

**New York State Education Department**

**Languages Other Than English (LOTE)**

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**Frequently Asked Questions**

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**Office of Bilingual Education and World Languages**

## 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 language 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 developed locally by districts/schools and must be aligned to the NYS Learning Standards for LOTE.

[New York State Learning Standards for LOTE](#)

[New York State Syllabus: Modern Language for Communication](#)

[Languages Other Than English: Resource Guides](#)

[American Sign Language for Communication](#)

[Languages Other Than English: Latin for the 21st Century](#)

## Unit of Study

[A unit of study](#) is defined as at least 180 minutes of instruction per week throughout the school year, or the equivalent. (8 NYCRR § 100.1[a])

## 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 that is 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 § 100.4\[d\]\[1-2\]](#));
- c. Successful completion of a bilingual education program in any grade 8-12 (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 LOTE after a 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 9<sup>th</sup> grade, a Checkpoint A examination is no longer necessary to earn a unit of credit. The only requirement is the successful completion of a unit of study anytime during grades 9-12.
- e. Transfer credit for work done at other educational and cultural institutions ([8 NYCRR § 100.5\[d\]\[5\]](#));
- f. Independent study ([8 NYCRR § 100.5\[d\]\[9\]](#));  
**Note:** "Credit for independent study may be awarded for *elective courses only*, and shall not be awarded for the one required credit necessary for the Regents diploma". (See section "v" under "Credit for Independent Study")
- g. Online and blended courses ([8 NYCRR § 100.5\[d\]\[10\]](#));
- h. Transfer credit for work done through study abroad ([8 NYCRR § 100.5 \[f\]](#));
- i. Documented school attendance and residence in an "other than English-speaking" environment (Freeborne Memo, 1987) ; or
- j. Making up an incomplete or failed course credit and demonstrating mastery of the learning outcomes in LOTE through, but not limited to, repeating an entire course, a summer school program, receiving intensive instruction in the deficiency area or digital learning (online study) ([8 NYCRR § 100.5\[d\]\[8\]](#)).

## LOTE Graduation Requirements:

**Regents Diploma:** Students shall earn at least one unit of credit in a language other than English in order to complete the language other than English requirement for the Regents diploma ([8 NYCRR § 100.5\[b\]\[7\]\[iv\]\[g\]](#)). Students identified as having a disability may be excused from the one unit of credit in LOTE if so indicated on their Individual Education Program (IEP) but must still earn 22 units of credit to graduate.

**Regents Diploma with Advanced Designation:** Students choosing a LOTE sequence to meet the Advanced Designation requirements shall earn two additional units in a language other than English for a total of three units and pass the locally developed Comprehensive examination in that language which is aligned to the Checkpoint B Learning Standards for languages other than English ([8 NYCRR § 100.5\[b\]\[7\]\[v\]\[c\]](#)). Students identified as having a disability may be excused from the LOTE credit requirement if so indicated on their Individual Education Program (IEP) but must still earn 22 units of credit to graduate.

## 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](#) available on the OBEWL-World Languages website. (<http://www.nysed.gov/world-languages/teachers/assessments-and-data>)

#### **2. What is the requirement for instruction in a LOTE prior to high school?**

Students must successfully complete two units of study in a language other than English at some time during grades K-9. As such, school districts shall commence LOTE instruction no later than the beginning of grade 8 so that students are provided with the required two units of study by the end of grade 9.

### II. Graduation Requirements [\[Top\]](#)

#### **3. What is the LOTE requirement for a high school diploma?**

Students shall earn at least one unit of credit in a language other than English (LOTE) in order to complete the requirement for a diploma.

#### **4. What are the sequence requirements for the Regents diploma with an advanced designation?**

Students must complete one of the following:

- In addition to the successful completion of the unit(s) of study in a LOTE for the one unit of credit, a student must successfully complete two (2) additional units of study in a language other than English for a total of three (3) units of study, and pass a locally developed comprehensive examination that is aligned to the Checkpoint B Learning Standards for LOTE; **or**

- 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 ; **or**
- 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 students' Individualized Education Program (IEP) that the student be exempted from the LOTE requirement.

