H. R. 4065

To amend the Elementary and Secondary Education Act of 1965 to establish a partnership program in foreign languages.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2009

Mr. Holt (for himself, Ms. Corrine Brown of Florida, Mr. Wu, Mr. McGovern, Mr. Moore of Kansas, Mr. Conyers, Mr. Chandler, Mr. Loebsack, Mrs. McMorris Rodgers, Mr. Van Hollen, Mr. Price of North Carolina, and Mr. Blumenauer) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Elementary and Secondary Education Act of 1965 to establish a partnership program in foreign languages.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “Foreign Language
5 Education Partnership Program Act”.

SEC. 2. PARTNERSHIP PROGRAM IN FOREIGN LANGUAGES.

(a) IN GENERAL.—Subpart 9 of part D of title V of the Elementary and Secondary Education Act of 1965 is amended—

(1) by striking section 5494 (20 U.S.C. 7259e); and

(2) by inserting after section 5493 the following:

"SEC. 5494. PARTNERSHIP PROGRAM IN FOREIGN LANGUAGES.

"(a) PURPOSES.—The purposes of this section are—

"(1) to provide incentives for developing and maintaining model programs of articulated foreign language learning from kindergarten through grade 12 that increase the number of students graduating from high school with an advanced level of proficiency in at least one foreign language; and

"(2) to widely disseminate information on the model programs that demonstrate success.

"(b) PROGRAM AUTHORIZED.—

"(1) IN GENERAL.—From the amounts made available to carry out this section, the Secretary may make incentive payments for a fiscal year to eligible partnerships to develop and maintain, or to improve and expand, model programs that support articu-
lated foreign language learning in kindergarten
through grade 12.

“(2) PLANNING AND DEVELOPMENT.—For the
first two fiscal years an eligible partnership receives
funds under paragraph (1) for a model program on
a less-commonly-taught foreign language, the Sec-
retary may allow that partnership, based on dem-
strated need, to use those funds for planning and
development activities, including—

“(A) development of an articulated instruc-
tional curriculum for the less-commonly-taught
foreign language to which the model program
relates;

“(B) in-service and pre-service develop-
ment of teachers, and development of cur-
riculum and language assessments in the less-
commonly-taught foreign language to which the
model program relates; and

“(C) development of contextual programs
and curriculum materials related to the less-
commonly-taught foreign language to which the
model program relates, as described in sub-
section (e).

“(e) APPLICATIONS.—
“(1) IN GENERAL.—Each eligible partnership desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(2) CONTENTS.—Each application shall—

“(A) identify each member of the partnership, provide contact information and letters of commitment for each such member, and describe the responsibilities of each such member, including—

“(i) identifying the member that will receive and manage the grant;

“(ii) specifying how each member will be involved in the planning, development, and implementation of the activities proposed under the grant;

“(iii) describing the resources to be provided by each member; and

“(iv) describing how each member will contribute to ensuring the continuity of student progress in foreign language proficiency from kindergarten through grade 12;
“(B) describe how an articulated curriculum for students to achieve an advanced level of proficiency by grade 12 will be developed and implemented;

“(C) identify target proficiency levels for students at critical benchmarks, and describe how progress toward those proficiency levels will be assessed at the benchmarks;

“(D) describe how the partnership will support and continue the program after the grant has expired, including how the partnership will seek support from other sources, such as State and local governments, foundations, and the private sector; and

“(E) describe what assessments will be used or, if assessments are not available, how assessments will be developed.

“(d) USE OF FUNDS.—Incentive payments under this section—

“(1) shall be used—

“(A) to design programs and teaching strategies informed by the best practices recognized by the field and by available research;

“(B) to develop curriculum materials based on an articulated framework or approach de-
signed to bring students to an advanced level of proficiency by grade 12;

"(C) to recruit students and teachers, such as from heritage populations; and

"(D) to carry out teacher in-service and pre-service professional development programs, including summer institutes, that support the model programs; and

"(2) may be used—

"(A) to develop nationally recognized assessments for kindergarten through grade 12 for the foreign language to which the model program relates, if such assessments do not exist for that language;

"(B) to enhance nationally recognized assessments for kindergarten through grade 12 for the foreign language to which the model program relates, if such assessments already exist for that language;

