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I N   S E N A T E

May 31, 2012

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Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to a state seal of biliteracy

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Legislative intent. (a) It is the intent of the legislature  
2     to encourage excellence for all pupils, and the legislature wishes to  
3     publicly recognize pupils for exemplary achievements in academic  
4     studies.  
5     (b) The study of languages other than English in elementary and  
6     secondary schools should be encouraged because it contributes to a  
7     pupil's cognitive development and to our national economy and security.  
8     (c) Proficiency in multiple languages is critical in enabling New York  
9     to participate effectively in a global political, social, and economic  
10    context, and in expanding trade with other countries.  
11    (d) The demand for employees to be fluent in more than one language is  
12    increasing both in New York and throughout the world.  
13    (e) The benefits to employers in having staff fluent in more than one  
14    language are clear: access to an expanded market, allowing business  
15    owners to better serve their customers' needs, and the sparking of new  
16    marketing ideas that better target a particular audience and open a  
17    channel of communication with customers.  
18    (f) It is the intent of the legislature to promote linguistic proficiency  
19    and cultural literacy in one or more languages in addition to  
20    English and to provide recognition of the attainment of those needed and  
21    important skills through the establishment of the state seal of biliteracy.  
22    A state seal of biliteracy would be affixed on the high school  
23    diplomas and transcripts of graduating pupils attaining proficiency in  
24    one or more languages in addition to English.  
25    S 2. The education law is amended by adding a new section 815 to read  
26    as follows:  
27    S 815. STATE SEAL OF BILITERACY. 1. (A) THE STATE SEAL OF BILITERACY  
28    IS ESTABLISHED TO RECOGNIZE HIGH SCHOOL GRADUATES WHO HAVE ATTAINED A

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [ ] is old law to be omitted.

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HIGH LEVEL OF PROFICIENCY IN LISTENING, SPEAKING, READING, AND WRITING IN ONE OR MORE LANGUAGES IN ADDITION TO ENGLISH. THE STATE SEAL OF BILITERACY SHALL BE AWARDED BY THE COMMISSIONER. SCHOOL DISTRICT PARTICIPATION IN THIS PROGRAM IS VOLUNTARY.

(B) THE PURPOSES OF THE STATE SEAL OF BILITERACY ARE AS FOLLOWS:

(1) TO ENCOURAGE PUPILS TO STUDY LANGUAGES.

(2) TO CERTIFY ATTAINMENT OF BILITERACY.

(3) TO PROVIDE EMPLOYERS WITH A METHOD OF IDENTIFYING PEOPLE WITH LANGUAGE AND BILITERACY SKILLS.

(4) TO PROVIDE UNIVERSITIES WITH AN ADDITIONAL METHOD TO RECOGNIZE APPLICANTS SEEKING ADMISSION.

(5) TO PREPARE PUPILS WITH TWENTY-FIRST CENTURY SKILLS.

(6) TO RECOGNIZE THE VALUE OF FOREIGN LANGUAGE AND NATIVE LANGUAGE INSTRUCTION IN PUBLIC SCHOOLS. FOR THE PURPOSE 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.

(7) TO STRENGTHEN INTERGROUP RELATIONSHIPS, AFFIRM THE VALUE OF DIVERSITY, AND HONOR THE MULTIPLE CULTURES AND LANGUAGES OF A COMMUNITY.

2. (A) THE STATE SEAL OF BILITERACY CERTIFIES ATTAINMENT OF A HIGH LEVEL OF PROFICIENCY BY A GRADUATING HIGH SCHOOL PUPIL IN ONE OR MORE LANGUAGES, IN ADDITION TO ENGLISH, AND CERTIFIES THAT THE GRADUATE MEETS ALL OF THE FOLLOWING CRITERIA:

(1) PASSING THE NEW YORK STATE REGENTS EXAMINATION OR ITS EQUIVALENT IN ENGLISH LANGUAGE ARTS ADMINISTERED IN GRADE ELEVEN OR ABOVE.

(2) COMPLETION OF ALL ENGLISH LANGUAGE ARTS REQUIREMENTS OR ITS EQUIVALENT FOR GRADUATION.

(3) PROFICIENCY IN ONE OR MORE LANGUAGES OTHER THAN ENGLISH, DEMONSTRATED THROUGH ONE OF THE FOLLOWING METHODS:

(A) PASSING A FOREIGN LANGUAGE ADVANCED PLACEMENT EXAMINATION IN A LANGUAGE OTHER THAN ENGLISH (LOTE) OR AN INTERNATIONAL BACCALAUREATE EXAMINATION.

