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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 702

02/09/2015 Authored by Norton, Erickson, Mariani and Loeffler
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; clarifying foreign language proficiency levels required for
1.3 proficiency certificates and gold and platinum bilingual and multilingual state
1.4 seals; directing Minnesota State Colleges and Universities to award academic
1.5 credit for students' demonstrated foreign language proficiency; establishing an
1.6 advisory task force on assessing students' proficiency in foreign languages when
1.7 ACTFL assessments are unavailable; amending Minnesota Statutes 2014, section
1.8 120B.022, subdivisions 1a, 1b.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Minnesota Statutes 2014, section 120B.022, subdivision 1a, is amended to
1.11 read:

1.12 Subd. 1a. **Foreign language and culture; proficiency certificates.** (a) World
1.13 languages teachers and other school staff should develop and implement world languages
1.14 programs that acknowledge and reinforce the language proficiency and cultural awareness
1.15 that non-English language speakers already possess, and encourage students' proficiency
1.16 in multiple world languages. Programs under this section must encompass indigenous
1.17 American Indian languages and cultures, among other world languages and cultures. The
1.18 department shall consult with postsecondary institutions in developing related professional
1.19 development opportunities for purposes of this section.

1.20 (b) Any Minnesota public, charter, or nonpublic school may award Minnesota
1.21 World Language Proficiency Certificates ~~or Minnesota World Language Proficiency High~~
1.22 ~~Achievement Certificates~~, consistent with this subdivision.

1.23 (c) The Minnesota World Language Proficiency Certificate recognizes students who
1.24 demonstrate listening, speaking, reading, and writing language skills at the American
1.25 Council on the Teaching of Foreign Languages' Intermediate-Low level on a valid and
1.26 reliable assessment tool. For languages listed as Category 3 by the United States Foreign

2.1 Service Institute or Category 4 by the United States Defense Language Institute, the
 2.2 standard is Intermediate-Low for listening and speaking and Novice-High for reading
 2.3 and writing.

2.4 ~~(d) The Minnesota World Language Proficiency High Achievement Certificate~~
 2.5 ~~recognizes students who demonstrate listening, speaking, reading, and writing language~~
 2.6 ~~skills at the American Council on the Teaching of Foreign Languages' Pre-Advanced level~~
 2.7 ~~for K-12 learners on a valid and reliable assessment tool. For languages listed as Category~~
 2.8 ~~3 by the United States Foreign Service Institute or Category 4 by the United States~~
 2.9 ~~Defense Language Institute, the standard is Pre-Advanced for listening and speaking and~~
 2.10 ~~Intermediate-Mid for reading and writing.~~

2.11 Sec. 2. Minnesota Statutes 2014, section 120B.022, subdivision 1b, is amended to read:

2.12 Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to
 2.13 strive for the world's best workforce under sections 120B.11 and 124D.10, subdivision 8,
 2.14 paragraph (u), and close the academic achievement and opportunity gap under sections
 2.15 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established
 2.16 to recognize high school graduates who demonstrate ~~level 3~~ an advanced-low level or an
 2.17 intermediate-high level of functional native proficiency in listening, speaking, reading,
 2.18 and writing on either the Foreign Services Institute American Council on the Teaching
 2.19 of Foreign Languages' (ACTFL) language proficiency tests or on equivalent valid and
 2.20 reliable assessments in one or more languages in addition to English. American Sign
 2.21 Language is a language other than English for purposes of this subdivision and a world
 2.22 language for purposes of subdivision 1a.

2.23 (b) In addition to paragraph (a), to be eligible to receive a seal:

2.24 (1) students must satisfactorily complete all required English language arts credits;
 2.25 and

2.26 (2) students whose primary language is other than English must demonstrate mastery
 2.27 of Minnesota's English language proficiency standards.

2.28 (c) Consistent with this subdivision, a high school graduate who demonstrates an
 2.29 intermediate-high ACTFL level of functional native proficiency in one language in
 2.30 addition to English is eligible to receive the state bilingual gold seal. A high school
 2.31 graduate who demonstrates an intermediate-high ACTFL level of functional native
 2.32 proficiency in more than one language in addition to English is eligible to receive the state
 2.33 multilingual gold seal. A high school graduate who demonstrates an advanced-low ACTFL
 2.34 level of functional native proficiency in one language in addition to English is eligible to
 2.35 receive the state bilingual platinum seal. A high school graduate who demonstrates an

3.1 advanced-low ACTFL level of functional native proficiency in more than one language in
 3.2 addition to English is eligible to receive the state multilingual platinum seal.

