




The Seal of Biliteracy: Variations in Policy and Outcomes

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Abstract: *The Seal of Biliteracy is an award that recognizes students who have demonstrated proficiency in English and one or more other world languages. In participating school districts in states that have adopted the Seal of Biliteracy, students who demonstrate proficiency in both English and a world language are eligible to earn a seal that is affixed to their high school diploma or transcript. With scant research conducted to date on the Seal of Biliteracy, this study aimed to understand the variation in policies across participating states. Documentation and interview data were collected and analyzed from each state offering the Seal of Biliteracy. Findings revealed that substantial variation existed across states regarding minimum required levels of proficiency, world language proficiency requirements, and English language proficiency requirements. These variations in policy influenced the types of schools offering the award and the percentage of students earning it. This article offers implications for those in the process of policy adoption or revision and for those who are interested in researching efforts to increase equity and access to the Seal of Biliteracy.*

Key words: *language policy, proficiency assessment, value of language learning*

The Seal of Biliteracy is “an award made by a state department of education or local district to recognize a student who has attained proficiency in English and one or more other world languages by high school graduation” (ACTFL, 2015a, p. 2). As of March 2017, 25 states and the District of Columbia had adopted the Seal of Biliteracy. In these states, students who demonstrate proficiency in both English and a second language (L2) are eligible to earn a seal that is affixed to their high school diploma or transcript. Typically, proficiency must be shown across the four domains (reading, writing, listening, and speaking), except in languages in which a domain is not applicable, such as American Sign Language, Latin and classical Greek, or Native American languages in which an agreed-upon written code does not exist.

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The Seal of Bilingualism is designed to represent an attainment of bilingualism and bilinguality for future employers and universities (ACTFL, 2015a). Gándara (2014) surveyed 289 businesses across California, where the Seal of Bilingualism originated, and found that 66% preferred bilingual employees over monolingual employees (p. 1). On a larger scale, survey data from 2,101 businesses across the United States that were analyzed by Damari and colleagues (2017, p. 27) revealed that 41% of respondents gave preference to multilingual candidates during recruitment. While no research to date has examined how universities recognize the Seal of Bilingualism, two states (Illinois and Minnesota) have legislation in place that requires public institutions of higher education to award college credit to students who receive the seal. Although it is still in its infancy, the Seal of Bilingualism has the potential to serve as an easily recognizable signal that a high school graduate can comprehend, speak, read, and write in both English and an additional language.

The Seal of Bilingualism also has the potential to make the general public more aware of the benefits of L2 learning and thus promote educational policies that emphasize multilingualism over monolingualism (Cummins, 2000; Heineke, 2016). For example, a growing body of evidence suggests that multilingualism has benefits across the lifespan that extend beyond the ability to communicate in multiple languages (Kroll & Dussias, 2017). Such benefits include improved executive functioning (Bialystok, 2007), increased awareness of language and greater precision in language use (McLeay, 2003), delayed onset of dementia (Bialystok, Craik, & Freedman, 2007), greater intercultural awareness and open-mindedness (Byram, 1997), and increased access to postsecondary education (Kroll & Dussias, 2017).

Despite the promise of this nascent policy to positively influence public attitudes and beliefs and to promote, recognize, and reward students' attainment of functional levels of communicative proficiency in

English and another language, practitioners and researchers have yet to grapple with the various ways in which the Seal of Bilingualism has been defined and implemented. While all states in which the initiative has been adopted state that the seal promotes bilingualism, states vary in the required level of English and L2 proficiency and the types of evidence that are required to demonstrate proficiency. Drawing on state and district documentation and interview data, this study analyzed the variation in Seal of Bilingualism requirements across states, the types of schools that offer the seal, and the number of students who earn the award. This information, along with data regarding the challenges in implementation experienced by participating states, may be helpful in informing those who are in the process of adopting the Seal of Bilingualism as well as those who are working to put the policy into practice.

Background

The Seal of Bilingualism movement began in 2008 as a grassroots effort by educators and language advocates in California. Formally adopted in 2011, the legislation represented an ideological and pedagogical shift in language education in that state. After the passage of Proposition 227 in 1998, which restricted bilingual education for English learners (ELs), Assembly Bill 815, the State Seal of Bilingualism, focused attention on promoting students' bilingualism, including both ELs' abilities in heritage languages and non-ELs' abilities in world languages (DeLeon, 2014).

Two years after the seal was adopted in California, Illinois, New York, and Texas passed related legislation in 2013, in that order. Four additional states, including New Mexico, Washington, Louisiana, Minnesota, and the District of Columbia adopted the seal in 2014. In 2015, the number increased by seven to include North Carolina, Virginia, Indiana, Nevada, Hawaii,¹ Wisconsin, and Utah. Eight states—New Jersey, Florida, Oregon, Maryland,

Georgia, Arizona, Kansas, and Rhode Island—adopted the seal in 2016. In the first quarter of 2017, Ohio and Colorado became the 24th and 25th states to adopt the Seal of Bilingual Literacy. At the time of data collection in early 2017, the Seal of Bilingual Literacy was currently under consideration in three additional states (i.e., Delaware, Iowa, and Massachusetts) and in the early stages of consideration in 10 additional states (Seal of Bilingual Literacy, 2017).

