

103^D CONGRESS
1ST SESSION

S. 1525

To improve the quantity and quality of foreign language instruction offered
in our Nation's elementary and secondary schools.

IN THE SENATE OF THE UNITED STATES

OCTOBER 7 (legislative day, SEPTEMBER 27), 1993

Mr. GLENN introduced the following bill; which was read twice and referred
to the Committee on Labor and Human Services

A BILL

To improve the quantity and quality of foreign language
instruction offered in our Nation's elementary and sec-
ondary schools.

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. FOREIGN LANGUAGE ASSISTANCE.**

4 Part B of title II of the Elementary and Secondary
5 Education Act of 1965 (20 U.S.C. 3001 et seq.) is amend-
6 ed to read as follows:

7 **“SEC. 2101. SHORT TITLE.**

8 “This part may be cited as the ‘Foreign Language
9 Assistance Act of 1993’.

1 **“SEC. 2102. FINDINGS.**

2 “The Congress finds that—

3 “(1) foreign language proficiency is key to our
4 Nation’s international economic competitiveness, se-
5 curity interests and diplomatic effectiveness;

6 “(2) the United States lags behind other devel-
7 oped countries in the opportunities the United
8 States offers elementary and secondary school stu-
9 dents to study and become proficient in foreign lan-
10 guages;

11 “(3) more teachers must be trained for foreign
12 language instruction in our Nation’s elementary and
13 secondary schools, and those teachers must have ex-
14 panded opportunities for continued improvement of
15 their skills;

16 “(4) students with proficiency in languages
17 other than English should be viewed as valuable sec-
18 ond language resources for other students; and

19 “(5) a strong Federal commitment to the pur-
20 pose of this part is necessary.

21 **“SEC. 2103. PURPOSE.**

22 “It is the purpose of this part to improve the quantity
23 and quality of foreign language instruction offered in our
24 Nation’s elementary and secondary schools.

25 **“SEC. 2104. PROGRAM AUTHORIZED.**

26 “(a) AUTHORITY.—

1 “(1) GRANTS FROM THE SECRETARY.—In any
2 fiscal year in which the appropriations for this part
3 equal or exceed \$50,000,000, the Secretary is au-
4 thorized, in accordance with the provisions of this
5 part, to award grants to States from allocations
6 under section 2105 to pay the Federal share of the
7 costs of the activities described in section 2107.

8 “(2) STATE GRANT PROGRAM.—In any fiscal
9 year in which the appropriations for this part do not
10 equal or exceed \$50,000,000, the Secretary is au-
11 thorized to make grants, in accordance with the pro-
12 visions of this part, to State educational agencies,
13 local educational agencies, consortia of local edu-
14 cational agencies, or consortia of local educational
15 agencies and institutions of higher education, to pay
16 the Federal share of the cost of activities described
17 in section 2107.

18 “(b) SUPPLEMENT NOT SUPPLANT.—Funds pro-
19 vided under this part shall be used to supplement and not
20 supplant non-Federal funds made available for the activi-
21 ties described in section 2107.

22 “(c) DURATION.—Grants or contracts awarded under
23 this part shall be awarded for a period of not longer than
24 5 years.

1 **“SEC. 2105. ALLOCATION OF FUNDS.**

2 “(a) ALLOCATION.—From the amount appropriated
3 under section 2113 for any fiscal year, the Secretary shall
4 reserve—

5 “(1) not more than $\frac{1}{2}$ of 1 percent for alloca-
6 tion among Guam, American Samoa, the Virgin Is-
7 lands, the Northern Mariana Islands, and the Re-
8 public of Palau (until such time as the Compact of
9 Free Association is ratified) according to their re-
10 spective needs for assistance under this part;

11 “(2) not more than $\frac{1}{2}$ of 1 percent for pro-
12 grams for Native American students served by
13 schools funded by the Secretary of the Interior if
14 such programs are consistent with the purpose of
15 this part;

16 “(3) 10 percent for national programs described
17 in section 2108(a);

18 “(4) 5 percent for evaluation and research de-
19 scribed in section 2108(b); and

20 “(5) in the case of a fiscal year in which appro-
21 priations for this part equal or exceed \$50,000,000,
22 10 percent for bonus grants described in section
23 2108(c).

