H. R. 6036

To improve foreign language instruction.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2010

Mr. Holt (for himself and Mr. Tonko) introduced the following bill; which
was referred to the Committee on Education and Labor

A BILL

To improve foreign language instruction.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Excellence and Innovation in Language Learning Act”.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) According to a 2007 report by the National
Research Council, 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 mar-
ketplace and produce an informed citizenry.

(2) According to a 2007 report by the National
Research Council, early language learning in elemen-
tary school and secondary school is key to estab-
lishing a pipeline of students who can eventually
reach a high enough level of proficiency in foreign
languages and cultures to meet national needs.

(3) According to a 2006 report by the Com-
mittee for Economic Development, current efforts to
develop language skills and knowledge of world re-
gions at an early age are clearly inadequate to pre-
pare 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 18.5 percent of
students in kindergarten through grade 12 were en-
rolled in foreign language classes in the 2007–2008
school year. Furthermore, the length of time stu-
dents spent studying languages at school has stag-
nated, so that many students reach only introdus-
tory levels of proficiency.

(5) According to a 2009 report by the Center
for Applied Linguistics, language instruction in
schools has declined dramatically over the past decade. The percentage of elementary schools and middle schools offering foreign language instruction decreased significantly from 1997 to 2008, declining from 31 percent to 25 percent for elementary schools and 75 percent to 58 percent for middle schools.

(6) 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 student’s school experience, requiring bridging the gaps between levels in foreign language education.

(7) According to research collected by the American Council on the Teaching of Foreign Languages, children derive cognitive, academic, and social benefits from the opportunity to learn another language at an early age.

(8) According to the Center for Applied Linguistics, in 2008 significant disparities existed in language learning opportunities, with students at suburban schools having more opportunities than students in rural schools, and students in private schools having more opportunities than those in public schools. For example, 15 percent of public ele-
mentary schools teach second languages in their
classrooms as opposed to 51 percent of private ele-
mentary schools.

(b) PURPOSES.—The purposes of this Act are as fol-
lows:

(1) Protecting our national security interests by
increasing the number of American students who
have access to quality kindergarten through grade
12 foreign language instruction in order to achieve
a high level of proficiency in such languages.

(2) Preparing American students to graduate
high school able to communicate in a second lan-
guage and operate within another cultural frame-
work in order to foster the competitiveness of the
United States in the global economy.

(3) Closing achievement gaps domestically and
internationally by providing American students equal
access to quality kindergarten through grade 12 for-

gien language instruction.

(4) Providing every student access to quality
language instruction as part of articulated kinder-
garten through grade 12 language sequences in
order to give every student the opportunity to be-
come proficient in other languages in addition to
English by high school graduation.
(5) Strengthening innovative preparation and recruitment initiatives for future foreign language teachers and enhance professional development opportunities for current teachers.

(6) Exposing elementary schoolchildren to foreign languages early in their educational career.

(7) Widely disseminating information on programs that demonstrate success.

SEC. 3. NATIONAL ACTIVITIES.

(a) IN GENERAL.—From the amounts made available to carry out this section, the Secretary of Education shall carry out the following national activities:

(1) Coordinating with the Secretary of State, Secretary of Defense, Secretary of Commerce, and the heads of other relevant Federal agencies to share best practices in teaching and learning foreign languages.

(2) Providing incentives for States to adopt and implement nationally recognized standards that are developed and widely accepted by the language education professionals community for foreign language instruction in elementary and secondary education and to disseminate information on effective language assessments aligned to those standards.
(3) Supporting and disseminating research in the areas of best practices in teaching and learning foreign languages at elementary and secondary education levels, including best practices with respect to the instructional time and intensity of programs that achieve high levels of student proficiency.

(4) Supporting the development and expansion of existing nationally recognized proficiency-based valid and reliable assessments for foreign languages taught in kindergarten through grade 12.

(5) Providing scholarships for study-abroad opportunities for students in grades 6 through 12 and for the teachers and prospective teachers of such students.

(6) Providing scholarships for study-abroad opportunities linked to language learning for foreign language teachers who teach at the elementary or secondary education levels.