3.3 (d) School districts and charter schools, in consultation with regional centers
 3.4 of excellence under section 120B.115, must give students periodic opportunities to
 3.5 demonstrate their level of proficiency in listening, speaking, reading, and writing in a
 3.6 language in addition to English. Where valid and reliable assessments are unavailable,
 3.7 a school district or charter school may rely on a licensed foreign language immersion
 3.8 teacher or a nonlicensed community expert under section 122A.25 to assess a student's
 3.9 level of foreign, heritage, or indigenous language proficiency under this section. School
 3.10 districts and charter schools must maintain appropriate records to identify high school
 3.11 graduates eligible to receive the state bilingual or multilingual seal gold and platinum
 3.12 seals. The school district or charter school must affix the appropriate seal to the transcript
 3.13 of each high school graduate who meets the requirements of this subdivision and may affix
 3.14 the seal to the student's diploma. A school district or charter school must not charge the
 3.15 high school graduate a fee for this seal.

3.16 (e) A school district or charter school may award elective course credits in world
 3.17 languages to a student who demonstrates the requisite proficiency in a language other
 3.18 than English under this section.

3.19 (f) A school district or charter school may award community service credit to a
 3.20 student who demonstrates ~~level 3~~ an intermediate-high or advanced-low ACTFL level of
 3.21 functional native proficiency in listening, speaking, reading, and writing in a language
 3.22 other than English and who participates in community service activities that are integrated
 3.23 into the curriculum, involve the participation of teachers, and support biliteracy in the
 3.24 school or local community.

3.25 (g) The commissioner must develop a Web page for the electronic delivery of these
 3.26 seals. The commissioner must list on the Web page those assessments that are equivalent
 3.27 to the ~~Foreign Services Institute~~ ACTFL language proficiency tests.

3.28 (h) The colleges and universities of the Minnesota State Colleges and Universities
 3.29 system must recognize a student who receives a state bilingual or multilingual gold seal
 3.30 as meeting one-half of the system's foreign language requirements and a student who
 3.31 receives a state bilingual or multilingual platinum seal as meeting all the system's foreign
 3.32 language requirements. These colleges and universities must award foreign language
 3.33 academic credits to commensurate to the foreign language proficiency demonstrated by a
 3.34 student who receives a state bilingual seal or a state multilingual gold or platinum seal
 3.35 under this subdivision and may award foreign language academic credits to a student
 3.36 who receives a Minnesota World Language Proficiency Certificate or a Minnesota

4.1 World Language Proficiency High Achievement Certificate under subdivision 1a. The
 4.2 University of Minnesota is encouraged to award students foreign language academic
 4.3 credits consistent with this paragraph.

4.4 **EFFECTIVE DATE.** This section is effective for the 2015-2016 school year and
 4.5 later.

4.6 Sec. 3. **ADVISORY TASK FORCE ON ASSESSING STUDENTS'**
 4.7 **PROFICIENCY IN FOREIGN LANGUAGES FOR WHICH ACTFL**
 4.8 **ASSESSMENTS ARE NOT AVAILABLE.**

4.9 (a) An advisory task force on assessing students' proficiency in foreign languages for
 4.10 which American Council on the Teaching of Foreign Languages (ACTFL) assessments
 4.11 are not available is established to consider and recommend to the education committees of
 4.12 the legislature:

4.13 (1) assessing students' foreign language proficiency when ACTFL assessments
 4.14 are available;

4.15 (2) assessing students' foreign language proficiency when ACTFL assessments are
 4.16 not available;

4.17 (3) creating guidelines for curriculum, instruction, and assessments for foreign
 4.18 languages for which no written forms exist so students may earn state seals in these
 4.19 languages;

4.20 (4) training a corps of individuals qualified to assess students' foreign language
 4.21 proficiency; and

4.22 (5) developing curriculum, instruction, and assessments for heritage and indigenous
 4.23 languages and less commonly taught foreign languages.

4.24 (b) Each of the following entities shall appoint a member to the advisory task
 4.25 force: the Minnesota Council on the Teaching of Languages and Cultures; the Center
 4.26 for Advanced Research on Language Acquisition at the University of Minnesota; the
 4.27 Minnesota Advocates for Immersion Network; the Minnesota Teachers of English to
 4.28 Speakers of Other Languages; the Minnesota State Colleges and Universities foreign
 4.29 language faculty; the Chicano Latino Affairs Council; the Council on Asian-Pacific
 4.30 Minnesotans; the Council on Black Minnesotans; the Minnesota Indian Affairs Council;
 4.31 and the Minnesota Department of Education. Task force members may appoint additional
 4.32 advisory task force members. Task force members may seek advice from recognized
 4.33 and qualified experts.

4.34 (c) Upon request, the commissioner of education must provide task force members
 4.35 with technical, fiscal, and other support services.

5.1 (d) Task force members' terms and other task force matters are subject to Minnesota
5.2 Statutes, section 15.059. The commissioner may reimburse task force members from the
5.3 Department of Education's current operating budget but may not compensate task force
5.4 members for task force activities.

5.5 (e) The commissioner of education, on behalf of the advisory task force, must submit
5.6 to the education committees of the legislature by February 1, 2016, recommendations for
5.7 foreign language assessment and instruction, consistent with paragraph (a).

5.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.