24 “(b) FORMULA.—In any fiscal year in which the ap-
25 propriations for this part equal or exceed \$50,000,000, the
26 remainder of the amount so appropriated (after meeting

1 the requirements of subsection (a)) shall be allocated
2 among the States as follows:

3 “(1) $\frac{1}{2}$ of such remainder shall be allocated
4 among the States by allocating to each State an
5 amount which bears the same ratio to $\frac{1}{2}$ of such re-
6 mainder as the number of children aged 5 to 17, in-
7 clusive, in the State bears to the number of such
8 children in all States; and

9 “(2) $\frac{1}{2}$ of such remainder shall be allocated
10 among the States according to each State’s share of
11 allocations under chapter 1 of title I for the preced-
12 ing fiscal year,

13 except that no State shall receive less than $\frac{1}{4}$ of 1 percent
14 of such remainder.

15 “(c) SPECIAL RULE.—The provisions of Public Law
16 95–134 shall not apply to assistance provided pursuant
17 to paragraph (1) of subsection (a).

18 **“SEC. 2106. IN-STATE APPORTIONMENT.**

19 “(a) FUNDING ABOVE \$50,000,000.—In any fiscal
20 year in which appropriations for this part equal or exceed
21 \$50,000,000, each State receiving a grant under this part
22 shall distribute not less than 95 percent of such grant
23 funds so that—

24 “(1) 50 percent of such funds are distributed to
25 local educational agencies within the State for in-

1 instructional programs described in paragraph (1) of
2 section 2107; and

3 “(2) 50 percent of such funds are distributed to
4 local educational agencies within the State for teach-
5 er development and recruitment activities described
6 in paragraph (2) of section 2107.

7 “(b) FUNDING BELOW \$50,000,000.—In any fiscal
8 year in which appropriations for this part do not equal
9 or exceed \$50,000,000, the Secretary shall award grants
10 to State educational agencies, local educational agencies,
11 consortia of local educational agencies, or consortia of
12 local educational agencies and institutions of higher edu-
13 cation, so that—

14 “(1) 50 percent of the funds all such entities in
15 a State receive shall be used for instructional pro-
16 grams described in paragraph (1) of section 2107;
17 and

18 “(2) 50 percent of the funds all such entities in
19 a State receive shall be used for teacher development
20 and recruitment activities described in paragraph (2)
21 of section 2107.

22 **“SEC. 2107. AUTHORIZED ACTIVITIES.**

23 “A State, State educational agency, local educational
24 agency, consortium of local educational agencies, or con-
25 sortium of a local educational agency and an institution

1 of higher education may use payments received under this
2 part for the following activities:

3 “(1) INSTRUCTIONAL PROGRAMS.—Activities
4 which establish, improve or expand elementary or
5 secondary school foreign language programs, includ-
6 ing—

7 “(A) elementary school immersion pro-
8 grams with articulation at the secondary school
9 level;

10 “(B) content-based foreign language in-
11 struction; and

12 “(C) intensive summer foreign language
13 programs for students.

14 “(2) TEACHER DEVELOPMENT AND RECRUIT-
15 MENT.—Activities which—

16 “(A) expand or improve preservice train-
17 ing, inservice training and retraining of teach-
18 ers of foreign languages, which training or re-
19 training shall emphasize—

20 “(i) intensive summer foreign lan-
21 guage programs for teachers; and

22 “(ii) teacher training programs for el-
23 ementary school teachers;

24 “(B) recruit qualified individuals with a
25 demonstrated proficiency in a foreign language

1 to teach foreign languages in elementary and
2 secondary schools, which individuals may in-
3 clude—

4 “(i) a retired or returning Federal
5 Government employee who served abroad
6 or a Federal Government employee whose
7 position required proficiency in one or
8 more foreign languages;

9 “(ii) a retired or returning Peace
10 Corps volunteer;

11 “(iii) a retired or returning business
12 person or professional who served abroad
13 or whose position required proficiency in
14 one or more foreign languages;

15 “(iv) a foreign-born national with the
16 equivalent of a bachelor’s degree from a
17 domestic or overseas institution of higher
18 education;

19 “(v) an individual with a bachelor’s
20 degree whose major or minor was in a for-
21 eign language or international studies; and

22 “(vi) a graduate of a fellowship or
23 scholarship program assisted under the
24 David L. Boren National Security Edu-

1 cation Act of 1991 (20 U.S.C. 1901 et
2 seq.);

3 “(C) develop programs of alternative
4 teacher preparation and alternative certification
5 to qualify such individuals to teach foreign lan-
6 guages in elementary and secondary schools;
7 and

8 “(D) establish programs for individual for-
9 eign language teachers within a local edu-
10 cational agency in order to improve such teach-
11 ers’ teaching ability or the instructional mate-
12 rials used in such teachers’ classrooms.