(7) Requiring the National Center for Education Statistics to annually collect, analyze, and internationally benchmark data on—

(A) the number of students reaching proficiency benchmarks at the elementary and secondary education level;
(B) the number of public elementary and secondary schools, private elementary and secondary schools, and private heritage schools that offer foreign language instruction;

(C) the languages taught and the levels of instruction offered at public elementary and secondary schools, private elementary and secondary schools, and private heritage schools;

(D) the number of teachers providing foreign language instruction at public elementary and secondary schools, private elementary and secondary schools, and private heritage schools, including the languages and the levels of instruction taught at such schools; and

(E) the number of public elementary and secondary schools that provide academic credits for proficiency in language abilities acquired outside of the public school system.

(8) Working with State educational agencies to develop a standardized data collection method described in section 4 to collect the data described in paragraph (7).

(9) Disseminating nationally, including through a Web-based clearinghouse, promising foreign language learning and teaching practices and successful
program models for students in kindergarten through grade 12, as developed under this section and through other Department of Education programs; and

(10) Supporting partnerships of local and State educational agencies with institutions of higher education and other nonprofit educational organizations to identify innovative, state-of-the-art technologies and platforms that have been proven to be successful for effective language instruction.

(b) COLLABORATION.—The activities described in subsection (a) may be carried out by the Secretary directly or through grants to, or contracts with, institutions of higher education or public and private nonprofit agencies and organizations.

(e) REPORTING.—Not later than 5 years after the date of the enactment of this Act, the Secretary, after consultation with State educational agencies, shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate on—

(1) the use of funds authorized under this Act; and

(2) how the programs and activities carried out with such funds impacted—
(A) student language proficiency;

(B) the availability of foreign language education programs in kindergarten through grade 12;

(C) the number of early foreign language programs; and

(D) the number of elementary school and secondary school foreign language teachers.

(d) Authorization of Appropriations.—There are authorized to be appropriated $100,000,000 to carry out this section for fiscal year 2011 and such sums as may be necessary for each succeeding fiscal year.

SEC. 4. STATE ACTIVITIES.

(a) In General.—From the amounts made available to carry out this section, the Secretary shall award grants, on a competitive basis, to States to improve elementary school and secondary school foreign language learning programs in the State.

(b) Application.—In order to receive a grant under this section, a State educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.
(c) Use of Funds.—A State educational agency receiving a grant under this section shall use such grant funds to carry out the following:

(1) Developing Policy.—Develop foreign language and international education policy and programs in the State to—

(A) provide for articulated pathways toward language proficiency beginning in kindergarten through high school graduation; and

(B) build capacity for delivering foreign language and international education to students statewide;

(2) State Foreign Language and International Education Advisory Council.—

(A) Appointment.—Appoint a State foreign language and international education advisory council (in this section referred to as the “Council”) that includes representatives from—

(i) the State’s business community;

(ii) State economic development and trade agencies;

(iii) small business bureaus;

(iv) military facilities;

(v) individuals with international and area studies expertise; and
(vi) teachers and individuals with professional expertise in language acquisition from each of the following educational levels:

(I) Kindergarten through grade 8.

(II) Grade 8 through grade 12.

(III) Higher education.

(B) DUTIES.—The Council shall be coordinated by the Chief State School Officer or his or her designee and—

(i) shall—

(I) advise the State educational agency on the development of a State needs assessment of—

(aa) the demand for people with foreign language skills in various professions and employment sectors throughout the State;

(bb) the number and percentage of elementary and secondary schools in the State that offer language programs;
(ee) the foreign languages taught in the State’s elementary and secondary schools;

(dd) the number of foreign language teachers in the State’s elementary and secondary schools; and

(ee) the number of comprehensive statewide sequences of foreign languages from kindergarten through high school graduation;

(II) recommend approaches to improve the teaching of foreign languages for students statewide based on research-based best practices;

(III) recommend ways to expand foreign language and international education opportunities for students statewide through innovative approaches, such as immersion, online, and other hybrid language and international educational learning experiences that use pedagogically sound approaches;
(IV) work with professional standards boards and State licensing bodies, review teacher certification requirements and, as needed, recommend changes to State certification requirements to ensure high-quality foreign language teachers;

(V) recommend strategies to address any shortages of elementary and secondary education teachers in common and less commonly taught languages within the State;

(VI) develop pathways for students to achieve the advanced level of proficiency on the American Council on the Teaching of Foreign Languages proficiency scale or by other nationally recognized measures of advanced standards of proficiency; and

(VII) develop and assist in implementation of a statewide outreach and communications campaign to the public on the importance of foreign language and international education as
one of the prerequisites to success in
the 21st Century; and
(ii) may recommend alternative routes
to certification that employ equally rig-
orous standards for highly skilled teachers
of less commonly taught languages.

