



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

**TO:** The Honorable the Members of the Board of Regents

**FROM:** Kimberly Young Wilkins

**SUBJECT:** Proposed Amendment to Section 100.5 of the Regulations of the Commissioner of Education Relating to the Civic Readiness Pathway to Graduation and the New York State Seal of Civic Readiness

**DATE:** September 2, 2021

**AUTHORIZATION(S):**

## SUMMARY

### Issue for Decision (Consent)

Should the Board of Regents adopt the amendment of section 100.5 of the Regulations of the Commissioner of Education relating to the Civic Readiness Pathway to Graduation and the New York State Seal of Civic Readiness?

### Reason(s) for Consideration

Review of Policy.

### Proposed Handling

The proposed amendment is submitted to the Full Board for adoption as a permanent rule at its September 2021 meeting. A copy of the proposed rule is attached (Attachment A).

### Procedural History

The proposed amendment was presented to the P-12 Education Committee for discussion at its May 2021 meeting. A Notice of Proposed Rule Making was published in the State Register on May 26, 2021 for a 60-day public comment period. Following publication in the State Register, the Department received comments on the proposed amendment. An Assessment of Public Comment is included as Attachment B. No changes to the proposed amendment are recommended at this time. Supporting materials are available upon request from the Secretary to the Board of Regents.

## **Background Information**

In January 2018, the NYS Board of Regents adopted the Every Student Succeeds Act (ESSA). The ESSA plan reflects the Board's commitment to educational equity. The ESSA plan states that the mission of the Board of Regents is to provide positive learning environments so that every student is prepared for college, career, and citizenship. The NYSED ESSA plan purposefully includes Civic Readiness in measures of school accountability, school quality, and student success. Providing robust K-12 instruction and experiential learning in civics is central to the New York State Education Department's (NYSED or Department) ESSA plan.

Our nation's public schools were founded to develop citizens with knowledge about the rights and responsibilities of self-government. Civic-ready students use civic knowledge, skills, and mindsets to make decisions and take actions for themselves, their communities, and the public good as members of a culturally diverse, democratic society. Schools, therefore, provide students meaningful opportunities to develop specific civic knowledge, skills, and mindsets, and to participate in authentic actions and experiences that are necessary for them to function as productive civic participants within their schools, communities, states, our country, and the world.

The Department is committed to empowering the civic agency of students and promoting student civic readiness as part of their prekindergarten-grade 12 education. NYSED understands that the standards we seek our children to attain can only be fully achieved by incorporating a diversity, equity, and inclusion lens in every facet of our work. This understanding has created an urgency around promoting equitable opportunities that help all children thrive. By promoting civic readiness in schools, our goal is to develop students' abilities across lines of difference and elevate historically marginalized voices. Through civic readiness students gain the skills necessary to achieve their personal goals, including financial literacy to enable them to attend to their own needs and thus enabling them to become positive agents of social change.

Subsequently, in 2018, the Department established a Civic Readiness Task Force (Task Force) charged with making recommendations that included, but were not limited to, defining "civic readiness" and considering such initiatives as a State Seal of Civic Readiness, and a Civics Capstone Project. The 33 members of the Task Force include teachers, curriculum specialists, school administrators, college professors, and representatives of civic organizations of diverse backgrounds from all parts of the State. The group met in person in plenary sessions with representatives of the Department through 2019 and continue to meet within both a large group and in smaller subcommittees with NYSED representatives.

In January 2020, the Civic Readiness Task Force presented [recommendations](#) to the Board of Regents. These recommendations included a definition of Civic Readiness, a Civics Capstone Project, and the Seal of Civic Readiness.

### The Seal of Civic Readiness:

The proposed Seal of Civic Readiness, modeled on the existing Seal of Biliteracy, is a formal recognition that a student has attained a high level of proficiency in terms of civic knowledge, civic skills, civic mindset, and civic experiences. The Seal of Civic Readiness distinction on a high school transcript and diploma:

- Shows the student's understanding of a commitment to participatory government; civic responsibility and civic values;
- Demonstrates to universities, colleges, and future employers that the student has completed an action project in civics or social justice; and
- Recognizes the value of civic engagement and scholarship.

In order to obtain the Seal of Civic Readiness, a student must complete all requirements for a New York State local or Regents diploma and earn a specified number of points, to be outlined in guidance issued by the Department, in two areas: Civic Knowledge and Civic Participation.