In most but not all states, the Seal of Bilingual Literacy is an award based on students' language proficiency—that is, an award that reflects “what individuals can do with language in terms of speaking, writing, listening, and reading in real-world situations in a spontaneous and non-rehearsed context” (ACTFL, 2012, p. 3). Drawing on the ACTFL Proficiency Guidelines, which identify major levels and sublevels of proficiency (Novice [Low, Mid, High], Intermediate [Low, Mid, High], Advanced [Low, Mid, High], Superior, Distinguished) and in a decision made jointly with Teachers of English to Speakers of Other Languages, the National Association for Bilingual Education, and the National Council of State Supervisors for Languages, the ACTFL recommends that the minimum level of target language proficiency that learners demonstrate to receive a Seal of Bilingual Literacy be set at Intermediate Mid (ACTFL, 2015a). A learner at the Intermediate Mid level of proficiency is able to “handle successfully a variety of uncomplicated communicative tasks in straightforward social situations” (ACTFL, 2012, p. 7). On the Common European Framework of Reference,² Intermediate Mid corresponds to level A2 in one-way receptive skills and to level B1 in one-way productive skills (ACTFL, 2016). Intermediate Mid also aligns with a score of three on the College Board's scoring guides for the Advanced Placement (AP) language and culture tests, while a score of four or five on those tests corresponds to Intermediate High (P. Sandrock, personal communication, March 27, 2017). According to the ACTFL's *Oral Proficiency Levels in the*

Workplace table, an Intermediate Mid level of proficiency is suitable for positions such as a cashier, sales clerk, or receptionist (ACTFL, 2015b). It takes an average of 6 to 8 years of well-articulated, proficiency-based world language study to reach the Intermediate Mid level of proficiency (ACTFL, 2015b).

However, few learners have access to such extended sequences in U.S. schools. Because no federal policy exists for K–12 world language education in this country, program decisions are nearly always made at the state level (Brecht, 2007; Wiley & García, 2016) or by local districts or even schools. For example, 42 of the 50 states have no world language graduation requirement at all (O'Rourke, Zhou, & Rottman, 2016). In the seven states and the District of Columbia where there are world language graduation requirements, the maximum obligation is 2 years of coursework beginning in high school. As O'Rourke and colleagues (2016) wrote, “The lack of recognition by state policy makers of the basic parameters for successful language learning underlines the lack of prioritization for world language education, even in states that have requirements” (p. 797).

Given the lack of emphasis on and availability of opportunities to learn one or more languages in addition to one's first language, it is not surprising that elementary and secondary world language programs in K–12 schools have experienced a decline. In a survey of 2,668 elementary schools and 1,002 secondary schools, Pufahl and Rhodes (2011) found that the number of elementary schools that offered world language declined from 31% in 1997 to 25% in 2008 (p. 261). Offerings in secondary schools also declined from 86% to 79% over the same time span (p. 262). The limited availability in the United States of early-start, long-sequence world language and immersion programs for world language learners—English-dominant students who opt to learn a language other than English—stands in sharp contrast to the expectation that all European citizens be

multilingual due to the European Union's emphasis on the teaching and learning of the mother tongue plus two world languages in school (Commission of the European Communities, 2003).

Now adopted by more than half of U.S. states, the Seal of Biliteracy has the potential to promote students' attainment of proficiency in languages other than English, subsequently bolstering world language education in K–12 settings and extending the bilingual and biliteracy abilities of high school graduates across the nation. To ensure that such a promising policy endures, expands, and fulfills its potential, research is needed to understand how the Seal of Biliteracy is being enacted across the United States. To that end, the present study investigated (1) the variation in policy across states, (2) the types of schools and number of students earning the award in each state, and (3) the challenges encountered as states put policy into practice.

Methods

A two-phase qualitative exploratory research design was used (Creswell, 2009) in which document analysis informed subsequent interviews.

Participants

Working from contact information on the Seal of Biliteracy Web site and with the assistance of Arthur Chou, a representative from the Seal of Biliteracy organization, point people for the Seal of Biliteracy in each state were contacted via e-mail to request a virtual interview. Representatives from 20 states and the District of Columbia agreed to participate. Fourteen chose to respond to the interview questions via e-mail and seven agreed to be interviewed by telephone. Sixteen of the 21 respondents worked at the state department of education and oversaw the implementation of the Seal of Biliteracy in their state. Five participants served as the point person for the Seal of Biliteracy but worked in a school or

university or directed a state organization that promoted multilingual education.

Procedures

During the first phase, the researchers gathered information about the Seal of Biliteracy from the Web sites of state departments of education and state-level world language organizations. A standard protocol was then used to interview representatives in each state to confirm information from the Web site, gather information that was not provided on the Web site, and obtain additional narrative descriptions and individual perspectives on the seal's implementation and impact. Interview questions focused on state-level efforts to initiate, pass, design, and implement the Seal of Biliteracy, as well as statistics about the number of students who earned the seal in the 2015–2016 school year.

