

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 166
Ways and Means

(Delegate Gutierrez, *et al.*)

Education - Maryland Seal of Biliteracy Act - Establishment

This bill establishes a Maryland Seal of Biliteracy Program to recognize public high school graduates, beginning with the graduating class of 2016, who have attained proficiency in speaking, reading, and writing one or more languages in addition to English. The purpose of the program is to promote linguistic proficiency and cultural literacy in one or more languages in addition to English and to provide recognition of the attainment of those skills by affixing a Seal of Biliteracy to the student's diploma or transcript at graduation. Participation in the program by a local school system is voluntary; however, if a local school system chooses to participate, an individual school may not opt out. The State Board of Education must adopt regulations to implement the program.

The bill takes effect July 1, 2015.

Fiscal Summary

State Effect: The Maryland State Department of Education can develop regulations for the Maryland Seal of Biliteracy Program using existing resources.

Local Effect: None. A local school system may choose not to participate in the program. If a local school system chooses to implement a Maryland Seal of Biliteracy Program, local school system expenditures may increase.

Small Business Effect: None.

Analysis

Bill Summary: Beginning with the graduating class of 2016, each eligible student who meets the criteria and requirements established by the State Board of Education must receive a Seal of Biliteracy. A Seal of Biliteracy must be affixed to the student's diploma or transcript at graduation, at no cost to the student.

By October 1, 2015, the State Board of Education must (1) establish criteria and requirements a student must meet to receive a Seal of Biliteracy and (2) provide information to each local school system regarding how to participate in and how to implement the program. A local school system participating in the program must maintain records necessary for determining a student's eligibility for a Seal of Biliteracy and affix a Seal of Biliteracy to the diploma or transcript of every eligible student meeting the criteria and requirements established by the State board.

Background: Legislation creating the California State Seal of Biliteracy was passed in 2011 to recognize graduating high school students who are highly proficient in English and a language other than English, and New York passed similar legislation in 2012. Californians Together developed the concept of a Seal of Biliteracy in 2008 and worked with school districts and others to adopt and implement the seal in over 165 districts throughout California prior to the legislation. Other states including Texas and Illinois have considered biliteracy seal legislation.

It is unknown how many graduating high school students speak, read, and write proficiently in one or more languages in addition to English. However, according to the U.S. Census Bureau's *2010-2012 American Community Survey*, approximately 10% of Maryland residents speak a language other than English at home and speak English "very well." Students may also gain proficiency in a language other than English from language courses and other means.

To receive a California State Seal of Biliteracy, a student whose primary language is English must (1) complete all English-language arts (ELA) requirements for graduation with an overall grade point average (GPA) of 2.0 or above; (2) pass the California Standards Test in ELA (administered in grade 11) at the "proficient" level; and (3) demonstrate proficiency in one or more languages other than English through one of the following methods:

- pass a foreign language Advanced Placement (AP) exam, including American Sign Language, with a score of three or higher;
- pass an International Baccalaureate examination with a score of four or higher;

- successfully complete a four-year high school course of study in a foreign language and attain an overall GPA of 3.0 or above in that course of study;
- if no AP examination or off-the-shelf language test exists and the district uses its own language examination, the school district must certify to the State that the test meets the rigor of a four-year high school course of study in that foreign language;
- if a district offers a language examination in a language in which an AP examination or off-the-shelf examination exists, the district language examination must be approved by the State; or
- pass the Scholastic Assessment Test II foreign language exam with a score of 600 or higher.

In addition, a student whose primary language is not English must also achieve early advanced proficiency level on the California English Language Development Test. The Riverside County (California) Office of Education awards a Riverside County Seal of Multiliteracy.

Local Fiscal Effect: A local school system may choose not to participate in the Maryland Seal of Biliteracy Program; therefore additional local expenditures are not required. If a local school system chooses to implement a Maryland Seal of Biliteracy Program, local school system expenditures may increase. Administering student language proficiency assessments may result in additional local expenditures. However, the cost for such assessments could be passed on to students. (However, the cost of adding a Seal of Biliteracy to a high school diploma may not be passed on to students). Assuming local school systems choose off-the-shelf or existing examinations, assessment development expenditures will be minimized. Costs to maintain student records are minimal and can be handled with existing resources.

Additional Information

Prior Introductions: HB 86 of 2014 received a hearing in the House Ways and Means Committee, but no further action was taken on the bill.

Cross File: SB 310 (Senator Rosapepe, *et al.*) - Education, Health, and Environmental Affairs.

Information Source(s): Carroll and Queen Anne's counties, Maryland State Department of Education, Department of Legislative Services

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