"(C) to provide scholarships and incentives to recruit new teachers and encourage practicing teachers to take advantage of the professional development opportunities;

"(D) to provide opportunities for maximum foreign language exposure for students
domestically, such as the creation of immersion
environments in the classroom and school and
on weekend or summer experiences, and special
tutoring and academic support;

"(E) to provide the possibility for multiple
entry points for studying the foreign language;

"(F) to provide scholarships for study-
abroad opportunities related to the foreign lan-
guage to which the model program relates, for
students in grades 9 through 12 and teachers
and prospective teachers of such students, ex-
cept that a recipient of incentive payments may
not use more than 20 percent of those pay-
ments for this purpose;

"(G) to carry out activities to integrate
foreign languages into the school curriculum
and generate whole-school collaboration, includ-
ing activities and support for teachers of other
subjects and administrators;

"(H) to carry out activities to encourage
community involvement, especially with respect
to heritage communities;

"(I) to incorporate effective and innovative
uses of technology to enhance student learning
and teaching;
“(J) to develop certification and alternative certification programs at the State level, especially for the less commonly taught foreign languages;

“(K) to obtain technical assistance in the development and implementation of the model program funded under this section; and

“(L) to recruit or appoint a language supervisor to oversee and coordinate the progress of the articulated foreign language program across grade levels in the local education agency funded under this section.

“(e) CONTEXTUAL DIMENSION.—A model program may not receive an incentive payment under this section unless it includes a dimension, carried out in conjunction with foreign language instruction, under which each foreign language learner also participates in programs to expand the understanding and knowledge of historic, geographic, cultural, economic, and other contextual factors of countries with populations who speak the foreign language to which the model program relates.

“(f) RESEARCH AND EVALUATION.—

“(1) IN GENERAL.—A model program may not receive an incentive payment under this section un-
less it includes a research and evaluation component, under which—

“(A) information is collected and analyzed regarding the effectiveness of activities carried out under the program, including but not limited to—

“(i) program design;
“(ii) student and teacher recruitment strategies;
“(iii) curricular approaches;
“(iv) teacher development; and
“(v) foreign language assessment instruments;

“(B) information is collected and analyzed regarding the impact of each activity in subparagraph (A) on the foreign language proficiency of the students;

“(C) information is collected and analyzed regarding program participation, including data on student enrollments and numbers of foreign language teachers; and

“(D) the information collected, and the analyses of that information, are made widely available to the public.
“(2) STANDARDIZATION.—The Secretary shall provide guidelines to standardize the categories of information collected and analyzed under paragraph (1) and the manner in which that information is collected, analyzed, and made available to the public.

“(g) DURATION OF PAYMENTS.—

“(1) The initial incentive grant awarded to a partnership shall be for a period of four years.

“(2) A partnership completing a four-year incentive grant award may be eligible for two additional five-year awards, but only if the partnership demonstrates, based on nationally recognized standardized foreign language assessments, that the model program is effective.

“(h) MATCHING REQUIREMENT.—

“(1) IN GENERAL.—An eligible partnership that receives a grant under this section shall provide, toward the cost of carrying out the activities supported by the grant, from non-Federal sources an amount equal to—

“(A) 20 percent of the amount of the grant payment for the first fiscal year for which a grant payment is made;

“(B) 30 percent of the amount of the grant payment for the second such fiscal year;
“(C) 40 percent of the amount of the grant payment for the third such fiscal year; and

“(D) 50 percent of the amount of the grant payments for the duration of the first grant, and any additional grants made under this section.

“(2) NON-FEDERAL SHARE.—The non-Federal share required under paragraph (1) may be provided in cash or in kind.

“(3) WAIVER.—The Secretary may waive, in whole or in part, the matching requirement in paragraph (1) for any fiscal year if—

“(A) the eligible partnership demonstrates hardship and the waiver will best serve the purposes of this section; or

“(B) the foreign language to which the model program relates is a less-commonly-taught foreign language as determined by the Secretary.