Data Analysis

Data analysis took place in two phases. During the first phase, the authors sought to identify trends in the data that were obtained from the document analysis, and states were grouped based on the minimum world language proficiency level that was required, the levels of the seal offered, and the world and English language requirements. In the second phase, oral and written responses to the interview questions were coded and analyzed. Using the total number of Seal of Biliteracy earners provided by participants and the total number of high school graduates, the percentage of students who earned a seal in 2016 in each state was calculated. Finally, using inductive analysis (Hatch, 2002), the researchers identified recurring themes in participants' oral and written narratives regarding the challenges of putting policy into practice.

Findings

Findings revealed that substantial variation existed across states' Seal of Biliteracy

policies. Such variations shaped the types of schools that participated in the Seal of Biliteracy and the number of students who earned the award. Drawing on information from the Web sites of all 25 states and the District of Columbia, and information from participants’ oral or written responses, three themes emerged: (1) variations in policy, (2) implementation statistics, and (3) emerging issues related to moving policy into practice.

Variations in Policy

Across states, policies varied regarding the minimum level of world language proficiency required, ways in which students could demonstrate world language proficiency, and ways in which students could demonstrate English language proficiency.

Recognized Proficiency Levels

Analysis of the written policy in each state revealed variation in the available levels of the seal. While most states offered only one level of the award, three states³ offered a two-tiered system (Illinois, Kansas, and Wisconsin). Minnesota offered four

different awards: Students who were proficient in English could earn (1) a gold bilingual seal for reaching an Intermediate High level of proficiency in one L2, (2) a gold multilingual seal for reaching that level in two additional languages, (3) a platinum bilingual seal for demonstrated proficiency at the Advanced Low level in one L2, and (4) a platinum multilingual seal for demonstrated proficiency at the Advanced Low level in two L2s.

In addition, the minimum proficiency level that was required to obtain the Seal of Biliteracy also varied across states, from a minimum proficiency level of Intermediate Low to Advanced Low, as shown in Table 1.⁴ North Carolina was the only state to award a seal to learners who demonstrated proficiency at the Intermediate Low level, which is one sublevel below the ACTFL’s minimum recommended proficiency level.

Proof of World Language Proficiency

An additional variation across states’ policy was the method through which students were required to demonstrate world language proficiency. Analyses revealed that

TABLE 1

Minimum Level of Foreign Language Proficiency Required in Each State

Required Proficiency Level	State
Intermediate Low	Illinois (Level 1: Commendation), North Carolina
Intermediate Mid	Arizona, Kansas (Level 1: Gold), New Jersey, Rhode Island, Virginia, Washington, Utah (Level 1: Gold)
Intermediate High	Georgia, Illinois, Indiana, Maryland, Minnesota (Level 1: Gold), Nevada, New Mexico, New York, Texas, Wisconsin (Level 1: Seal of Biliteracy)
Advanced Low	District of Columbia, Kansas (Level 2: Platinum), Louisiana, Minnesota (Level 2: Platinum), Oregon, Utah (Level 2: Platinum)
Advanced Mid	Wisconsin (Level 2: Distinguished Seal of Biliteracy)

Note: At the time of data collection, the minimum required proficiency level had not been determined for Colorado, Florida, or Ohio. California and Hawaii did not frame their Seal of Biliteracy in terms of an ACTFL proficiency level.

L2 ability was most commonly verified using specified scores on recognized language assessments, such as the AP⁵ exam, the International Baccalaureate (IB) exam,⁶ the ACTFL Assessment of Performance Towards Proficiency in Language, and the Avant STAMP 4s. In fact, scores on recognized assessments were the only permissible method for demonstrating proficiency in nine states (Florida, Hawaii, Indiana, Maryland, Minnesota, Nevada, Rhode Island, Texas, and Virginia) and the District of Columbia. In contrast, in 6 of 25 states, students could also demonstrate proficiency by meeting a minimum GPA requirement in a 4-year course of study in the same world language (California, Colorado, Florida, Louisiana, North Carolina, and Texas). Louisiana did not require a minimum GPA. Texas law provided multiple options, including earning a minimum GPA for three credits in the same world language or completing subject area courses in a language other than English. In Rhode Island, proficiency could be demonstrated through seat time only when a student earned a minimum GPA in a dual-language secondary program.

Four states (Colorado, Illinois, New Mexico, and Oregon) and the District of Columbia offered alternatives to the use of either recognized language assessments or seat time for proving world language proficiency. Interview data revealed that the rationale for this approach was that students who were proficient in less commonly taught languages (e.g., those that were not taught in school or for which a recognized assessment did not exist) should still have the opportunity to earn the Seal of Biliteracy. Examples of alternatives included a portfolio demonstrating a minimum of Intermediate High proficiency in reading, writing, listening, and speaking (Colorado, Illinois, and Oregon) and the certification of proficiency in tribal languages by indigenous tribes (New Mexico).