[For more information on LOTE for students with disabilities:](#)

(<http://www.p12.nysed.gov/specialed/publications/iepguidance/participate.htm>)

#### **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?**

Yes. A student with a disability who has been exempted from the LOTE requirements for graduation need not earn a credit in a language other than English, but he or she must meet the total number of credits required for a diploma. The one (1) unit of credit in LOTE normally required for a diploma must be replaced by another high school elective credit. Students identified as having a disability who are exempt from LOTE per their IEP are not required to complete a sequence in the Arts or CTE in order to meet the sequence requirements for a Regents Diploma with Advanced Designation.

#### **7. If a student with a disability is declassified, will the student's LOTE exemption continue upon declassification?**

If a student is declassified while in grades 9 through 12, and the student's last IEP prior to declassification indicated that the student was exempted from the LOTE requirement, his or her LOTE exemption will continue upon declassification. If a student is declassified prior to grade 9, he or she will need to meet the LOTE requirements.

### **IV. Common Middle School Programs** [\[Top\]](#)

#### **8. What are the most common Middle School Programs for LOTE?**

The most common Middle School Programs for LOTE are:

- Two full years of study (grades 7 and 8) which are equivalent to two units of study, culminating in a locally developed proficiency examination that is aligned to the Checkpoint A LOTE Learning Standards at the end of grade 8;
- One (1) accelerated unit of study (in grade 8) and passing a locally developed comprehensive examination that is aligned to the Checkpoint A Learning Standards at the end of grade 8.

## **9. Will a student earn a unit of diploma credit if he or she completes one of the above programs at the middle school level?**

Yes. If a student successfully completes either of the two programs described in question 8, one unit of diploma credit will be awarded.

## **10. What is an accelerated 8<sup>th</sup> grade course of study?**

Students may have the opportunity to take an accelerated LOTE course of study in grade 8 based on their readiness to complete high school coursework. Credit may be awarded for an accelerated LOTE course only when the student passes both the course and the locally developed proficiency examination aligned to the Checkpoint A learning standards for LOTE. <http://www.p12.nysed.gov/part100/pages/1004.html#d>

## **V. Course of Study [\[Top\]](#)**

### **11. Will any course of study in a LOTE meet the one (1) unit of diploma credit requirement?**

No. It must be a high school level or higher course that is aligned with New York State's syllabi, including the *Modern Language for Communication*, *American Sign Language for Communication*, and *Latin for the 21<sup>st</sup> Century*, as well as the appropriate NYS [Learning Standards for LOTE](#) (Checkpoint A, Checkpoint B, or Checkpoint C). (<http://www.nysed.gov/world-languages/schools/standards-and-guidelines>)

### **12. Must a student who can demonstrate a high level of proficiency or competency in a LOTE take a level one high school course of study in that language in order to satisfy the one (1) unit of credit requirement?**

No. A student that can demonstrate a high level of proficiency or competency in a LOTE should take a high school course of study that is commensurate with his or her current level of proficiency or competency in that language. In addition, the student may also undertake a high school course of study in another LOTE based on his or her interests, college, and/or career needs beginning at Level 1.

### **13. What happens if a student does not successfully complete the two (2) units of study (or year-long accelerated 8<sup>th</sup> grade course of study) and does not pass the locally developed comprehensive examination in grade 8 or earlier?**

The student will be required to successfully complete a year-long course of study at the high school level that is aligned to the Checkpoint A Learning Standards in order to satisfy the one (1) unit of credit requirement for a diploma. Once in the high school, the student is no longer required to pass a Checkpoint A level examination in order to be granted diploma credit.

### **14. What happens if a student does not successfully complete one (1) of the two (2) units of study (for example: passes 7<sup>th</sup> grade course but fails 8<sup>th</sup> grade course)?**

The student must successfully complete the coursework and pass the Checkpoint A examination in order to be granted diploma credit. The district may design a makeup program to address a student's course deficiencies for any failed units of study.