“(i) SUPPLEMENT NOT SUPPLANT.—Grant funds provided under this section shall be used to supplement, not supplant, other Federal and non-Federal funds available to carry out the activities described in this section.
“(j) DATA COLLECTION, ANALYSIS, AND DISSEMINATION.—

“(1) IN GENERAL.—The Secretary may reserve not more than 3 percent of the total amount appropriated for this section for any fiscal year to—

“(A) annually collect and analyze data on the programs under this section; and

“(B) disseminate nationally, including through a Web-based clearinghouse—

“(i) aggregated data collected under subparagraph (A); and

“(ii) promising K–12 foreign language learning and teaching practices and successful program models developed under this section.

“(2) The activities described in paragraph (1) may be carried out by the Secretary directly or through grants and contracts to institutions of higher education and public and private nonprofit agencies and organizations.

“(k) DEFINITIONS.—In this section:

“(1) ELIGIBLE PARTNERSHIP.—The term ‘eligible partnership’ means a partnership that—

“(A) shall include—
“(i) one or more local educational agencies or State educational agencies, or both; and

“(ii) one or more institutions of higher education, which shall include—

“(I) a school, department, or program within the institution or institutions of higher education that provides a teacher preparation program;

“(II) a school, department, program, or center within the institution or institutions of higher education that provides a program of study or research in foreign languages; and

“(III) a school, department, program, or center within the institution or institutions of higher education that provides programs of study about the historic, geographic, cultural, economic, and other contextual factors of the world area or country with populations who speak the foreign language to which the model program relates; and
“(B) may also include one or more businesses or nonprofit organizations, or both.

“(2) **ADVANCED LEVEL OF PROFICIENCY.**—The term ‘advanced level of proficiency’ means the advanced level as measured by the American Council for Teachers of Foreign Languages, or level 2 as measured by the Federal Interagency Language Roundtable (ILR) or by other nationally recognized measures of advanced standards of proficiency.

“(3) **ARTICULATED.**—The term ‘articulated’ means that each grade level of the foreign language program is designed to sequentially expand on the student achievement of the previous level with a goal toward achieving an established level of language proficiency.

“(l) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for incentive payments under this section $50,000,000 for fiscal year 2010.”.

(b) **FINDINGS AND PURPOSES.**—Subpart 9 of part D of title V of the Elementary and Secondary Education Act of 1965 is further amended by inserting after section 5491 the following:

**SEC. 5491A. FINDINGS; PURPOSES.**

“(a) **FINDINGS.**—Congress finds the following:
“(1) According to the National Research Council in 2007, a pervasive lack of knowledge about foreign cultures and foreign languages in this country threatens the security of the United States as well as its ability to compete in the global marketplace and produce an informed citizenry.

“(2) According to the National Research Council in 2007, early language learning in elementary and secondary school is key to establishing a pipeline of students who can eventually reach a high enough level of proficiency in foreign language and culture to meet national needs.

“(3) According to the Committee for Economic Development in 2006, current efforts to develop language skills and knowledge of world regions at an early age are clearly inadequate to prepare high school graduates with the skills necessary for productivity and citizenship in an integrated global economy.

“(4) The American Council on the Teaching of Foreign Languages found that only 34 percent of United States K–12 students were enrolled in foreign language classes in 2000. Furthermore, the length of time students spent studying languages at
school has stagnated, so that many students reach only introductory levels of proficiency.

"(5) Research demonstrates that success lies not only in the number of years of learning but also in having carefully sequenced, articulated, programs of language learning across a child’s school experience, requiring bridging the gaps between levels in foreign language education.

"(6) A survey of secondary school principals and foreign language teachers by the Center for Applied Linguistics in 1999 identified a shortage of foreign language teachers as a major impediment to greater foreign language learning; along with funding, lack of training, and poor academic counseling.

"(b) PURPOSES.—The purposes of this subpart are to provide incentives for model programs that address the needs for developing, strengthening and expanding the teaching and learning of foreign languages and foreign cultures in the United States elementary and secondary schools, and to widely disseminate information on successful programs and practices.”.

(e) TECHNICAL AMENDMENTS.—The table of contents in section 2 of such Act is amended—

(1) by inserting after the item relating to section 5491 the following:

"Sec. 5491A. Findings; purposes.";
1 and
2 (2) by striking the item relating to section 5494
3 and inserting the following:

"Sec. 5494. Partnership program in foreign languages.".