Finally, there were several states whose requirements for earning the Seal of Biliteracy were unique. The District of Columbia's

requirements were the most rigorous. In addition to achieving the required scores on a recognized world language exam, students in the District of Columbia were required to show evidence of cultural competency and evidence of having used the language in the community—for example, by completing community service or service learning activities, participating in school-sponsored language-focused travel, completing an internship in the target language, or earning a passing score in a graded community panel interview. What is more, students in the District of Columbia were required to complete at least two credits in world language courses in the same language with a GPA of 2.5 out of 4.0. However, a district representative from the Office of Bilingual Education stated that the District of Columbia had “aggressively embraced the belief that this [criterion] is not meant to be exclusionary” and that educators explicitly encouraged students who might not meet the seat time (2-year) criteria but were truly bilingual and biliterate to apply for the Seal of Biliteracy with outlier consideration. For example, she cited the large number of students who spoke Amharic but the lack of courses in Amharic by which students could meet the seat time/coursework requirement. In such cases, district personnel worked on a case-by-case basis to design protocols that allowed all students to demonstrate bilingualism and biliteracy.

While the District of Columbia's requirements were the most rigorous, New York's were perhaps the most flexible. New York had a unique system that provided students with options for demonstrating proficiency using a point system. To show L2 proficiency, students were required to receive a total of three points from the following: achieving a minimum grade in a world language course (one point); scoring at a proficient level on a nationally recognized world language assessment (one point); meeting minimum requirements by providing transcripts from a school in a country outside of the

United States showing at least 3 years of instruction in the student’s home/native language (one point); completing language arts requirements in a bilingual education program (one point); or presenting a culminating project, scholarly essay, or portfolio that demonstrated proficiency in speaking, listening, reading, and writing (two points).

Proof of English Language Proficiency

All states⁷ that adopted the Seal of Biliteracy required students to also demonstrate proficiency in English by high school graduation. Nineteen states and the District of Columbia required that students pass a standardized exam in English language arts (ELA), such as the state’s end-of-course examination or the American College Testing’s college readiness assessment. In contrast, four states (Georgia, Hawaii, North Carolina, and Texas) instead required completion of all ELA requirements for graduation with a minimum GPA, as shown in Table 2.

ELs in six states, including Arizona, Illinois, Nevada, North Carolina, Texas, and Wisconsin, were required to provide additional evidence. For example, Arizona law stated that if a student’s first language was not English, he or she had to obtain a score of proficient or higher based on the Arizona English Language Learner Assessment. In North Carolina, ELs were required to reach developing proficiency on the English-language World-Class Instructional Design and Assessment (WIDA) proficiency scale in all four domains (WIDA Consortium, 2007).

In Wisconsin, current ELs were required to achieve a subscore of 4 or above in literacy on the ACCESS test, a standardized English proficiency test used to identify and reclassify ELs in WIDA Consortium states.

Two states did not require a test score or a minimum GPA to demonstrate English proficiency: New Jersey and New Mexico. New Jersey required only that students meet the ELA graduation requirements or attain the appropriate cut score on the ACCESS assessment. New Mexico’s policy reflected a similar stance:

The Bilingual Seal Statute is silent regarding this issue [of proving English proficiency]. It is assumed that, when a student meets the New Mexico High School Graduation requirements and receives a Diploma of Excellence, English proficiency has been demonstrated. (State of New Mexico Diploma of Excellence Bilingualism and Biliteracy Seal, 2016)

In 2016, Hawaii was the only state that also required students to have a minimum overall GPA for courses in all subjects at graduation to receive the Seal of Biliteracy, set at 3.0 out of 4.0. The representative from Hawaii cited some concern that the high required overall GPA might disadvantage ELs who might not meet the ELA requirements but might still be proficient in English. She noted that stakeholders might reconsider this requirement in the future.

TABLE 2

Minimum GPA Requirements in ELA

Minimum GPA in ELA Requirements (Out of 4.0)	States
2.0	Arizona, California, Utah
2.5	District of Columbia, North Carolina, Rhode Island
2.7 (80 on a scale of 100)	Texas
3.0	Georgia, Hawaii

Finally, as with L2 proficiency, New York used a point system. Students were required to earn three points from a list of options: meet the minimum score on the New York State (NYS) Comprehensive English Regents Exam or the Regents Exam in ELA, or, in the case of ELs, meet the minimum score on two Regents exams other than English, without translation (one point); score at the Commanding level on two modalities on the NYS English as a Second Language Achievement Test for ELs (one point); earn the required GPA in 11th- and 12th-grade ELA courses (one point); score 3 or higher on the AP English language or English literature exam, or score 80 or higher on the Test of English as a Foreign Language (one point); or present a culminating project, scholarly essay, or portfolio that demonstrated proficiency in speaking, listening, reading, and writing (two points).

