the NYSESLAT.
ENL	**E**nglish as a **N**ew **l**anguage
IB	Founded in 1968, the **I**nternational **B**accalaureate is a non-profit, educational foundation offering four highly respected programs of international education that develop the intellectual, personal, emotional, and social skills needed to live, learn, and work in a rapidly globalizing world. www.ibo.org/en/.
LinguaFolio®	LinguaFolio® is a learner-directed portfolio assessment instrument designed to support individuals in setting and achieving their goals for learning languages. http://www.ncssfl.org/LinguaFolio/index.php?linguafolio_index
LOTE	**L**anguage **o**ther **t**han **E**nglish.
LPT	The ACTFL **L**istening **P**roficiency **T**est is a standardized, computer-delivered test for the global assessment of listening ability in a language. The test measures how well a person understands spoken discourse. It is administered by Language Testing International. http://www.languagetesting.com/listening-proficiency-test-lpt
NCSSFL	National Council of State Supervisors or Languages http://ncssfl.org/
NYSESLAT	The New York State English as a Second Language Achievement Test is an assessment designed to annually measure the English language proficiency of all ELLs enrolled in grades K-12. It is one component of the State's compliance with Federal laws that mandate annually assessing and monitoring the English Language proficiency progress of all ELLs. http://www.p12.nysed.gov/assessment/nyseslat/
OPI	The ACTFL Oral Proficiency Interview (OPI) is a valid and reliable means of assessing how well a person speaks a language. It is a 20-30 minute face-to-face or telephone interview between a certified ACTFL tester and an examinee. It is administered by Language Testing International. http://www.languagetesting.com/oral-proficiency-interview-opi-2
OPIc	ACTFL Oral Proficiency Interview–Computer (OPIc) is an internet delivered test which provides valid and reliable oral proficiency testing on a large scale. The computer delivered assessment emulates the 'live' OPI, but delivery of questions is through a carefully designed computer program, and via a virtual avatar. The test can be taken on-demand, and at a time convenient to the candidate and proctor. It is administered by Language Testing International. http://www.languagetesting.com/oral-proficiency-interview-computer-opic
Proficiency	The ability of an individual to perform in an acquired language in terms of speaking, writing, listening, and reading in real-world situations in a spontaneous and non-rehearsed context.
RPT	The ACTFL **R**eading **P**roficiency **T**est is a standardized, computer-delivered test that measures how well a person spontaneously reads a language when presented with texts

	and tasks . It is administered by Language Testing International. http://www.languagetesting.com/reading-proficiency-test-rpt
SLPI -ASL	**(**American) **S**ign **L**anguage **P**roficiency **I**nterview is a holistic language evaluation used to determine global ASL proficiency. The basic precept in this type of evaluation is to determine, through a face-to-face interview, what an individual can do with the target language at a given point in time. The ASLPI is a 20–25 minute video recorded interactive dialogue between the examinee and the interviewer. https://www.rit.edu/ntid/slpi/ l
STAMP4S	The Avant STAMP (**STA**ndards-based **M**easurement of **P**roficiency) **4S** assessment measures proficiency in Reading, Writing, Listening and Speaking in nine languages with content appropriate for middle school through university students. Avant STAMP 4S assessments are web-based and computer-adaptive, with real-world questions that test level-appropriate topics and content that engages students. http://avantassessment.com/stamp4s.html
TOEFL	The Test of English as a Foreign Language is a standardized test to measure the English language ability of non-native speakers wishing to enroll in American universities. The test is accepted by many English-speaking academic and professional institutions. http://www.ets.org/toefl
World languages	The term World Languages is used to differentiate English from languages other than English (LOTE).
WPT	The ACTFL **W**riting **P**roficiency **T**est is a standardized test for the global assessment of functional writing ability in a language. Students must respond in writing to four or five prompts. It is administered by Language Testing International. http://www.languagetesting.com/writing-proficiency-test

Additional Questions?

Please send questions or comments to the Office of Bilingual Education and World Languages.
OBEFLS@nysed.gov
OR
The Regional Bilingual Education Resource Network (RBERN) (link:
http://www.p12.nysed.gov/biling/bilinged/betac.html)

Long Island RBERN at Eastern Suffolk BOCES
http://www.esboces.org/Page/505

RBERN West at Erie I BOCES
http://www.e1b.org/TrainingWorkshops/BilingualEducationESL.aspx

Hudson Valley RBERN at SW BOCES
http://www.hudsonvalleyrbern.org/

Mid-West RBERN at Monroe 2 – Orleans BOCES
http://www.monroe2boces.org/professionalDev.cfm?subpage=2262

Mid-State RBERN at OCM BOCES
http://www.ocmboces.org/betac

Capital District RBERN at Questar III BOCES
http://rbern.org/

NYS Language RBERN at New York University
http://steinhardt.nyu.edu/metrocenter/center/technical_assistance/program/language_rbern/

NYC Regional RBERN at Fordham University
http://www.fordham.edu/info/21065/nysnyc_regional_bilingual_education_resource_network