- Civic Knowledge: Students may demonstrate proficiency in civic knowledge by earning credit in Social Studies courses, receiving a passing or mastery score on a Social Studies Regents Exam, or completing a civic readiness research project.
- Civic Participation: Students may demonstrate proficiency in civic participation by completing a culminating high school civic project, completing a service learning project, achieving proficiency in a civic engagement elective course, or participating in an extra-curricular program or work-based learning experience that promotes civic engagement or civic action for a minimum of 40 hours. Students may also earn points by completing a middle school Capstone project or a high school Capstone project.

Students may begin earning points for the Seal of Civic Readiness in Middle School. Similar to the Seal of Biliteracy, the Department proposes that the Seal of Civic Readiness would earn a school two points toward their College, Career, Civic Readiness Index (CCCR). This enables Civic Readiness to be among the academic indicators of school quality and student success. The Department is proposing to begin a pilot program for the Seal of Civic Readiness beginning with a small sample of New York State Schools beginning in fall 2021.

### 4 + Civic Readiness Pathway to a High School Diploma

If approved, the proposed rule would allow students who earn the Seal of Civic Readiness to apply that accomplishment toward a +1 Civic Readiness pathway to a diploma. The proposed pathway would allow students to graduate with a regular diploma when they have demonstrated the State's standards for academic achievement

in math, English, science, social studies, and the State's requirements for civic readiness knowledge and skills necessary for college, career, and citizenship after high school. The Civics Readiness pathway would be added to the existing +1 pathways to a diploma that currently includes STEM-Math, STEM, Science, Humanities, Arts, CTE, CDOS and World languages.

### **Summary of Proposed Amendments**

#### **NYS Seal of Civic Readiness**

The proposed rule amends section 100.5 of the Commissioner's regulations to establish the following:

- School district requirements for voluntary participation in the NYS Seal of Civic Readiness program.
  - School districts must submit an application for approval to the Commissioner to participate. Such application must include a narrative that describes how the district will implement the program.
  - Participating school districts must maintain appropriate records in order to identify students who have earned a NYS Seal of Civil Readiness.
  - At the end of each school year, participating school districts must submit a report to the Commissioner that includes the number of students who will receive the Seal along with relevant data.
  - Participating school districts must establish and identify a NYS Seal of Civic Readiness Committee which will identify and develop options for students to attain the NYS Seal of Civic Readiness, as well as develop a plan for tracking student progress. Additionally, the proposed rule prescribes the makeup of the committee and the duties of such committee.
- Student requirements for earning NYS Seal of Civil Readiness
  - to graduate with a NYS diploma; and
  - to demonstrate proficiency in both civic knowledge and civic participation. A point system leading to the Seal will be established in guidance. Students must earn points in civic knowledge and in civic participation. Students may earn points in civic knowledge by obtaining social studies credits, passing or achieving mastery on a social studies Regents Exam, or completing an approved research project. Students may earn points in civic participation by completing a culminating high school civic project, completing a service learning project, completing a middle school or high school Civics Capstone Project, achieving proficiency in a civic engagement elective course, or participating in an extra-curricular program or work-based learning experience that promotes civic engagement or civic action for a minimum of 40 hours.

## 4+ Civic Readiness Pathway

Additionally, the proposed rule amends section 100.5 (a) and (d) of the Commissioner's regulations to add that all students, beginning in June 2022 and thereafter, could graduate with a regular high school diploma if they complete the credit requirements; meet the requirements to earn the Seal of Civic Readiness; and pass four Regents assessments, one in each of the four discipline areas of math, English, science, and social studies.

## Next Steps

Selected schools will begin the pilot in September 2021. Pilot schools will be expected to provide examples of lessons and activities that will be included in the final Seal manual as exemplars for the Seal of Civic Readiness. The Department will collect information and resources from outside organizations that provide guidance on civics education during the pilot. Using the information attained from the pilot, the Department will then finalize and publish the Seal manual that will include the approved criteria for offering and attaining the Seal, along with analytical data from the pilot. Pending the success of the pilot, the Department projects that in the 2022-2023 school year, the Seal of Civic Readiness will be an option for all NYS school districts that wish to submit an application.

## Related Regents Items

January 2020: [Progress Update on the Civic Readiness Task Force](https://www.regents.nysed.gov/common/regents/files/120cccrd1.pdf)  
(<https://www.regents.nysed.gov/common/regents/files/120cccrd1.pdf>)

May 2021: [Proposed Amendment to Section 100.5 of the Regulations of the Commissioner of Education Relating to the Civic Readiness Pathway to Graduation and the New York State Seal of Civic Readiness](https://www.regents.nysed.gov/common/regents/files/521p12d1.pdf)  
(<https://www.regents.nysed.gov/common/regents/files/521p12d1.pdf>)

## Recommendation

It is recommended that the Board of Regents take the following action:

VOTED: That section 100.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 29, 2021.

