

AMENDED IN ASSEMBLY MAY 2, 2005
AMENDED IN ASSEMBLY APRIL 11, 2005
AMENDED IN ASSEMBLY MARCH 29, 2005
CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1196

**Introduced by Assembly Member Coto
(Principal coauthor: Assembly Member Yee)**

February 22, 2005

An act to add Article 6 (commencing with Section 51460) to Chapter 3 of Part 28 of the Education Code, relating to instructional programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1196, as amended, Coto. Instructional programs: State Seal of Biliteracy.

Existing law sets forth various requirements for the issuance of diplomas, certificates, or other documents conferred upon a pupil as evidence of completion of a prescribed course of study, including, among other courses of study, graduation from high school. Existing law establishes the Golden State Seal Merit Diploma for the purpose of recognizing pupils who have mastered the high school curriculum.

This bill would establish the State Seal of Biliteracy to recognize high school graduates who have mastered speaking, reading, and writing skills in one or more languages, in addition to English. The State Seal of Biliteracy would be awarded jointly by the Superintendent of Public Instruction and the Governor. The bill would require the State Department of Education to provide information to school districts so that the school districts can maintain pupil records

and identify pupils who qualify for the seal, and to prepare and deliver to school districts the seal insignia. The bill would require each school district that awards high school diplomas and elects to participate in the program to maintain records in order to identify pupils who have earned a State Seal of Biliteracy and to affix an appropriate insignia to the diploma or transcript of each pupil who earns a State Seal of Biliteracy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) U.S. Senate Resolution 170 has declared 2004 and 2005 as
4 “the Years of Foreign Language Study,” and encourages
5 initiatives to promote and expand the study of foreign languages
6 in elementary and secondary schools because foreign language
7 study makes important contributions to a pupil’s cognitive
8 development, our national economy, and our national security.

9 (2) Multiple languages are a critical element in enabling
10 California to participate effectively in a global political, social,
11 and economic context, and in expanding trade with other
12 countries, including those in Latin America and the Pacific Rim,
13 and California’s economic well-being depends heavily on foreign
14 trade and international exchange.

15 (3) The demand for employees to be fluent in more than one
16 language is increasing both in California and throughout the
17 world.

18 (4) California is the receiving state for immigrants from all
19 over the world and is home to speakers from hundreds of
20 different language and cultural groups.

21 (5) California’s diverse heritage is and has always been rich in
22 multiple languages and cultures, and to protect that heritage, and
23 to build trust and understanding across the multiple language and
24 cultural groups in our diverse communities, requires multilingual
25 skills of communication.

26 (6) The California Master Plan for Education calls for pupils
27 to graduate literate in two or more languages, and the child who
28 knows more than one language enjoys advantages that will

1 continue throughout life, including the educational/intellectual
2 advantages of greater mental flexibility, pattern recognition, and
3 problem solving, as well as increased advantages in the job
4 market.

5 (7) One in four (26 percent) California children ages 5 to 17
6 years, inclusive, are bilingual, effectively communicating in
7 English and another language with their family, and one in four
8 K–12 pupils are English learners (1.5 million).

9 (8) California has been a national leader in the development of
10 the highly effective dual language immersion program model,
11 now has 189 two-way immersion programs throughout the state,
12 and pupils who graduate from two-way immersion programs
13 currently receive no formal recognition of their biliteracy skills.

14 (9) Despite the need for foreign language skills, the number of
15 high school pupils in California enrolled in foreign language
16 classes has been dwindling.

17 (10) Maintenance of the heritage language is the core to
18 strengthening family communication and connection across the
19 generations.

20 (b) It is the intent of the Legislature to promote the
21 development of literacy in one or more languages and to provide
22 recognition of the attainment of such needed and important skills
23 through the establishment of a State Seal of Biliteracy on the
24 high school diplomas or transcripts of pupils attaining
25 proficiency in one or more languages, in addition to English.

26 SEC. 2. Article 6 (commencing with Section 51460) is added
27 to Chapter 3 of Part 28 of the Education Code, to read:

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Article 6. State Seal of Biliteracy

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31 51460. (a) The State Seal of Biliteracy is hereby established
32 to recognize high school graduates who have attained functional
33 proficiency in speaking, reading, and writing skills in one or
34 more languages, in addition to English. The State Seal of
35 Biliteracy shall be awarded jointly by the Superintendent and the
36 Governor. School district participation in this program is
37 voluntary.

38 (b) The purposes of the State Seal of Biliteracy are as follows:

39 (1) To encourage California pupils to develop biliteracy skills.

1 (2) To certify oral communication and literacy skills in one or
 2 more languages, in addition to English, so businesses and
 3 employers can identify people with language and biliteracy skills.

4 (3) To honor California’s rich and diverse language assets.

5 (4) To encourage the development of two-way immersion
 6 programs and foreign, native, and heritage language programs in
 7 California K–12 schools.

8 (5) To revitalize “foreign” language instruction in California
 9 schools.

10 51461. Pupils who complete requirements for a high school
 11 diploma and who meet the following requirements shall qualify
 12 for a State Seal of Biliteracy:

13 (a) ~~If a pupil’s primary language~~ *the primary language of a*
 14 *pupil in any of grades 9 to 12, inclusive,* is English, he or she
 15 shall do either of the following:

16 (1) Successfully complete four years of *instruction in* a foreign
 17 language.

18 (2) Pass an Advanced Placement (AP) test, or a comparable
 19 test, in a foreign language.

20 (b) ~~If a pupil’s heritage language~~ *the primary language of a*
 21 *pupil in any of grades 9 to 12, inclusive,* is other than English, he
 22 or she shall do either of the following:

23 (1) Attain the “PROFICIENT” level on the California
 24 Standards Test in English.

25 (2) Pass an Advanced Placement (AP) test, or a comparable
 26 test, in English language or literature.

27 (c) For languages in which an AP test is not available, the
 28 Superintendent shall provide a listing of equivalent summative
 29 tests that school districts may use.

30 51462. Under the policy direction of the Superintendent, the
 31 department shall do the following:

32 (a) Provide timely information to school districts so that
 33 school districts can maintain pupil records and identify pupils
 34 who meet the requirements of the State Seal of Biliteracy.

35 (b) Prepare and deliver to school districts an appropriate
 36 insignia to be affixed to the diploma or transcript of the pupil
 37 indicating that the pupil has been awarded a State Seal of
 38 Biliteracy by the Superintendent and the Governor.

39 51463. Each school district that confers high school diplomas
 40 and elects to participate in this program shall maintain

1 appropriate records in order to identify pupils who have earned a
2 State Seal of Biliteracy and shall affix the appropriate insignia to
3 the diploma or transcript of each pupil who earns a State Seal of
4 Biliteracy.

5 51464. (a) It is the intent of the Legislature that no fee or
6 other cost be charged to any pupil pursuant to this article.
7 However, notwithstanding any other provision of law, a school
8 district receiving funds pursuant to Chapter 1 (commencing with
9 Section 54000) of Part 29 may expend any portion of those funds
10 to pay for all or part of the costs of one or more examinations
11 pursuant to this article that are charged to economically
12 disadvantaged pupils.

13 (b) An economically disadvantaged pupil means a pupil from
14 a family that receives Aid to Families with Dependent Children.