

New York State Education Department

Languages Other Than English (LOTE)

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Frequently Asked Questions

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## Levels of Achievement

Checkpoint A The study of languages other than English at the beginning of the LOTE curriculum and representing the first level of student proficiency in a LOTE

Checkpoint B The study of languages other than English representing the second level of student proficiency in a LOTE in New York State

Checkpoint C The study of languages representing at least one year of additional study beyond Checkpoint B and the locally developed Checkpoint B Comprehensive Examination in a language other than English

[For more information on LOTE checkpoints](#)

<http://www.nysed.gov/common/nysed/files/programs/world-languages/lotelea.pdf>

## Related Documents

Note: The documents below contain language prior to 2010 when the Checkpoint A Proficiency and Checkpoint B Regents examinations were developed by New York State (NYS). Today, both Checkpoint A and B examinations are

## Unit of Diploma Credit:

The unit of diploma credit can be earned by any one of the following:

- a. Successfully completing two units of study and passing a locally developed examination aligned to the Checkpoint A Learning Standards prior to grade 9 ([8 NYCRR § 100.2\(d\)\(5\)](#))
- b. Passing a yearlong grade 8 accelerated program of study and passing a locally developed examination that is aligned to the Checkpoint A Learning Standards ([8 NYCRR § 100.2\(d\)\(1\)](#))
- c. Successful completion of a bilingual education program in any grade 9-12 ([Freeborne Memo, 1987](#))
- d. Demonstrated mastery of learning outcomes as set forth in a New York State developed or locally developed syllabus for a given high school course of study in a CTE student has had the opportunity to complete a unit of study in grades 9-12 ([8 NYCRR § 100.1\(b\)](#))

Note: Once a student enters<sup>th</sup>9

## Commonly Asked Questions and Answers

[Click on a topic to follow the link](#)

- I. LOTE Instruction
- II. Graduation Requirements
- III. Students with Disabilities
- IV. Common Middle School Programs
- V. Course of Study
- VI. Transfer Students
- VII. Credit by Examination (Challenge)
- VIII. Locally Developed Tests
- IX. 4+1 Pathway to Graduation
- X. Special Situations

### [I. LOTE Instruction](#) [\[Top\]](#)

1. Are the State administered Checkpoint A Second Language Proficiency Examinations and Checkpoint B Comprehensive Regents Examinations still available?

No. All Checkpoint A Second Language Proficiency Examinations and Checkpoint B Comprehensive Regents Examinations, including the January and June examination administrations, have been eliminated. However, you can access all [archived Proficiency and Regents examinations](#)

- x In addition to the successful completion of the unit(s) of study in LOTE successfully complete a five (5) credit sequence in Career and Technical education ;
- x In addition to the successful completion of the unit(s) of study in LOTE successfully complete a five (5) credit sequence in the Arts (dance, music, theatre, visual arts).

### III. Students with Disabilities [Top](#)

#### 5. Do all students have to meet the LOTE requirements?

Yes. All students must meet the one credit of LOTE requirement to earn a diploma. A student with a disability may be exempted from such requirements if the student's Committee on Special Education (CSE) has determined that the student's disability adversely affects his or her ability to learn a language and has recommended on the student's Individualized Education Program (IEP) that the student be exempted from LOTE requirement.

For more information on LOTE for students with disabilities

<https://www.nysed.gov/specialeducation/guidequality-individualizededucationprogramiep-developmentandimplementation>

#### 6. Can a student with a disability who is exempted from the LOTE requirements still earn a local, Regents or Regents diploma with advanced designation?



15. What happens if a student successfully completes the LOTE(s) of study, but fails the locally developed Checkpoint A examination in grade 8 or earlier

The student may attempt to pass a subsequent locally developed Checkpoint A examination in order to earn one (1) unit of credit to satisfy the LOTE

requirements, or a student with a disability declassified while in grades 12 and whose last IEP prior to declassification included a LOTE exemption, may be exempted from this requirement.