Implementation Statistics

While each state's board of education determined the requirements that students needed to meet in order to receive the Seal of Biliteracy, in most cases the state board could not require that all schools award the seal: In 24 states and the District of Columbia, participation in the Seal of Biliteracy program was optional, with Hawaii constituting the sole exception. Three states (Indiana, Kansas, and Nevada⁸) allowed private schools to offer the state's Seal of Biliteracy if those schools were accredited (Indiana and Kansas) or if they participated in the state testing system (Nevada). The representative from Nevada clarified that while some private schools were also interested in awarding the Seal of Biliteracy, they were hesitant to participate in the state testing program. The representative from Georgia explained that because the U.S. Department of Education is (1) the mediator of the Seal of Biliteracy legislation, and (2) only responsible for public schools, the seal was not available to private school students.

Data on the number of seal earners during the 2015–2016 school year were only available from nine states and the District of Columbia, most likely because of the recent adoption of the seal in many states. For example, in New York and Rhode Island, the legislation was approved so close to the beginning of the school year that implementation had only taken place in one or two school districts. In other states, such as Wisconsin, data were not collected at the state level. Table 3 shows the number of individuals who earned the Seal of Biliteracy, the total number of public school graduates, and the percentage of eligible students who earned the seal. The term *eligible* was used to refer to the number of students who graduated from public schools in the state rather than the number of graduates attending schools that chose to offer the Seal of Biliteracy. The states are listed in descending order, beginning with the state with the highest percentage of earners.

As Table 3 illustrates, California, where the Seal of Biliteracy originated and has been in place since 2011, awarded the highest percentage of seals. Virginia awarded the second highest percentage of seals, despite implementing the Seal of Biliteracy as late as March 2015. In the other six states and the District of Columbia, fewer than 4% of graduates earned a Seal of Biliteracy at the end of the 2015–2016 academic year.

Issues of Access and Equity

Data revealed that once policy was put into practice, issues of equity and access became apparent. To be sure, one of the most significant reasons that such a small percentage of students earned the Seal of Biliteracy at the end of 2015–2016 was the infancy of the policy. However, state representatives reported that other variables also limited participation. A representative from Minnesota stated that while students who were enrolled in AP or IB classes were able to demonstrate proficiency by presenting their scores on the associated exams, no student

TABLE 3

Number of Seals Awarded in Each State

State	Date Legislation Passed	Number of Seal Earners in 2015–2016	Total Number of Graduates	Percentage of Students Earning Seal
California	10/08/2011	40,220	~399,196	~10.08%
Virginia	3/23/2015	5,082	88,008	5.77%
Nevada	5/30/2015	888	~25,307	~3.51%
Washington	03/27/2014	2,256	65,959	3.42%
North Carolina	1/20/2015	~ 2,400	97,034	2.47%
Illinois	8/27/2013	2,630 (Level 2: Seal of Biliteracy)	137,296	1.92%
		987 (Level 1: Commendation)		
Oregon	4/14/2016	474	37,346	1.27%
New Jersey	1/19/2016	725	95,736	0.76%
Minnesota	5/16/2014	150 (Level 2: Platinum Bilingual)	54,024	0.28%
		196 (Level 1: Gold Bilingual)		
		8 (Platinum Multilingual—English, French, and Spanish)		
District of Columbia	12/04/2014	~12	3,377	0.36%

Note: The percentage for California is approximate because the state has not yet published the total number of high school graduates. The total number of graduates was calculated using the graduation rate and the total number of 12th-grade students in 2016. In Nevada, three private schools participated in the Seal of Biliteracy award in 2015–2016. Because the number of graduates of these high schools was not available, the total number of graduates only includes those from public schools, and the percentage of seal recipients is approximate.

could be required to pay for the assessments that might be associated with earning a bilingual seal, and participation in the program was voluntary for both students and districts. The representative from Hawaii also mentioned that the cost of assessments was problematic but that stakeholders were working to offset the costs.

In addition, representatives from three states (Hawaii, Illinois, and Minnesota) and the District of Columbia mentioned the lack of assessments in less commonly taught

but commonly used home or heritage languages, such as Hmong, Somali, and Karenic languages in Minnesota and for Filipino and Micronesian languages, which are spoken by the majority of ELs in Hawaii, as well as for ʻŌlelo Hawaiʻi. At the time of data collection, the ACTFL was working to develop proficiency assessments for the top 12 home or heritage languages of ELs in Minnesota and likely elsewhere; however, assessment options for other common indigenous languages such as Dakota and

Ojibwe were still lacking. The representative from Hawaii mentioned that at the time of data collection, the state school district was phasing in assessments for students with AP and IB classes as well as for the more commonly tested languages (e.g., Japanese, Chinese, and French) and that stakeholders were working to develop proficiency assessments in other languages. The representative from New York explained that the portfolio- and/or assessment-based point system there was put in place specifically to deal with issues of access and equity for students who spoke home or heritage languages for which there was no recognized language assessment, such as Urdu and Bengali. However, representatives from states such as Illinois mentioned the challenge of finding bilingual individuals who were sufficiently familiar with the ACTFL Proficiency Guidelines to score such assessments.

Discussion

The Seal of Bilingualism has the potential to raise the visibility of world language education and influence public opinion about the value of bilingualism in the United States. While half of the states have passed Seal of Bilingualism legislation that allows a seal to be affixed to a high school diploma, findings revealed differences in the recognized level of L2 proficiency, the number of differing levels of proficiency—if any—that were recognized by a state, the English language requirements, and the accepted measures of proficiency in English and in the world language.