## Timetable for Implementation

If adopted at the September 2021 meeting, the proposed rule will become effective on September 29, 2021.

## **Attachment A**

### AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 208, 305, 308, and 309 of the Education Law.

1. The opening paragraph of subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) General requirements for a Regents or a local high school diploma. Except as provided in clauses (5)(i)(c), (e) and (f) of this subdivision, paragraphs (d)(6)<sub>1</sub> [and] (11)<sub>1</sub> and (13) and subdivision (g) of this section, the following general requirements shall apply with respect to a Regents or local high school diploma. Requirements for a diploma apply to students depending upon the year in which they first enter grade nine. A student who takes more than four years to earn a diploma is subject to the requirements that apply to the year that student first entered grade nine. Students who take less than four years to complete their diploma requirements are subject to the provisions of subdivision (e) of this section relating to accelerated graduation.

2. Subclause (1) of clause (f) of subparagraph (i) of paragraph (5) of subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(1) Except as provided in [paragraph] paragraphs (d)(11) and (13) of this section, students who first enter grade nine in September 2011 and thereafter or who are otherwise eligible to receive a high school diploma pursuant to this section in June 2015 and thereafter must meet the requirements of clauses (a), (b), (c), (d) and (e) of this subparagraph and also pass any one of the following assessments:

3. Subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education is amended by adding a new paragraph (13) to read as follows:

(13) Civics pathway. Students enrolled in high school in September 2021 and thereafter or who are otherwise eligible to receive a high school diploma pursuant to this section may meet the diploma requirements described in this section by:

- (i) completing the applicable credit requirements pursuant to this section;
- (ii) completing the requirements for the New York State Seal of Civic Readiness as pursuant to subdivision (i) of this section; and
- (iii) passing four assessments, one in each of the four subject areas of English, mathematics, science and social studies (United States History and government or global history and geography), as set forth in clauses (a)(5)(i)(a)-(e) of this section.

4. Subdivision (i) of section 100.5 of the Regulations of the Commissioner of Education is relettered subdivision (j) and a new subdivision (i) is added to read as follows:

(i) New York State Seal of Civic Readiness.

(1) Purpose and Intent. The purpose of this subdivision is to establish requirements for earning a New York State (NYS) Seal of Civic Readiness. The intent of the NYS Seal of Civic Readiness is to encourage the study of civics and civility through experiential learning; certify attainment of civic readiness; provide employers with a method of identifying high school graduates with skills in civics and civility; provide universities with an additional method to recognize applicants seeking admission; prepare students with twenty-first century skills; recognize the value of K-12 Social Studies education in schools as a means to build civic knowledge; empower students as agents of positive social change to redress historical and contemporary oppression and strengthen our diverse democracy. The NYS Seal of Civic Readiness shall be awarded to students who meet

the criteria of this subdivision and complete all criteria prescribed by the Commissioner at a New York State high school approved by the commissioner to offer the NYS Seal of Civic Readiness The NYS Seal of Civic Readiness 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) School district requirements. School district participation in the NYS Seal of Civic Readiness program is voluntary. A school district that wishes to participate in the program shall:

(i) submit an application for approval to the commissioner, in a form and by a date prescribed by the commissioner, 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 Civic Readiness program, including plans for program communications, processes pertaining to student tracking, advisement and evaluation, and timeliness and benchmarks for the program;

(ii) maintain appropriate records in order to identify students who have earned a NYS Seal of Civic Readiness. 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 criteria chosen under subparagraph (4)(ii) and (iii) of this subdivision; and

(iii) establish and identify a NYS Seal of Civic Readiness Committee (SCRC).

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

(1) at least one Social Studies teacher;

(2) at least one School Counselor or other staff who will track student progress on earning the Seal; and

(3) at least one administrator or other staff member who will serve as the main contact with the Department in order to collect data on school offerings and submit copies of student work to the Department if requested.