13 **“SEC. 2108. FEDERAL ACTIVITIES.**

14 “(a) NATIONAL PROGRAMS.—From amounts re-
15 served pursuant to section 2105(a)(3) in each fiscal year,
16 the Secretary is authorized to make grants to State edu-
17 cational agencies, local educational agencies or consortia
18 of local educational agencies to pay the Federal share of
19 the cost of model demonstration programs that represent
20 a variety of alternative and innovative approaches to for-
21 eign language instruction for elementary or secondary
22 school students, including—

23 “(1) two-way language programs; and

24 “(2) programs that integrate educational tech-
25 nology into curricula.

1 “(b) EVALUATION AND RESEARCH.—From amounts
2 reserved pursuant to section 2105(a)(4) in each fiscal
3 year, the Secretary—

4 “(1) shall evaluate programs assisted under this
5 part; and

6 “(2) through the Office of Educational Re-
7 search and Improvement, shall award grants or
8 enter into contracts for research, regarding—

9 “(A) effective methods of foreign language
10 learning and teaching;

11 “(B) assessments of elementary school for-
12 eign language programs and student skills; and

13 “(C) the efficacy of secondary school for-
14 eign language programs.

15 “(c) BONUS GRANTS.—

16 “(1) IN GENERAL.—From amounts reserved
17 pursuant to section 2105(a)(5) in any fiscal year,
18 the Secretary is authorized to award bonus grants to
19 States which—

20 “(A) require at least 3 years of foreign
21 language study for all students graduating from
22 secondary school in the State;

23 “(B) require at least 2 years of foreign
24 language study prior to entrance into grade 9
25 in the State;

1 “(C) have at least 40 percent of the ele-
2 mentary school students in the State enrolled in
3 foreign language instruction programs; or

4 “(D) have at least 70 percent of the sec-
5 ondary school students in the State enrolled in
6 foreign language instruction programs.

7 “(2) AMOUNT.—Each State eligible to receive a
8 grant under paragraph (1) in a fiscal year shall re-
9 ceive a grant in such fiscal year in an amount deter-
10 mined as follows:

11 “(A) 50 percent of such amount shall be
12 determined on the basis of the number of chil-
13 dren aged 5 to 17, inclusive, in such State com-
14 pared to the number of such children in all
15 such States.

16 “(B) 50 percent of such amount shall be
17 determined on the basis of such State’s share of
18 allocations under chapter 1 of title I compared
19 to all such States’ share of such allocations.

20 **“SEC. 2109. APPLICATIONS.**

21 “Each State, State educational agency, local edu-
22 cational agency, consortium of local educational agencies,
23 or consortium of a local educational agency and an institu-
24 tion of higher education, desiring assistance under this
25 part shall submit an application to the Secretary at such

1 time, in such form, and containing or accompanied by
2 such information and assurances as the Secretary may
3 reasonably require.

4 **“SEC. 2110. PAYMENTS; FEDERAL SHARE; NON-FEDERAL**
5 **SHARE; WAIVER.**

6 “(a) PAYMENTS.—The Secretary shall pay to each el-
7 igible entity having an application approved under section
8 2109 the Federal share of the cost of the activities de-
9 scribed in the application.

10 “(b) FEDERAL SHARE.—

11 “(1) IN GENERAL.—The Federal share—

12 “(A) for the first year for which an eligible
13 entity receives assistance under this part shall
14 be not more than 90 percent;

15 “(B) for the second such year shall be not
16 more than 80 percent;

17 “(C) for the third such year shall be not
18 more than 60 percent; and

19 “(D) for the fourth and any subsequent
20 year shall be not more than 40 percent.

