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# SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

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**Bill No:** AB 1142 **Hearing Date:** June 21, 2017  
**Author:** Medina  
**Version:** June 12, 2017  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Brandon Darnell

**Subject:** High school diplomas: State Seal of Biliteracy: English learners

## SUMMARY

This bill updates the criteria used to determine eligibility for the State Seal of Biliteracy (SSB) to reflect new state assessments in English language development (ELD) and English language arts (ELA), and to authorize the SSB for pupils who seek to qualify through a language that is not characterized listening, speaking, or reading, or for which there is no written system.

## BACKGROUND

Existing law:

- 1) Establishes the SSB, which provides recognition to high school students who have demonstrated proficiency in speaking, reading, and writing in one or more languages in addition to English. Requires each school district, county office of education, or direct-funded charter school that confers the SSB to maintain appropriate records in order to identify students who have met the established criteria for the award and to affix the SSB insignia to the diploma or transcript of each qualifying student.
- 2) Requires high school graduates to meet all of the following criteria to be eligible for the SSB:
  - a) Complete all ELA requirements for graduation with an overall grade point average of 2.0 or above in those classes.
  - b) Pass the California Standards Test in ELA administered in grade 11 at the proficient level or above
  - c) Demonstrate proficiency in one or more languages in addition to English, through one of the following methods:
    - i) Pass a foreign language Advanced Placement examination with a score of 3 or higher, or an IB examination with a score of 4 or higher
    - ii) Successfully complete a four-year high school course of study in a world language, and attain an overall grade point average of 3.0 or above in that course of study.

- iii) Pass a school district language examination that, at a minimum, assesses speaking, reading, and writing in a language other than English at the proficient level or higher. If no Advanced Placement (AP) examination or off-the-shelf language test exists, and the school district can certify to the Superintendent of Public Instruction (SPI) that the test meets the rigor of a four-year high school course of study in that foreign language. If a school district offers an examination in a language for which the AP examination or off-the-shelf language does not exist, the school district language examination must be approved by the SPI.
- d) Pass the SAT II foreign language examination with a score of 600 or higher

## ANALYSIS

This bill updates the criteria used to determine eligibility for the State Seal of Biliteracy (SSB) to reflect new state assessments in English language development (ELD) and English language arts (ELA), and to authorize the SSB for pupils who seek to qualify through a language that is not characterized listening, speaking, or reading, or for which there is no written system. Specifically, this bill:

- 1) Replaces passing the California Standards Test in ELA at the proficient level or above with passing the California Assessment of Student Performance and Progress for ELA, or any successor test, at or above the “standard met” achievement level, or at the achievement level determined by the SPI for any successor test, as one of the criteria for the SSB.
- 2) Adds oral proficiency in a language other than English that is equivalent to passing a foreign language AP examination with a score of three or higher or an International Baccalaureate examination with a score of four or higher to the criteria for demonstrating proficiency in a language other than English by a 4-year high school course of study and grade point average.
- 3) Requires a pupil who seeks to qualify for the SSB through a language that is not characterized by listening, speaking, or reading, or for which there is no written system, to pass an assessment on the modalities that characterize communication in that language at the proficient level or higher.
- 4) Replaces, for a pupil in any of grades 9 to 12 whose primary language is other than English, the requirement that he or she attain the early advanced proficiency level on the ELD test with a requirement that he or she attain the level demonstrating English language proficiency on the English Language Proficiency Assessments for California, or any successor English language proficiency assessment, at any point between TK-12.

## STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “This bill simply seeks to align the state required tests for English proficiency so that the requirements to earn the State Seal for Biliteracy are up to date.”
- 2) **State Seal of Biliteracy (SSB) is a popular option for students.** SSB was established in 2011 with the goal of encouraging students to acquire other languages, which in turn would grant students a competitive edge in postsecondary education and employment. In its first year, more than 10,000 graduating high school students across California earned recognition for achieving proficiency in multiple languages. According to the California Department of Education (CDE), between 2012 and 2016 nearly 60,000 SSBs were awarded to graduating seniors.
- 3) **Status of the English Language Proficiency Assessments for California (ELPAC).** Current law requires the development and administration of a new assessment of English language development (ELD), called the ELPAC. According to the CDE, ELPAC field testing will begin in the fall of 2017, the first summative ELPAC administration will be in the spring of 2018, and the first full year of ELPAC administration will be in the 2018-19 school year. According to CDE, the ELPAC will differ from the California English Language Development Test (CELDT) in a number of ways, including:
  - a) The CELDT has five proficiency levels; the ELPAC has three.
  - b) The CELDT is aligned to the 1999 ELD standards; the ELPAC is aligned to the 2012 ELA/ELD standards.
  - c) The CELDT was one test used for both the initial and annual assessment; the ELPAC has two distinct tests for initial identification and the annual summative assessment. The initial ELPAC assessment will be brief and locally scored.
  - d) The CELDT is paper and pencil test; the ELPAC will eventually transition to a computer-based test.
  - e) The CELDT has five grade spans; the ELPAC will have seven.
  - f) The CELDT has five performance levels; the ELPAC will have four.
- 4) **Diploma seals.** Since 2011 this Committee has reviewed three bills proposing diploma seal, in biliteracy, STEM, and civic engagement. It is likely that this Committee will see similar measures to establish diploma seals in other subjects. While staff analyses have raised questions regarding potential issues with certain diploma seals, including their tangible benefits, equity concerns, and potential diminishing returns, the Legislature has endorsed the SBB and this measure ensures that the requirements for the SBB are appropriately updated to match changes in the applicable assessments.
- 5) **Related and prior legislation.** AB 24 (Eggman, 2017) would establish State Seal of Civic Engagement, to be affixed to the diploma of qualifying high school graduates, based on a demonstration of excellence in civics education and

participation AB 24 is scheduled to be heard by the Senate Appropriations Committee on June 26, 2017.

AB 2072 (Chang) of the 2015-16 Session would have established the State Seal of STEM to recognize high school graduates who have attained proficiency in STEM content. AB 2072 was held in the Senate Appropriations Committee.

AB 815 (Brownley), Chapter 618, Statutes of 2011 established the State Seal of Biliteracy to recognize high school graduates who have attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to English.

SB 253 (Wyland) of the 2009-10 Session would have authorized school districts and county offices of education to offer pupils a career technical education certificate upon meeting specified requirements. This bill was held in the Assembly Appropriations Committee.

**SUPPORT**

Association of California School Administrators  
California Association for Bilingual Education  
California Language Teachers Association  
Californians Together  
California County Superintendents Educational Services Association  
Los Angeles County Office of Education  
State Superintendent of Public Instruction, Tom Torlakson

**OPPOSITION**

None received

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