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**TO:** Members of the Education Policy Committee

**FROM:** Carey M. Wright, Ed.D., State Superintendent of Schools 

**DATE:** April 16, 2025

**SUBJECT:** COMAR 13A.03.07 *Maryland Seal of Biliteracy Program*  
Permission to Publish

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### Executive Summary

The purpose of this item is to request permission to publish amendments to COMAR 13A.03.07 *Maryland Seal of Biliteracy Program*. The amendments ensure that the Seal of Biliteracy Program is more inclusive and align the assessment requirements to the Blueprint for Maryland’s Future. Additionally, a data collection requirement is added to provide transparency and facilitate statewide reporting of this credential.

### Background and Process

The Seal of Biliteracy is a national credential awarded in all 50 states and Washington, DC that recognizes students who have achieved high levels of proficiency in English and another language.

In the 2016 session, the Maryland General Assembly passed Senate Bill 781/House Bill 708, *Education – Maryland Seal of Biliteracy Act – Establishment*, signed by Governor Hogan on April 26, 2016. COMAR 13A.03.07 *Maryland Seal of Biliteracy Program* was adopted in 2017 and established a voluntary recognition program for graduating Maryland seniors.

In the Final Report of the Blueprint for Maryland’s Future: Workgroup on English Learners in Public Schools, Recommendation 1 states that “MSDE should establish a culture that celebrates and formally reinforces the assets of multilingual learners.” The adoption of this regulation will require participating local education agencies to include multilingual learners in the Maryland Seal of Biliteracy Program.

Since the beginning of this program, a committee of local school system supervisors of language programs and MSDE have been discussing processes, evaluating assessments, and collaborating on best practices for the implementation of the Seal of Biliteracy Program.

As a result of the recommendations by the Workgroup on English Learners, this committee has suggested changes to COMAR 13A.03.07 to make it more inclusive, as well as continued to evaluate world language assessments that represent the languages spoken by Maryland students. Similarly, the committee has been discussing English assessment options for students to fulfill the English proficiency requirement to earn the Maryland Seal of Biliteracy. For example, the committee is adding the WIDA ACCESS assessment to increase the participation of multilingual learners and the English 10 MCAP assessment requirement of Option 2 of the College and Career Readiness (CCR) Standard. The identification process for approved assessments for

English Language Arts and world languages will now be aligned. Like the approved world language assessment list, the new approved English assessment list will be posted on the MSDE website. The committee will continue to review these lists as English Language Arts requirements change and additional assessments are requested.

### **Action**

MSDE requests permission to publish amended regulation COMAR 13A.03.07 *Maryland Seal of Biliteracy Program*.

### **Regulation and Promulgation Process**

Under Maryland law, a state agency, such as the State Board of Education (State Board), may propose a new or amended regulation whenever the circumstances arise to do so. After the State Board votes to propose such a regulation, the proposed regulation is sent to the Administrative, Executive, and Legislative Review (AELR) Committee for a 15-day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, MSDE staff will present a recommendation to the State Board to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because the suggested revision is not a substantive change; or (3) revise the regulation and re-propose it because the suggested revision is a substantive change. At any time during the process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

### **Attachments**

COMAR 13A.03.07 *Seal of Biliteracy Program*

# Title 13A STATE BOARD OF EDUCATION

## Subtitle 03 GENERAL INSTRUCTIONAL PROGRAMS

### Chapter 07 Maryland Seal of Biliteracy Program

Authority: Education Article, §7-208, Annotated Code of Maryland

#### .01 Purpose and Scope.

Recognizing that high school graduates who can function in two or more languages are equipped with the knowledge and skills to participate successfully in college, careers, and a diverse 21st century society, the Maryland Seal of Biliteracy Program is established to recognize and reward excellence in language learning as measured by rigorous proficiency assessments across a range of language skills.

#### .02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

[(1) “American Council on the Teaching of Foreign Languages” (ACTFL) Proficiency Guidelines” means the global descriptions of five levels of integrated performance in listening, speaking, reading and writing: Novice, Intermediate, Advanced, Superior, and Distinguished.]

(1) “Multilingual learner” has the meaning stated in COMAR 13A.05.07.02.

(2) “World language” means any natural language, including American Sign Language, native American languages, and languages no longer spoken (e.g., Latin and ancient Greek).

#### .03 Local School System Participation and Student Eligibility.

A. Local School System Participation.

[A.] (1) Participation in the program by a local public school system is voluntary.

[B.] (2) An individual school may not opt out of participation in a local public school system program.

B. Student Eligibility.

(1) The pool of students eligible to apply includes any public school student in a participating local school system who demonstrates proficiency in one or more languages in addition to English.

(2) The pool of students shall include multilingual learners and any student who has acquired or is acquiring a world language at school, home, or in the community.

#### .04 Demonstrating Proficiency in English and World Languages.

To receive a Maryland Seal of Biliteracy, the student shall:

(A) [The student must meet] Meet one of the assessment [requirement] requirements [as set forth in COMAR 13A.03.02.09 on the Maryland High School English Language Arts/Literacy assessment] from the Department’s approved list of English language arts/literacy assessments for the Maryland Seal of Biliteracy; and

(B) [The student must select appropriate world language assessment instrument(s)] Meet one of the assessment requirements from the [Maryland State Department of Education’s] Department’s approved list of world language assessments [aligned to the ACTFL Proficiency Guidelines and attain an overall proficiency level of Intermediate High] for the Maryland Seal of Biliteracy.

#### .05 Awarding the Maryland Seal of Biliteracy.

A. The student shall provide official test results to the local school system.

B. The local school system shall validate the assessment results and affix the Seal of Biliteracy to the student’s diploma or transcript at graduation, at no cost to the student.

#### .06 Data Collection

The local school system shall collect and provide data to the Department on implementation of the program, including:

(A) The number of Seals awarded;

(B) The languages of the Seals awarded;

(C) The race, ethnicity, gender, and multilingual learner status of each Seal recipient;

(D) And any other demographic factors for each Seal recipient as identified by the Department.