**15. What happens if a student successfully completes the LOTE unit(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 requirement for a diploma. If the student continues to be unsuccessful, he or she must take and pass a commencement level, year-long high school course of study in grades 9-12 in order to earn the required unit of credit in LOTE for graduation.

**NOTE:** Once a student enters 9<sup>th</sup> grade, a Checkpoint A level examination is no longer required to grant a diploma credit. The only requirement is the successful completion of a year-long LOTE course to earn the one unit of credit.

**16. May a student be placed in a Level 2 course of study in a LOTE if he or she has not earned the initial one (1) unit of credit for the Level 1 Checkpoint A course of study?**

Yes. The student can be placed in a Level 2 course of study in a LOTE on the recommendation(s) of relevant faculty and/or administrator(s).

**17. A student successfully completes the necessary unit(s) of study before grade 9 but does not pass the locally developed Checkpoint A examination and does not earn a unit of credit. May the student attempt the Checkpoint A examination in order to recoup the level 1 (Checkpoint A) credit at a later date, even after finishing Level 2?**

Yes. A student who was unable to pass the Checkpoint A examination **and** who successfully completed the required units of study prior to grade 9, may retake the examination at district discretion any time in the future and be granted 1 unit of credit for level 1 (Checkpoint A) LOTE.

**18. If a student does not earn the one (1) unit of credit in a LOTE by the end of grade 9, is this student now exempt from fulfilling this requirement for the Regents diploma?**

No. The student must take and pass a commencement level, yearlong high school course of study in a LOTE in order to earn the one (1) unit of diploma credit to meet the LOTE requirement for a diploma.

**19. Can a unit of study be reduced for the student who needs Academic Intervention Services (AIS), but who is not LOTE-exempt, as evidenced in his or her IEP?**

Yes. The requirement for two (2) units of study prior to the end of grade 9 may be reduced, but not eliminated, for the student requiring AIS in grades 7 and/or 8. However, this does not mean that such a student is exempted from the one (1) unit of credit requirement in a LOTE for a high school diploma. AIS "shall be provided in a manner that does not diminish instructional time to a degree that may prevent a student from achieving the State learning standards in [LOTE] for graduation" ([8 NYCRR § 100.4\[c\]\[5\]\[ii\]](#)).

**20. Is the student who is pursuing the five-unit sequence in the Arts or Career and Technical Education exempted from the one (1) unit of diploma credit in a LOTE required for a diploma?**

No. The student who is pursuing the five-unit sequence in the Arts or Career and Technical Education to meet the requirements of the Regents diploma with an advanced designation must still earn the one (1) unit of diploma credit in LOTE. Only a student with a disability and whose IEP indicates that he or she is exempted from the LOTE

requirements, or a student with a disability declassified while in grades 9-12 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 for the 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*, and *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 and 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.

- A student who transfers into 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 units of 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.
- 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.
- If a transfer student successfully completed two units of study prior to grade 9 but failed or never took the locally developed Checkpoint A examination, the new school can administer the examination. If the student passes the local examination, the district can award the unit of LOTE credit.

### **24. If a student transfers from another district after having earned one credit in a LOTE and the school does not offer the same language, may the student complete the remaining units of LOTE credit required for a Regents diploma with advanced designation in another language?**

Only a student transferring between high schools in grade 11 or 12 may be exempt from the second language requirements of three units of credit in one second language, for a Regents diploma with advanced designation. Additional information for transfer students: <http://www.p12.nysed.gov/part100/pages/1005.html#transCredit>



## **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][ii]), 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 level 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 assessments;
- assess speaking, listening, reading, and writing using a format that is as rigorous as the previously available State-developed Checkpoint A and Checkpoint B assessment;
- align with the State's Checkpoint A and Checkpoint B Learning Standards for LOTE respectively; and
- reflect the learning outcomes of the State's syllabi, including the Modern Language for Communication, American Sign Language for Communication, and Latin for the 21st Century.