21 “(c) NON-FEDERAL SHARE.—The non-Federal share
22 of payments under this part may be in cash or in kind,
23 fairly evaluated, including equipment or services.

24 “(d) WAIVER.—The Secretary may waive, in whole
25 or in part, the requirement to provide the non-Federal

1 share of payments for any State, State educational agen-
2 cy, local educational agency, consortium of local edu-
3 cational agencies, or consortium of a local educational
4 agency and an institution of higher education, which the
5 Secretary determines does not have adequate resources to
6 pay the non-Federal share of the program or activity.

7 **“SEC. 2111. PARTICIPATION OF CHILDREN AND TEACHERS**
8 **FROM PRIVATE SCHOOLS.**

9 “(a) PARTICIPATION OF PRIVATE SCHOOL STU-
10 DENTS.—To the extent consistent with the number of chil-
11 dren in the State or in the school district of each local
12 educational agency receiving assistance under this part
13 who are enrolled in private nonprofit elementary and sec-
14 ondary schools, such State or agency shall, after consulta-
15 tion with appropriate private school representatives, make
16 provision for including services and arrangements for the
17 benefit of such children as will assure the equitable partici-
18 pation of such children in the purposes and benefits of
19 this part.

20 “(b) PARTICIPATION OF PRIVATE SCHOOL TEACH-
21 ERS.—To the extent consistent with the number of chil-
22 dren in the State or in the school district of a local edu-
23 cational agency receiving assistance under this part who
24 are enrolled in private nonprofit elementary and secondary
25 schools, such State or agency shall, after consultation with

1 appropriate private school representatives, make provision,
2 for the benefit of such teachers in such schools, for such
3 training and retraining as will assure equitable participa-
4 tion of such teachers in the purposes and benefits of this
5 part.

6 “(c) WAIVER.—If by reason of any provision of law
7 a State or local educational agency is prohibited from pro-
8 viding for the participation of children or teachers from
9 private nonprofit schools as required by subsections (a)
10 and (b), or if the Secretary determines that a State or
11 local educational agency has substantially failed or is un-
12 willing to provide for such participation on an equitable
13 basis, the Secretary shall waive such requirements and
14 shall arrange for the provision of services to such children
15 or teachers, subject to the requirements of this section.
16 Such waivers shall be subject to consultation, withholding,
17 notice, and judicial review requirements in accordance
18 with section 1017 of this Act.

19 **“SEC. 2112. DEFINITIONS.**

20 “For the purpose of this part—

21 “(1) the term ‘articulation’ means the continu-
22 ity of expectations and instruction from year to year
23 and level to level within foreign language study;

24 “(2) the term ‘content-based foreign language
25 instruction’ means instruction in which portions of

1 subject content from the regular school curriculum
2 are taught or reinforced through the medium of a
3 foreign language;

4 “(3) the term ‘foreign language instruction’
5 means instruction in any foreign language, with em-
6 phasis on languages not frequently taught in elemen-
7 tary and secondary schools;

8 “(4) the term ‘immersion’ means an approach
9 to foreign language instruction in which students
10 spend one-half or more of their school day receiving
11 instruction in the regular school curriculum through
12 the medium of a foreign language;

13 “(5) the term ‘intensive summer foreign lan-
14 guage program’ means a program in which partici-
15 pants are immersed in the foreign language for the
16 duration of the activity;

17 “(6) the term ‘State’ means each of the 50
18 States, the District of Columbia and the Common-
19 wealth of Puerto Rico; and

20 “(7) the term ‘two-way language program’
21 means a foreign language program in which native
22 speakers of English are brought together with ap-
23 proximately equal numbers of speakers of another
24 language and in which content instruction, reading
25 and language arts are taught in both English and

1 the non-English language, with the goal of produc-
2 ing students who have high levels of proficiency in
3 English and the non-English language, appreciation
4 for other cultures, and academic achievement at
5 grade level expectation or above.

6 **“SEC. 2113. AUTHORIZATION OF APPROPRIATIONS.**

7 “There are authorized to be appropriated
8 \$75,000,000 for fiscal year 1994, and such sums as may
9 be necessary for each of the 4 succeeding years, to carry
10 out this part.”.

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