## 21. Can the one (1) unit of diploma credit requirement in a LOTE diploma be met with two or more languages?

Yes. However, in order to earn a unit of diploma credit in LOTE required for graduation, students must still demonstrate competency/proficiency in the target language and culture as defined in the learning outcomes for Level 1 in a single language and culture, based on the New York State's syllabi, including the Modern Language for Communication, American Sign Language for Communication, Latin for the 21<sup>st</sup> Century, and the State's Learning Standards in LOTE for Checkpoint A.

## 22. Can a student take an independent study course in a LOTE receive units of credit towards a diploma?

No. Credit for independent study may be awarded for elective courses only, and shall not be awarded for courses required for the Regents diploma; <http://www.p12.nysed.gov/part100/pages/1005.html#d9>

## VI. Transfer Students [Top](#)

### 23. What provisions are there for a transfer student?

A student who transfers into the New York State public school system is required to meet the one (1) unit of credit requirement in LOTE for a diploma.

- x A student who transfers to a New York State school prior to grade 9 should begin LOTE instruction no later than grade 8 so that they can meet the 2 unit study requirement by the end of grade 9. In order to earn the one (1) unit of diploma credit in LOTE required for graduation prior to grade 9, s/he must successfully complete two (2) units of study (or pass an accelerated grade 8 program of study) and pass a locally developed proficiency examination that is aligned to the Checkpoint A Learning Standards
- x A student who transfers at the high school level must successfully complete a commencement level, yearlong Level 1 high school course of study in a single LOTE in order to earn the one (1) unit of diploma credit required for graduation. No Checkpoint A level examination is required after 8<sup>th</sup> grade.
- x If a transfer student successfully completed two units of study prior to grade 9, but failed an exam, s/he may be eligible for a LOTE exemption. See Section 100.5 (3)(b)(ii)(v)-4.3



25. If a high school student is placed in an advanced level of LOTE because s/he speaks the language at home, must s/he still earn 3 units of credit to meet the LOTE requirements for a Regents Diploma with Advanced Designation?

Regardless of where a student is placed in LOTE instruction, in order to receive the Regents with Advanced Designation using a LOTE sequence, the student would still need to earn three units of credit in a LOTE subject and pass a locally developed comprehensive Checkpoint B level examination.

### VII. Credit By Examination [Top](#)

26. Will students be allowed to earn unit(s) of credit through Credit by Examination (i.e., "challenging") either the locally developed comprehensive Checkpoint A or Checkpoint B examinations?

No. Since the locally developed LOTE examination is not a "State developed" or a "State approved" assessment (8 NYCRR § 100.5[d][1][iii]), earning unit(s) of diploma credit through Credit by Examination is not possible.

### VIII. Locally Developed Tests [Top](#)

27. How should the locally developed Checkpoint A and Checkpoint B examinations be developed?

Districts/schools have the option to join other schools in a consortium to develop Checkpoint A and B examinations; they can design their own as a school or district, or adopt a vendor-made assessment.

The locally developed Checkpoint A Second Language Proficiency Examination and the Checkpoint B Comprehensive Examination in a LOTE should:

- reflect the content and format of the previously available State developed Checkpoint A and Checkpoint B examinations
- assess speaking, listening, reading, and writing using a format that is as rigorous as the previously available State developed Checkpoint A and Checkpoint B examinations

29. Is it possible to provide "makeup" locally-developed Checkpoint A or Checkpoint B examinations at any time in the course of the school year?

Yes. This is permissible as long as the students involved have met the eligibility requirement(s), including unit(s) of study. However, if a school or district is part of an examination consortium, in order to maintain testing integrity, it is important to consult

36. Can an English Language Learner use this +1 option even if their native language is the subject of the examination? For example; can native Spanish speakers take the LOTE pathway assessment in Spanish and meet a +1 pathway assessment requirement?

The LOTE pathway examinations are available to all students.

37. Do all students including native language speakers have to complete 3 units of LOTE credit in order to have access to the pathway examination?