While variations in the accepted level of proficiency required in any one state are understandable due to states' unique policies and perspectives, educational contexts, and learner population, an agreed-upon minimum world language proficiency level could strengthen the potential power of the Seal of Bilingualism. Currently, a student graduating from a public school in North Carolina can earn a seal at the Intermediate Low level of proficiency, while students in

Louisiana and the District of Columbia must score at the Advanced Low level of proficiency, which is the same level required by the Council of Accreditation for Educator Preparation (CAEP) for world language teacher certification (CAEP, 2013). In Illinois, a student must reach an Intermediate High level of proficiency to earn the seal, which represents the same level of proficiency that is required for certification as a world language teacher in neighboring states such as Wisconsin. Such variation makes it difficult for universities to gauge a student's true proficiency level when considering admission, granting credits, and placing students into appropriately challenging world language courses. In addition, employers who seek to hire bilingual and biliterate employees will certainly be unaware that seals from different states can, and do, represent differing levels of language proficiency.

To be sure, setting an agreed-upon minimum level of world language proficiency is a complex task. On the one hand, while the ACTFL recommends a minimum level of Intermediate Mid (ACTFL, 2015a), this level corresponds to the language skills needed by a cashier, sales clerk, or receptionist (ACTFL, 2015b). Employers seeking employees able to use the language more flexibly to carry out less predictable, more abstract, and more complicated tasks, such as customer service representatives, nurses, police officers, or financial advisors, must understand that more advanced levels of proficiency are required (ACTFL, 2015b) and that they cannot rely on the Seal of Bilingualism as proof that a potential employee could communicate effectively in a world language. On the other hand, with only 25% of elementary schools offering a world language (Pufahl & Rhodes, 2011, p. 261) and since research shows that it takes 6 to 8 years of articulated instruction to reach an Intermediate Mid level of proficiency (ACTFL, 2015b), raising the minimum required proficiency level would make the Seal of Bilingualism unattainable for most students. Until longer sequences of study

or more immersion programs are created, balance must be sought so that the Seal of Biliteracy is achievable for high school graduates but also offers clear and consistent information about a candidate's language proficiency for potential employers.

Offering a consistent, tiered system across all states, similar to those that have been implemented in Illinois, Kansas, Minnesota, Utah, and Wisconsin, may address the current inconsistencies in the required proficiency level and also provide an incentive to students to continue world language study. For example, students in Illinois are currently eligible for a gold Commendation seal if they achieve an Intermediate Low level of proficiency, but they are encouraged to continue world language study to reach the Intermediate High level that is required to earn a platinum Seal of Biliteracy at graduation. However, for a tiered system to serve as a clear and unambiguous designation of bilingualism that is easily recognized in businesses, industry, and higher education, consistency must be sought across states.

Another threat to the potential of the Seal of Biliteracy is the use of seat time as acceptable evidence of world language proficiency. Not only are years of study not a strong predictor of proficiency (Glisan & Foltz, 1998; Huebner & Jensen, 1992), but research also suggests that students can enroll in four subsequent years of world language study and still not surpass an Intermediate Low level of proficiency (Avant Assessment, 2010; Davin, Rempert, & Hammerand, 2014). What is more, tying the Seal of Biliteracy to proficiency rather than seat time has the potential for washback, serving as a catalyst for change from grammar- and vocabulary-focused instruction to more proficiency- and standards-based approaches (Rea-Dickins & Scott, 2007).

Nonetheless, solely accepting scores on world language proficiency assessments as evidence of proficiency is also problematic. Ten of the 25 participating states required that students demonstrate world language proficiency through an exam such as the AP

or IB exam. First, the cost of such exams can be prohibitive, with the price of an AP exam set at approximately \$92 USD and the price of an IB exam at approximately \$110 USD. Further, it is well documented that ELs have limited access to honors and AP courses (Callahan, 2005; Callahan, Wilkinson, & Muller, 2010). In a comprehensive survey, Hopstock and Stephenson (2003) found that only 1% and 0.8% of ELs in high school enrolled in AP math and AP science courses compared to enrollment rates of 3.2% for all students. The fact that EL and bilingual students may have no access at all to courses or assessments in their home or heritage language is also a concern (DeLeon, 2014). To promote equity, all states must seek ways in which students can provide evidence of proficiency in less commonly taught languages. What is more, in states such as Illinois and Minnesota where public universities or state colleges, respectively, award college credit for seal earners, providing alternative means for demonstrating proficiency has the potential to extend access to college credit beyond AP and IB students.

The availability of appropriate assessments of English language proficiency is also worthy of consideration. For example, it is not clear why ELs who pass standardized tests of English proficiency (e.g., ACCESS) must also provide further evidence of English proficiency, or why students who pass end-of-year ELA course assessments must also maintain a minimum GPA. Georgia, Maryland, and New Jersey have developed a more equitable approach that requires students to fulfill only one requirement to establish English language proficiency, an approach that is both more straightforward and likely to cause less confusion for teachers, counselors, students, and families.