[Samples of NYS Proficiency and Regents examinations](http://www.nysed.gov/world-languages/teachers/assessments-and-data) are available as a reference on the OBEWL site. (<http://www.nysed.gov/world-languages/teachers/assessments-and-data>)

## **28. If a student needs to be administered a Checkpoint B level examination in a LOTE not offered at a school/district, where can one be found?**

Since the Checkpoint B level exam is locally developed, schools/districts may create their own exam, check with surrounding schools for exams, work within the community or translator to produce an examination or adopt a vendor-made assessment that is aligned to the NYS LOTE learning standards.

## **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 with the other member schools or districts first on the time and day and the form of the locally developed examination being used. It is also advisable to provide different forms of the tests.

## **30. Where can I find copies of former New York State Proficiency and Regents exams?**

[Former NYS Checkpoint A \(Second Language Proficiency\) and Checkpoint B \(Regents\) examinations](#) for multiple languages can be found on the [OBEWL website](#).

## **IX. 4+1 Pathway to Graduation [\[Top\]](#)**

### **31. When was LOTE approved as part of the +1 pathway assessments that a student may use for graduation?**

The LOTE pathway was approved at the January 2015 Board of Regents meeting (see [board item](#), [supplemental presentation](#), and [field memo](#)).

### **32. Is the approval process of LOTE assessments different than Career and Technical Education (CTE) or Arts pathway assessments?**

LOTE goes through the same approval process as Arts and CTE assessments. Please click on this [link](#) for a description of the application process.

### **33. Which LOTE exams have been approved by the commissioner as a +1 pathway to graduation?**

Currently, the approved LOTE exams are the Spanish comprehensive Exam from New York City, and the Chinese, French, Italian, and Spanish Checkpoint B exams from Oneida-Herkimer-Madison (OHM) BOCES. The assessments can be found on the Listing of Department Approved LOTE Assessments, which is posted at <http://www.p12.nysed.gov/ciai/multiple-pathways/>. Any assessments that are not on this list have not been approved as a +1 pathway.

### **34. Who is eligible to use the approved LOTE assessments for the 4+1 pathway?**

All of the exams on the list are available to all students in the state. Any questions about obtaining the assessments should be directed to the exam developers. Contact information is provided on the [Listing of Department Approved LOTE Assessments](#).

### **35. What is the process of acquiring the approved assessments?**

Districts that are interested in using the assessments that appear on the Listing of Department Approved LOTE Assessments may reach out to the contact person listed for each assessment.

**36. Can an English Language Learners 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?**

All students must complete at least 1 credit in a LOTE subject for graduation unless exempted on their IEP from taking a foreign language. The approved LOTE pathway examinations were designed to be given after the student has achieved the checkpoint B level of the LOTE standards; typically 3 units of credit. It is up to the school district to determine when the student is prepared to be successful on the examination. In the case of native language speakers, they may or may not benefit from LOTE instruction in the subject to prepare for the examination. This is a local decision.

**38. Will this option boost graduation rates for English Language Learners?**

Offering students options to complete the graduation requirements in a variety of ways allows them to pursue areas of interest as well as benefit from skills and abilities they possess and would like to build upon. We hope that this and other pathways will boost graduation rates for all students

**39. When will the approved assessments be available to students?**

The assessments may be used as a LOTE pathway beginning immediately.

**40. When will NYSED bring back state-created foreign language Regents exams?**

The Board of Regents (BOR) and the Department continue to be committed towards the goal of reinstating the LOTE Regents assessments. The creation of these assessments remains a budget priority as demonstrated by the BOR Legislative budget priorities. Please see this [link](#) for a press release detailing the Board's support of reinstating LOTE Regents Exams.

**41. What is the cost of each exam to the district?**

The developer of the test determines the cost for each exam. The contact person from the [Listing of Department Approved LOTE Assessments](#) should be able to provide that information.

**42. How does this affect the requirements for an advanced Regents diploma and the use of other checkpoint B assessments?**

Districts may still use their locally developed Checkpoint B examinations for the purpose of meeting requirements for the advanced designation diploma. However, locally developed LOTE examinations may not be used as a +1 pathway assessment toward meeting the Regents or local diploma requirements. The State approved +1 LOTE pathway assessments may be used for both purposes.