(b) The SCRC shall:

(1) create a NYS Seal of Civic Readiness plan that includes, but is not limited to, details concerning, communications, student advisement, evaluation, and presentation of awards;

(2) create a master list of all available courses and extra-curricular activities pertaining to the NYS Seal of Civic Readiness program within their high school including, but not limited to dates for required benchmarks throughout the program year;

(3) develop a student tracking process, including an application process to be completed by interested students and reviewed by an advisor;

(4) review and approve potential service learning, extracurricular and work-based learning experiences, the Middle School Capstone Project if available, Civic Projects and Civics Capstone Projects in accordance with Commissioner's guidelines; and

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

(3) Student requirements.

(i) Students who wish to receive the NYS Seal of Civic Readiness shall complete all requirements for a New York State local or Regents diploma.

(ii) In addition, students shall earn points, as outlined in guidance by the Commissioner, in each of the two areas listed below:

(a) Area 1: Criteria for Demonstrating Civic Knowledge. Students may earn points, as outlined in guidance by the Commissioner, by earning credit in social studies courses, passing or receiving a mastery level score on a social studies Regents examination, or completing a civic readiness research project.

(b) Area 2: Criteria for Demonstrating Civic Participation. Students may earn points, as outlined in guidance by the Commissioner, by completing a culminating high school civic project, completing a service learning project, completing a middle school or high school Civics Capstone project, achieving proficiency in a civic engagement elective course, or participating in an extra-curricular program or work-based learning experience that promotes civic engagement or civic action for a minimum of 40 hours.

## **Attachment B**

### **ASSESSMENT OF PUBLIC COMMENT**

Following publication of the Notice of Revised Rule Making in the State Register on May 26, 2021, the Department received the following comments on the proposed amendment:

1. COMMENT: One educator wrote in support of SED's general recommendations and specifically the SEAL OF CIVIC READINESS. The commenter recommended SED "go further in specifying student work in civics at both the middle and high school levels." The commenter provided the following suggestions:

- Have students choose topics of local/state significance and require them to make global connections. Students can choose what questions they wish to explore in an inquiry process, the learning is transformed from an assignment to a real-world experience when an extension of the original prompt is included. Beyond learning facts and places, guided local/global inquiry allows students to engage with information they find meaningful, assess the source validity, and provide evidence-based suggestions for acting on issues of both community and global significance.
- Prepare students for civic participation within their communities and beyond - civics is having a much-needed moment, and students are digging deeply into the topic beyond just understanding branches of government. Today's students will change the trajectory of their community and our world tomorrow - this is not a potential outcome, their influence is inevitable. We need those students to be well-verses in real-world civic topics, understanding perspectives on multiple

sides, the roots of the issue, and what implications their decisions might have. New York is a much more global state than in the past. This isn't just New York City, it is also Cortland, Ithaca, and Clinton. Making local-global connections in civics allows for students to build the skill set that will allow for complexity and nuance for when they lead in the future.

- Build skills around source analysis. Being able to analyze source data and make determinations around validity and reliability are fundamental skills for life today. Acquiring analytic skills using tools like inquiry project-based learning would set students up well to continue to assess validity and reliability across a range of source types for their lifetime.
- Encourage an action output, rather than a knowledge output. We need students who are ready to take appropriate action on issues of community and global significance. Here, I stress that it needs to be the right kind of action. Appropriate action is informed by reliable facts, and within the context of understanding opportunities to shape civic guidance.

DEPARTMENT RESPONSE: The Department is encouraged by this response.

The Department adopted the [K-12 NYS Social Studies Framework](#) in 2014 and integrated the national College, Career and Civic Life Framework (C3) into the NYS Framework. The C3 is built on the foundation of an inquiry arc, "a set of interlocking and mutually reinforcing ideas that feature the four Dimensions of informed inquiry in social studies: (1) Developing questions and planning inquiries; (2) Applying disciplinary concepts and tools; (3) Evaluating sources and using evidence; and (4) Communicating conclusions and taking informed action". The five existing standards in Social Studies remain unchanged: (1) history of the United States and New York, (2) world history, (3)

geography, (4) economics, and (5) civics, citizenship, and government. The Civic Readiness Initiative builds upon this foundation to create inquiry opportunities and meaningful experiential learning that empower students to take informed action on issues on a local, state, national and international scale. No changes to the proposed rule are needed.