When interpreting the findings of this study, several limitations should be considered. First, because the policy is so new, some state representatives were only able to provide limited outcomes data and others were not able to provide any at

all, limiting comparisons across states. Second, only one representative in each participating state was interviewed, providing only one perspective. Thus, while the breadth of the study was wide, future research should seek depth in regard to policy implementation in each state. Such research should focus on the impact of state-level and local educational practices on student retention in world language courses in K–12 and postsecondary settings, on the relationship between curriculum and teaching methods and student learning outcomes, on the extent to which the availability of a Seal of Biliteracy influences the availability of early world language learning experiences and immersion programs, and on the ways in which businesses and universities come to understand and utilize the Seal of Biliteracy. These data could act as powerful evidence in advocating for world language education in K–12 schools across the United States.

Conclusion

Establishing and maintaining uniform and rigorous expectations for proficiency in English and another world language that can be both trusted and easily interpreted by businesses and institutions of higher education remains a challenge. At one end of the spectrum, California accepts 4 years of study in a world language as sufficient evidence that students have acquired the necessary levels of proficiency; approximately 10% of public school students in California earned the Seal of Biliteracy in 2015–2016. In contrast is the District of Columbia, where students must pass a recognized world language assessment and also show evidence of cultural competency and participation in a community in which the language is used; only 0.36% of students in the District of Columbia earned the Seal of Biliteracy in 2015–2016. The variability among state requirements increases the

complexity of offering, earning, and interpreting the seal.

In addition, ensuring that the Seal of Biliteracy can be effectively and equitably implemented remains a challenge. Participation is currently voluntary and is generally limited to public school students who have access to sufficiently robust learning opportunities. Students in other learning contexts, as well as those who speak a home or heritage language in which an assessment is not available, or for whom the cost of assessments is prohibitive, are clearly at a disadvantage. In spite of these concerns, the Seal of Biliteracy has the potential to change world language education in the United States, to make the public aware of the many benefits of multilingualism, and to provide a platform from which practitioners and researchers can advocate for additional resources as well as extended sequences of study for *all* students.

Notes

1. In Hawaii, where only one school district exists, the Seal of Biliteracy was created and passed by the Board of Education rather than the state Department of Education. Similarly, in the District of Columbia, the Seal of Biliteracy was created and adopted by District of Columbia Public Schools rather than at the state level.
2. Corresponding Common European Framework of Reference levels can be found at https://www.ACTFL.org/sites/default/files/reports/Assigning_CEFR_Ratings_To_ACTFL_Assessments.pdf.
3. The requirements for the Seal of Biliteracy are not yet determined in Ohio. In Utah, legislation identifies two levels of the seal, but the representative there stated that they were currently only offering one level of the seal due to the complexities of offering two.
4. Still in the planning phase, Florida intended to offer both a gold and silver

- seal, although information was not available on the required levels of proficiency.
5. AP is a program in the United States run by the College Board that offers college curricula for high school students. High school students can take a culminating exam to earn college credit. A passing score on the AP world language exam can be used to show proficiency in world language for the Seal of Bilingualism.
 6. IB is an international organization that developed a program of study for students in prekindergarten through 12th grade. High school students take a culminating exam to earn college credit. A passing score on the IB additional language exam can be used to show proficiency in world language for the Seal of Bilingualism.
 7. Beginning in 2018, students will be able to demonstrate proficiency in either of the state's two official languages (English or 'Ōlelo Hawai'i) and an additional language. However, at the time of data collection, Hawaii was still in the process of determining how to assess students' proficiency in 'Ōlelo Hawai'i because no such assessment existed.
 8. In Minnesota, the statute only read "high school students" and did not specify which high school students. The state representative stated that they were in the process of requesting clarification on this question from the legislature.

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References

ACTFL. (2012). *ACTFL proficiency guidelines* [Electronic version]. Retrieved January 10, 2017, from <https://www.actfl.org/>

[publications/guidelines-and-manuals/actfl-proficiency-guidelines-2012](https://www.actfl.org/sites/default/files/pdfs/SealofBilingualismGuidelines_0.pdf)

ACTFL. (2015a). *Guidelines for implementing the seal of bilingualism*. Retrieved December 16, 2016, from https://www.actfl.org/sites/default/files/pdfs/SealofBilingualismGuidelines_0.pdf

ACTFL. (2015b). *Oral proficiency levels in the workplace*. Retrieved March 27, 2017, from https://www.actfl.org/sites/default/files/pdfs/TLE_pdf/OralProficiencyWorkplacePoster.pdf

ACTFL. (2016). *Assigning CEFR ratings to ACTFL assessments*. Retrieved March 27, 2017, from https://www.actfl.org/sites/default/files/reports/Assigning_CEFR_Ratings_To_ACTFL_Assessments.pdf

Avant Assessment. (2010). *STAMP results: National averages 2008-2009* (pp. 1–10). Retrieved March 18, 2014, from <http://www.avantassessment.com>

Bialystok, E. (2007). Cognitive effects of bilingualism: How linguistic experience leads to cognitive change. *International Journal of Bilingual Education and Bilingualism*, 10, 210–223.