(B) SUCCESSFUL COMPLETION OF AT LEAST FOUR UNITS OF STUDY IN A LANGUAGE OTHER THAN ENGLISH (LOTE).

(C) PASSING A THIRD PARTY AND DISTRICT, REGIONAL OR BOCES DEVELOPED ASSESSMENT FOR GROWTH AND LOCALLY SELECTED ASSESSMENT, IF NO ADVANCED PLACEMENT OR OTHER SUCH COMPARABLE TEST EXISTS. THE SCHOOL DISTRICT MUST CERTIFY TO THE COMMISSIONER THAT SUCH AN ASSESSMENT, AT A MINIMUM, MEETS THE RIGOR OF A THREE YEAR SEQUENCE OF HIGH SCHOOL COURSE OF STUDY IN THAT LANGUAGE OTHER THAN ENGLISH AND THAT PASSING, AT A MINIMUM, ASSESSES LISTENING, SPEAKING, READING AND WRITING IN A LANGUAGE OTHER THAN ENGLISH. SAID TEST SHALL BE APPROVED BY THE COMMISSIONER.

(D) PASSING THE ADVANCED PLACEMENT EXAMINATION IN LANGUAGES OTHER THAN ENGLISH WITH A SCORE OF FOUR OR HIGHER OR PASSING THE SAT II: SUBJECT TESTS IN LANGUAGES OTHER THAN ENGLISH WITH A SCORE OF SIX HUNDRED OR HIGHER.

(B) FOR LANGUAGES IN WHICH AN ADVANCED PLACEMENT TEST IS NOT AVAILABLE, THE COMMISSIONER MAY PROVIDE A LISTING OF EQUIVALENT SUMMATIVE ASSESSMENTS THAT SCHOOL DISTRICTS MAY USE IN PLACE OF AN ADVANCED PLACEMENT ASSESSMENT FOR PURPOSES OF CLAUSE (A) OF SUBPARAGRAPH THREE OF PARAGRAPH (A) OF THIS SUBDIVISION. A SCHOOL DISTRICT MAY PROVIDE THE COMMISSIONER WITH A LIST OF EQUIVALENT SUMMATIVE ASSESSMENTS THAT THE DISTRICT USES IN PLACE OF AN ADVANCED PLACEMENT TEST FOR PURPOSES OF CLAUSE (A) OF SUBPARAGRAPH THREE OF PARAGRAPH (A) OF THIS SUBDIVISION. THE COMMISSIONER MAY USE LISTS RECEIVED FROM SCHOOL DISTRICTS IN DEVELOPING HIS OR HER LIST OF EQUIVALENT SUMMATIVE ASSESSMENTS.

1 (C) FOR PURPOSES OF THIS SECTION, FOREIGN LANGUAGE MEANS ANY LANGUAGE  
2 OTHER THAN ENGLISH (LOTE) INCLUDING ALL MODERN LANGUAGES, LATIN, AMERI-  
3 CAN SIGN LANGUAGE, NATIVE AMERICAN LANGUAGES AND NATIVE LANGUAGES.

4 3. THE COMMISSIONER SHALL DO BOTH OF THE FOLLOWING:

5 (A) PREPARE AND DELIVER TO PARTICIPATING SCHOOL DISTRICTS AN APPROPRI-  
6 ATE INSIGNIA TO BE AFFIXED TO THE DIPLOMA AND TRANSCRIPT OF THE PUPIL  
7 INDICATING THAT THE PUPIL HAS BEEN AWARDED A STATE SEAL OF BILITERACY BY  
8 THE COMMISSIONER.

9 (B) PROVIDE OTHER INFORMATION HE OR SHE DEEMS NECESSARY FOR SCHOOL  
10 DISTRICTS TO SUCCESSFULLY PARTICIPATE IN THE PROGRAM.

11 4. A SCHOOL DISTRICT THAT PARTICIPATES IN THE PROGRAM UNDER THIS  
12 SECTION SHALL DO BOTH OF THE FOLLOWING:

13 (A) MAINTAIN APPROPRIATE RECORDS IN ORDER TO IDENTIFY PUPILS WHO HAVE  
14 EARNED A STATE SEAL OF BILITERACY.

15 (B) AFFIX THE APPROPRIATE INSIGNIA TO THE DIPLOMA AND TRANSCRIPT OF  
16 EACH PUPIL WHO EARNS A STATE SEAL OF BILITERACY.

17 5. NO FEE SHALL BE CHARGED TO A PUPIL PURSUANT TO THIS SECTION.

18 S 3. This act shall take effect on the first of September next  
19 succeeding the date on which it shall have become a law.