# Proposed Amendments to Regulations on State Seal of Biliteracy, 603 CMR 31.04

**For consideration and initial action by the Board of Elementary and Secondary Education: October 28, 2025**

**Period of public comment: through December 5, 2025**

**Final action by the Board of Elementary and Secondary Education anticipated: January 27, 2026**

The proposed amendments relate to the criteria for the State Seal of Biliteracy. In accordance with the Administrative Procedure Act, M.G.L. c. 30A, § 3, the Board of Elementary and Secondary Education invites written comments on the proposed amendments to these regulations. Following the period of public comment, the Board is expected to vote on the regulations in final form at its regular meeting in January 2026.

The proposed amendments to the regulations are indicated below by underscore (new language) and ~~strikethrough~~ (deleted language).The full current text of 603 CMR 31.04 is available on the Department of Elementary and Secondary Education website at <http://www.doe.mass.edu/lawsregs/603cmr31.html>.

31.04: Criteria for the State Seal of Biliteracy

(1) School District Participation in the State Seal of Biliteracy Program.

(a) School districts may award the State Seal of Biliteracy to students who meet the academic criteria listed in 603 CMR 31.04(2).

(b) A school district participating in the State Seal of Biliteracy program shall provide annual written notification to parents or legal guardians of all students enrolled in the district about the State Seal of Biliteracy program, its purposes, and eligibility requirements, in a language that the parent or legal guardian can understand.

(c) A school district that awards the State Seal of Biliteracy shall affix the unaltered state insignia developed by the Department on the ~~diploma or the~~ transcript~~, or both~~ of students who meet the requirements listed in 603 CMR 31.04(2).

(2) Criteria. To qualify for the State Seal of Biliteracy, a student must meet all graduation requirements and the criteria listed in 603 CMR 31.04(2)(a) and (b).

(a) Demonstrate a high level of proficiency in English by satisfying one of the following:

* 1. ~~The English Language Arts requirement of the Competency Determination described in 603 CMR 30.03(2)(a); or~~
  2. ~~The English Language Arts requirement of the Competency Determination described in 603 CMR 30.03(3)(a); or~~
  3. ~~The English Language Arts requirement of the Competency Determination described in 603 CMR 30.03(4)(a); or~~
  4. ~~Students who are required to complete an Educational Proficiency Plan pursuant to 603 CMR 30.03(2)(b), 30.03(3)(b), or 30.03(4)(b)\_to satisfy the requirements of the Competency Determination must attain a minimum score or level on a nationally recognized and readily available English proficiency assessment approved by the Department. The Commissioner shall determine the minimum score or level, which shall be comparable to the minimum scaled score on the grade 10 English Language Arts MCAS required to satisfy the requirements of the Competency Determination under 603 CMR 30.03(2)(a), 30.03(3)(a), and 30.03(4)(a).~~

1. Attaining a score of Meeting Expectations or Exceeding Expectations on the grade 10 English Language Arts MCAS; or
2. Attaining a score of Partially Meeting Expectations on the grade 10 English Language Arts MCAS and meeting English language proficiency standards on the WIDA ACCESS assessment taken during high school; or
3. Attaining a minimum score or level on a nationally recognized and readily available assessment approved by the Department that measures proficiency in English. The Commissioner shall determine the minimum score or level, which shall be aligned to the score of Meeting Expectations or Exceeding Expectations on the grade 10 English Language Arts MCAS or higher education standards for awarding advanced credit.

(b) Demonstrate a high level of proficiency in a ~~foreign~~ language other than English through one of the following:

1. Attaining a minimum score or level on a nationally recognized and readily available assessment approved by the Department and taken during or after grade 8 that measures literacy in a language other than English. The Commissioner shall determine the minimum score or level, which shall be aligned to higher education standards for awarding advanced credit by examination and ACTFL Proficiency Guidelines~~.~~; or
2. An alternative evidence method established by the Department in guidance.

(3) The Department shall annually publish a list of approved assessments and acceptable minimum scores or levels for purposes of 603 CMR 31.04(2)(a), and 603 CMR 31.04(2)(b)1.

(4) The Department shall establish levels of distinction for the State Seal of Biliteracy in guidance.

(5) School districts must ensure that low-income students as described in M.G.L. c. 70, § 2 have access to any assessment required to qualify for the State Seal of Biliteracy at no cost.

(6) Implementation and Reporting.

(a) A school district that awards the State Seal of Biliteracy shall maintain a record of all students who have earned the seal and the assessment results used to substantiate the student's biliteracy.

(b) Each school district shall report annually to the Department the names of all students who earned the State Seal of Biliteracy.