Bialystok, E., Craik, F. I. M., & Freedman, M. (2007). Bilingualism as a protection against the onset of symptoms of dementia. *Neuropsychologia*, 45, 459–464.

Brecht, R. D. (2007). National language educational policy in the nation's interest: Why? How? Who is responsible for what? *Modern Language Journal*, 91, 264–265.

Byram, M. (1997). *Teaching and assessing intercultural communicative competence*. Clevedon, UK: Multilingual Matters.

Callahan, R. M. (2005). Tracking and high school English learners: Limiting opportunity to learn. *American Educational Research Journal*, 42, 305–328.

Callahan, R., Wilkinson, L., & Muller, C. (2010). Academic achievement and course taking among language minority youth in U.S. schools: Effects of ESL placement. *Educational Evaluation and Policy Analysis*, 32, 84–117.

Commission of the European Communities. (2003). *Promoting language learning and linguistic diversity: An Action Plan 2004-2006*. Retrieved January 29, 2017, from http://www.eu.int/comm/education/doc/official/keydoc/actlang/act_lang_en.pdf

Council for Accreditation of Educator Preparation (CAEP). (2013). *CAEP accreditation*

- standards. Retrieved March 27, 2017, from <http://caepnet.org/accreditation/caep-accreditation/spa-standards-and-report-forms/actfl>
- Creswell, J. W. (2009). *Research design: Qualitative, quantitative, and mixed methods approaches* (3rd ed.). Thousand Oaks, CA: Sage Publications.
- Cummins, J. (2000). *Language, power and pedagogy: Bilingual children in the crossfire*. Clevedon, UK: Multilingual Matters.
- Damari, R. R., Rivers, W. P., Brecht, R. D., Gardner, P., Pulupa, C., & Robinson, J. (2017). The demand for multilingual human capital in the U.S. labor market. *Foreign Language Annals*, 50, 13–37.
- Davin, K. J., Rempert, T. A., & Hammerand, A. A. (2014). Converting data to knowledge: One district's experience using large-scale proficiency assessment. *Foreign Language Annals*, 47, 241–260.
- DeLeon, T. M. (2014). *The new ecology of biliteracy in California: An exploratory study of the early implementation of the State Seal of Biliteracy*. Loyola Marymount University. Retrieved April 1, 2017, from <http://pqdtopen.proquest.com/doc/1620743509.html?FMT=ABS>
- Gándara, P. (2014). *The value of bilingualism and the seal of biliteracy in the California labor market*. Retrieved June 29, 2017, from <http://www.calsa.org/wp-content/uploads/2014/10/Value-of-Bilingualism-UCLA.pdf>
- Glisan, E., & Foltz, D. (1998). Assessing students' oral proficiency in an outcome-based curriculum: Student performance and teacher intuitions. *Modern Language Journal*, 82, 1–18.
- Hatch, J. A. (2002). *Doing qualitative research in educational settings*. Albany: State University of New York Press.
- Heineke, A. J. (2016). *Restrictive language policy in practice: English learners in Arizona*. Bristol, UK: Multilingual Matters.
- Hopstock, P., & Stephenson, T. (2003). *Native languages of limited English proficient students*. Washington, DC: U.S. Department of Education.
- Huebner, T., & Jensen, A. (1992). A study of foreign language proficiency-based testing in secondary schools. *Foreign Language Annals*, 25, 105–115.
- Kroll, J. F., & Dussias, P. E. (2017). Language and productivity for all Americans. *Foreign Language Annals*, 50, 1–21.
- McLeay, H. (2003). The relationship between bilingualism and the performance of spatial tasks. *International Journal of Bilingual Education and Bilingualism*, 6, 423–438.
- O'Rourke, P., Zhou, Q., & Rottman, I. (2016). Prioritization of K–12 world language education in the United States: State requirements for high school graduation. *Foreign Language Annals*, 49, 789–800.
- Pufahl, I., & Rhodes, N. C. (2011). Foreign language instruction in U.S. schools: Results of a national survey of elementary and secondary schools. *Foreign Language Annals*, 44, 258–288.
- Rea-Dickins, P., & Scott, C. (2007). Wash-back from language tests on teaching, learning and policy: Evidence from diverse settings. *Assessment in Education: Principles, Policy & Practice*, 14, 1–7.
- Seal of Biliteracy. (2017). *State law regarding the Seal of Biliteracy*. Retrieved April 1, 2017, from <http://sealofbiliteracy.org>
- State of New Mexico Diploma of Excellence Bilingualism and Biliteracy Seal. (2016). *Guidance handbook*. Retrieved January 10, 2017, from <http://ped.state.nm.us/ped/BilingualDocs/seal/Seal%20Handbook%20Final%208.15.16.pdf>
- WIDA Consortium. (2007). *English language proficiency standards and resource guide*. Madison, WI: Author.
- Wiley, T. G., & García, O. (2016). Language policy and planning in language education: Legacies, consequences, and possibilities. *Modern Language Journal* [Supplement], 100, 48–63.

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