2. COMMENT: One educator stated that “[c]learly, schools can and should equip students with the knowledge, values, and behaviors to actively participate in civic life, thereby building connections between people from diverse backgrounds while promoting a shared commitment to addressing the crises we face today...” The educator noted that one unit, called Mock Congress, has proven to be a powerful way to educate future citizens, with the students taking on the roles of U.S. representatives and senators. Civics will allow students to tackle real-world events and promote curiosity, creativity, and connection. Another educator added “[o]ur state's public schools should be sites for youth to develop content knowledge that can help them understand history and government, skills that can help them research and meaningfully deliberate on civic problems, and dispositions that can help them foster an appetite for civic involvement. I was thrilled to learn of the Board of Regent's recent work.” Another commenter wrote that “[a]s one of the few social institutions present in virtually every community across the America, schools play an important role in catalyzing increased Civic Education. They do this by helping young people develop and practice the knowledge, beliefs, and behaviors needed to participate in civic life. The practices can connect a diverse population across the community with the feeling of belonging, confidence, trust, respect caring, and relationship-building.”

**DEPARTMENT RESPONSE:** The Department is encouraged by these comments. We believe that the Seal of Civic Readiness +1 Pathway will reinvigorate Social Studies and build the civic capacity of all students through civic knowledge, civic skills and actions, civic mindsets, and civic experiences PK-12. Because the comment is supportive, no change is necessary.

**3. COMMENT:** An educator wrote that it is “Still, of critical importance for the schools participating in the Pilot Program are the structures they erect and the methods they enact to support active and experiential learning. For example, teacher-led instruction alone will not infuse students with a sense of civic agency; nor will extracurricular programs devoid of meaningful community outreach and engagement. Instead these school have an important opportunity to model something different, even daring. To this end it would be exciting if participating schools find ways to collaborate, bringing their respective students together to engage in dialogue and exchange about important issues of local, regional, and national interest. Certainly online technologies such as Zoom and Google Meet and Padlet and Flipgrid make such interactions possible. Imagine the possibilities for students in rural communities upstate to build connections with students from urban areas, like New York City, Rochester and Buffalo!”

**DEPARTMENT RESPONSE:** The Department recognizes the important role online technology will have in 21<sup>st</sup> century work, life, and citizenship and remains committed to our vision of digital equity. The schools who were selected to participate in the pilot submitted evidence of their ability to provide meaningful experiential learning that builds civic agency as part of the application process. We look forward to

continuing to support schools that build civic agency through a robust social studies curriculum, community relationships, extra-curricular opportunities and expanding students' horizons by connecting with other communities across the state, nation, and world. No change to the proposed rule is needed.

4. COMMENT: One commenter requested the inclusion of global education in the Seal of Civic Readiness.

DEPARTMENT RESPONSE: The Department agrees with this suggestion. The definition of [Civic Readiness](#) states that a civically ready student must fulfill social and political responsibilities associated with participation in a democratic society and the interdependent global community by developing awareness of and/or engaging in the political process and demonstrate a fundamental and functional knowledge of history, geography, economics, and current events within our country and in our global society. To earn the Seal of Civic Readiness a student must earn two credits in Global History and Geography. Additionally, there are multiple entry points on the Seal where students could earn points for taking classes or participating in extracurricular activities that enhance their civic capacity through global education. For example, the Civic Readiness Capstone Project could be based on a local, national, or international issue. As part of the Seal of Civic Readiness pilot we are collecting data on how the Seal of Civic Readiness supports global education. No amendments are necessary.

5. COMMENT: The Department received comments in opposition to the proposed amendment, with one commenter stating that this is a "biased indoctrination

of our children, teaching them to become protesters and activists.” Another commenter stated that they will not be “allowing their children to participate in any of the sort teaching them that they have ‘white privilege.’” Another commenter stated “I will not be teaching critical race theory. Ever.” Another commenter stated that “DEI may sound inclusive, but the further the requirements go, it causes more division by race, gender and creed.” The commenter opined that we need “more emphasis on core material, less on [social emotional learning] to recover from Covid lockdowns”. Another commenter stated that “[w]hile the goals of this program appear noble, further examination of the wording and underlying assumptions about our nation contained within the proposal, reveal a document filled with implicit progressive biases.”

DEPARTMENT RESPONSE: The comments are outside the scope of this rulemaking. The Civic Readiness Initiative is not “critical race theory”, it is non-partisan and rooted in [NYSED Social Studies Standards](#) that have been in place in New York State since 1996. This includes Standard #5, Civics Citizenship and Government. Standard #5 states “students will use a variety of intellectual skills to demonstrate their understanding of the necessity for establishing governments, the governmental system of the United States and other nations, the United States Constitution, the basic civic values of American constitutional democracy, and the roles, rights, and responsibilities of citizenship, including avenues of participation.” The Seal of Civic Readiness provides additional ways in which students can demonstrate their attainment of Social Studies Standard 5.