(3) STATE LANGUAGE AND INTERNATIONAL
EDUCATION COORDINATOR.—Designate a State lan-
guage and international education coordinator, or,
as appropriate, coordinators to oversee and coordi-
nate foreign language programs within the State to
oversee the planning, development, and implementa-
tion of the State foreign language policies described
in paragraph (1).

(4) FOREIGN LANGUAGE PROFICIENCY STAND-
ARDS.—Adopt nationally recognized foreign lan-
guage learning proficiency standards as well as stu-
dent foreign language assessments aligned to the
proficiency standards.

(5) PROFESSIONAL DEVELOPMENT PRO-
GRAMS.—Carry out teacher in-service and pre-serv-
ice professional development programs, including
summer institutes, that address the shortage of for-
eign language teachers in the State. Such activities
may be in partnership with local educational agen-
cies, institutions of higher education, and nonprofit organizations, and may be consistent with model program established under section 5.

(6) Scholarships and Incentives.—Provide scholarships and incentives to recruit new teachers and encourage practicing teachers to take advantage of professional development opportunities.

(7) Technical Assistance.—Provide technical assistance to local programs for foreign language education carried out in elementary schools or secondary schools in the State.

(8) Carry out Recommendations.—Carry out recommendations of the State foreign language and international education advisory council, as appropriate.

(d) Authorization of Appropriations.—There are authorized to be appropriated for $100,000 to carry out this section for fiscal year 2011 and such sums as may be necessary for each succeeding fiscal year.

SEC. 5. FOREIGN LANGUAGE EDUCATION PARTNERSHIP PROGRAMS.

(a) Program Authorized.—

(1) In General.—From the amounts made available to carry out this section, the Secretary shall make incentive grants to eligible partnerships
to develop and maintain, or to improve and expand, model programs that support articulated foreign language learning in elementary schools and secondary schools.

(2) Planning and Development.—For the first 2 fiscal years an eligible partnership receives funds under paragraph (1) for a model program on a less-commonly-taught foreign language, the Secretary may allow that partnership, based on demonstrated need, to use funds for planning and development activities based on nationally recognized standards in foreign language education, including—

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

(B) in-service and pre-service development of teachers, and development of curriculum 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 subsection (d).

(b) APPLICATIONS.—

(1) IN GENERAL.—Each eligible partnership desiring a grant under this section shall submit an application to the Secretary such time, in such manner, and containing such information as the Secretary may require, including the information described in paragraph (2).

(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;

(E) describe which assessments will be used or, if assessments are not available, how assessments will be developed; and

(F) describe how the proposed program will meet nationally recognized standards in foreign language education.

(c) CONTEXTUAL DIMENSION.—A model program may not receive an incentive grant under this section un-
less 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.

(d) USE OF FUNDS.—

(1) REQUIRED USES.—An eligible partnership shall use an incentive grant under this section—

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

(B) to develop curriculum materials based on an articulated framework or approach designed to bring students to an advanced level of foreign language proficiency by grade 12;

(C) to recruit students and teachers for model programs that support articulated foreign language learning in elementary schools and secondary schools; and

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

(2) AUTHORIZED USES.—An eligible partnership may use an incentive grant under this section—

(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, on weekend or summer experiences, and special tutoring and academic support;
(E) to provide for the possibility for multiple entry points for studying the foreign language;

(F) in an amount equal to not more than 20 percent of such grant received in a fiscal year, to provide scholarships for study-abroad opportunities related to the foreign language to which the model program relates for students in grades 9 through 12 and teachers and prospective teachers of such students;

(G) to create partnerships with elementary and secondary schools in other countries to facilitate language and cultural learning and exchange;

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

(I) to carry out activities to encourage community involvement;

(J) to obtain technical assistance in the development and implementation of the model program funded under this section;
(K) to incorporate effective and innovative uses of technology to enhance student learning and teaching;

(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 educational agency funded with the incentive grant;

(M) to work with professional standards boards and State licensing bodies, review teacher certification requirements and, as needed, recommend changes to State certification requirements to ensure high-quality foreign language teachers; and

(N) recommend alternative routes to certification that employ equally rigorous standards for highly skilled teachers of less commonly taught languages.