### **43. What is the format of the assessments that have been approved?**

The assessments that are on the [Listing of Department Approved LOTE Assessments](#) each have a Speaking, Listening, Reading, and Writing component. A description of each test can be found in the column next to the name of the approved assessment.

### **44. How can I view sample test materials?**

Questions regarding access to sample test materials must be directed to the test developer. Contact people for each test are provided on the [Listing of Department Approved LOTE Assessments](#).

### **45. Do students who took and passed an approved assessment in previous years need to retake the assessment this year in order to have it count as a +1 pathway?**

The +1 pathway to graduation may only be awarded using an assessment that is available to all students across New York State. None of these assessments were available statewide prior to NYSED's approval; as a result, only students who take the assessment after it has been approved by the State may use it as a pathway assessment for graduation.

### **46. Can the LOTE+1 pathway assessments be used towards the State Seal of Biliteracy?**

Presently, the five exams approved for the LOTE +1 pathway have not been approved to award points toward the State Seal of Biliteracy. NYSED is working to update Commissioner's Regulation 100.5(h) to address this.

### **47. Our district uses an assessment that we would like to be considered as a LOTE +1 pathway assessment. How do we have the assessment approved?**

The New York State Education Department is currently accepting applications for Pathways (i.e., "+1 option") assessments in LOTE. Assessments must meet a number of criteria for rigor, validity, and reliability. Please note that Pathway assessments must be developed by an entity other than a local school or school district. Specific information about this process and the requirements can be found in the [Application Process for Assessment Review](#).

## **X. Special Situations [\[Top\]](#)**

### **48. Can students be awarded unit(s) of diploma credit in LOTE for participation in bilingual education programs?**

Yes. Students may be awarded up to five (5) units of credit in LOTE, one (1) unit of credit for each year of successful completion in a bilingual education program, Native Language Arts program, or Heritage Language program in grades 8-12.

### **49. Can students be awarded unit(s) of credit for residing in a bilingual or monolingual household where a language other than English is spoken?**

No. These students, however, could be placed in a Heritage Language class or Native Language Arts class to earn unit(s) of diploma credit in LOTE.

**50. Can students earn unit(s) of credit in a LOTE based on documented residence and school attendance in an "other-than-English-speaking" environment?**

Yes. Schools may award up to 3 units of credit for each year of documented school attendance and residence in an "other than English-speaking" environment, provided that the experience occurred at age 10 or older and that the residence resulted in direct contact with that environment, its language and people. No more than a total of 5 LOTE credits may be awarded for school attendance and residence in an "other than English-speaking" environment, regardless of the length of the experience.

NOTE: Although the students can receive units of credit, they are still required to take a locally developed comprehensive Checkpoint B examination in order to meet the requirements for a Regents diploma with advanced designation through world language study.

**51. If a student earns credits for residence and schooling in a foreign country, does s/he have to take a locally developed comprehensive Checkpoint A or B examination?**

If the student wishes to use the LOTE sequence in order to meet the requirements for a Regents diploma with advanced designation, the student must pass a locally developed Checkpoint B examination.

**52. If a student spent time in a foreign country over the summer, can units of credit be given towards satisfying the LOTE requirement for Checkpoint A or B?**

No. The student needs to be enrolled in an "other than English-speaking" school/program in order to receive LOTE credit. ([8 NYCRR § 100.5\[d\]\[5\]](#))

**53. Are English Language Learners (ELLs) exempt from taking a LOTE?**

No. The only exemptions are for those students, identified with a language learning disability as evidenced in their IEPs. ELLs may earn units of diploma credit in LOTE through Residence and School Attendance; Native Language Arts courses; participation in bilingual education programs and courses in a LOTE.

**For further information, please contact the Office of Bilingual Education and World Languages (OBEWL) at [obewl@nysed.gov](mailto:obewl@nysed.gov) or call 518-474-8775.**

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