(e) RESEARCH AND EVALUATION.—

(1) IN GENERAL.—A model program may not receive an incentive grant under this section unless 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—

(i) program design;

(ii) student and teacher recruitment strategies;

(iii) curricular approaches;

(iv) teacher development and proficiency levels; and

(v) foreign language assessment instruments;

(B) information is collected and analyzed regarding the impact of each activity in sub-paragraph (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 col-
lected, analyzed, and made available to the public.

(f) **DURATION OF PAYMENTS.**—

(1) **INITIAL INCENTIVE GRANT.**—An initial in-
centive grant under this section shall be awarded to
an eligible partnership awarded for a period of 4
years.

(2) **RENEWAL INCENTIVE GRANTS.**—An eligible
partnership that received an initial incentive grant
under this section may be eligible for 2 additional 5-
year awards under this section, but only if the part-
nership demonstrates, based on nationally recognized
standardized foreign language assessments, that the
model program carried out with funds received
under this section is effective.

(g) **MATCHING REQUIREMENT.**—

(1) **IN GENERAL.**—An eligible partnership that
receives a grant under this section shall provide, to-
ward the cost of carrying out the activities sup-
ported by the grant, from non-Federal sources an
amount equal to not less than the applicable per-
centage of the amount of the grant.

(2) **APPLICABLE PERCENTAGE.**—For purposes
of paragraph (1), the term “applicable percentage”
means—
(A) for the first fiscal year of the first grant received under this section, 20 percent;

    (B) for the second fiscal year of the first grant received under this section, 30 percent;

    (C) for the third fiscal year of the first grant received under this section, 40 percent;

and

    (D) for the fourth fiscal year of the first grant received under this section and for each fiscal year of each succeeding grant received under this section, 50 percent.

(3) Non-Federal share.—The non-Federal share required under paragraph (1) may be provided in cash or in kind.

(4) 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.
(h) **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.

(i) **Data Collection, Analysis, Dissemination, and Technical Assistance.**—

(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);

(ii) promising kindergarten through grade 12 foreign language learning and teaching practices and successful program models developed under this section;

(iii) provide grant application technical assistance to prospective grantees through the website established under this subsection, including foreign language education resource information and contacts available at State and local educational
agencies, institutions of higher education, and nonprofit educational organizations.

(2) COLLABORATION.—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.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $200,000,000 to carry out this section for fiscal year 2011 and such sums as may be necessary for each succeeding fiscal year.

SEC. 6. DEFINITIONS.

In this Act:

(1) EARLY FOREIGN LANGUAGE PROGRAM.—The term early foreign language program means a foreign language program offered as part of a pre-kindergarten program.

(2) ELIGIBLE PARTNERSHIP.—

(A) IN GENERAL.—The term “eligible partnership” means a partnership that—

(i) shall include—

(I) one or more local educational agencies or State educational agencies, or both; and
(II) subject to subparagraph (B),

1 or more institutions of higher education, where the institution has and may include in the partnership—

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

(bb) 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

(cc) 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 lan-
guage to which the model program relates; and
(ii) may also include 1 or more businessses, or nonprofit organizations with expertise in kindergarten through grade 12 language learning.

(B) Waiver.—The Secretary may waive the requirement in subparagraph (A)(i)(II), if the prospective grantee demonstrates the inability to secure an institution of higher education as a partner for the purposes of receiving a grant under section 5, including as a remote, digitally connected partner, after making a good faith effort to secure such institution.

(3) Advanced Level of Proficiency.—The term “advanced level of proficiency” means the advanced level as measured by the American Council on the Teaching of Foreign Languages, or level 2 as measured by the Federal Interagency Language Roundtable or by other nationally recognized measures of advanced standards of proficiency.

(4) 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.

(5) **Heritage School.**—The term “heritage school” means a school that—

(A) offers foreign language instruction or tutoring, and cultural education related to a foreign country; and

(B) serves students who are enrolled, on a full-time basis, in a public or private elementary school or secondary school that is not a heritage school.

(6) **Institution of Higher Education.**—The term “institution of higher education” has the meaning given in section 101 of the Higher Education Act of 1965.

(7) **Secretary.**—The term “Secretary” means the Secretary of Education.