

113TH CONGRESS  
1ST SESSION

# S. 1036

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

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## IN THE SENATE OF THE UNITED STATES

MAY 23, 2013

Mr. REID (for Mr. LAUTENBERG) introduced the following bill; which was  
read twice and referred to the Committee on Health, Education, Labor,  
and Pensions

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## 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”.

6 **SEC. 2. PARTNERSHIP PROGRAM IN FOREIGN LANGUAGES.**

7 (a) IN GENERAL.—Section 5494 of the Elementary  
8 and Secondary Education Act of 1965 (20 U.S.C. 7259c)  
9 is amended to read as follows:

1 **“SEC. 5494. PARTNERSHIP PROGRAM IN FOREIGN LAN-**  
2 **GUAGES.**

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

4 “(1) to provide grants for developing and main-  
5 taining model programs of articulated foreign lan-  
6 guage learning from kindergarten through grade 12  
7 that increase the number of students graduating  
8 from high school with an advanced level of pro-  
9 ficiency in at least one foreign language; and

10 “(2) to widely disseminate information on the  
11 model programs that demonstrate success.

12 “(b) PROGRAM AUTHORIZED.—

13 “(1) IN GENERAL.—From the amounts made  
14 available to carry out this section for a fiscal year,  
15 the Secretary shall make grants to eligible partner-  
16 ships to develop and maintain, or to improve and ex-  
17 pand, model programs that support articulated for-  
18 eign language learning in kindergarten through  
19 grade 12.

20 “(2) PLANNING AND DEVELOPMENT.—For the  
21 first 2 fiscal years that an eligible partnership re-  
22 ceives funds under paragraph (1) for a model pro-  
23 gram on a less-commonly-taught foreign language  
24 (as determined by the Secretary), the Secretary may  
25 allow that partnership, based on demonstrated need,

1 to use those funds for planning and development ac-  
 2 tivities, including—

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

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

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

17 “(c) APPLICATIONS.—

18 “(1) IN GENERAL.—Each eligible partnership  
 19 desiring a grant under this section shall submit an  
 20 application to the Secretary at such time, in such  
 21 manner, and containing such information as the Sec-  
 22 retary may require.

23 “(2) CONTENTS.—Each application shall—

24 “(A) identify each member of the partner-  
 25 ship, provide contact information and letters of

1 commitment for each such member, and de-  
2 scribe the responsibilities of each such member,  
3 including—

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

6 “(ii) specifying how each member will  
7 be involved in the planning, development,  
8 and implementation of the activities pro-  
9 posed under the grant;

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

12 “(iv) describing how each member will  
13 contribute to ensuring the continuity of  
14 student progress in proficiency from kin-  
15 dergarten through grade 12 in not less  
16 than 1 foreign language to which the pro-  
17 gram relates;

18 “(B) describe how an articulated cur-  
19 riculum for students to achieve an advanced  
20 level of proficiency by grade 12 in the foreign  
21 language will be developed and implemented;

22 “(C) identify target proficiency levels in  
23 the foreign language for students at critical  
24 benchmarks, and describe how progress toward

1           those proficiency levels will be assessed at the  
2           benchmarks;

3           “(D) describe how the partnership will  
4           support and continue the program after the  
5           grant has expired, including how the partner-  
6           ship will seek support from other sources, such  
7           as State and local governments, foundations,  
8           and the private sector; and

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

12          “(d) USE OF FUNDS.—An eligible partnership receiv-  
13          ing a grant under this section—

14               “(1) shall use grant funds—

15                   “(A) to design model programs and teach-  
16                   ing strategies relating to not less than one for-  
17                   eign language that are informed by the best  
18                   practices recognized by the field and by avail-  
19                   able research;

20                   “(B) to develop, for the foreign language  
21                   to which the model program relates, curriculum  
22                   materials based on an articulated framework or  
23                   approach designed to bring students to an ad-  
24                   vanced level of proficiency by grade 12;

1           “(C) to recruit students and teachers for  
 2           the foreign language, such as individuals from  
 3           heritage populations; and

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

8           “(2) may be used—

9           “(A)(i) to develop nationally recognized as-  
 10          sessments for kindergarten through grade 12  
 11          for the foreign language to which the model  
 12          program relates, if such assessments do not  
 13          exist for that language; or

14          “(ii) to enhance nationally recognized as-  
 15          sessments for kindergarten through grade 12  
 16          for the foreign language to which the model  
 17          program relates, if such assessments already  
 18          exist for that language;

19          “(B) to provide scholarships and incentives  
 20          to recruit new teachers for the foreign lan-  
 21          guage, and encourage practicing teachers to  
 22          take advantage of the professional development  
 23          opportunities;

24          “(C) to provide opportunities for maximum  
 25          foreign language exposure for students domesti-

1 cally, such as the creation of immersion envi-  
2 ronments in the classroom and school and on  
3 weekend or summer experiences, and special tu-  
4 toring and academic support;

5 “(D) to provide the possibility for multiple  
6 entry points for studying the foreign language;

7 “(E) to provide scholarships for study-  
8 abroad opportunities related to the foreign lan-  
9 guage, for students in grades 9 through 12 and  
10 teachers and prospective teachers of such stu-  
11 dents, except that the eligible entity shall not  
12 use more than 20 percent of the grant funds  
13 for this purpose;

14 “(F) to carry out activities to integrate  
15 foreign languages into the school curriculum  
16 and generate whole-school collaboration, includ-  
17 ing activities and support for teachers of other  
18 subjects and administrators;

19 “(G) to carry out activities to encourage  
20 community involvement in the model program,  
21 especially with respect to heritage communities;

22 “(H) to incorporate effective and innova-  
23 tive uses of technology to enhance student  
24 learning and teaching in the foreign language;

1           “(I) to develop certification and alternative  
 2           certification programs at the State level, espe-  
 3           cially for less-commonly-taught foreign lan-  
 4           guages (as determined by the Secretary);

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

8           “(K) to recruit or appoint a language su-  
 9           pervisor to oversee and coordinate the progress  
 10          of the articulated foreign language program  
 11          funded under this section across grade levels in  
 12          the local educational agency.

13          “(e) CONTEXTUAL DIMENSION.—A grant under this  
 14          section may not be used to support a model program un-  
 15          less the program includes a dimension, carried out in con-  
 16          junction with foreign language instruction, under which  
 17          each foreign language learner also participates in pro-  
 18          grams to expand the understanding and knowledge of his-  
 19          toric, geographic, cultural, economic, and other contextual  
 20          factors of countries with populations who speak the for-  
 21          eign language to which the model program relates.

22          “(f) RESEARCH AND EVALUATION.—

23                 “(1) IN GENERAL.—A grant under this section  
 24          may not be used to support a model program unless



1 the program includes a research and evaluation com-  
 2 ponent, under which—

3 “(A) information is collected and analyzed  
 4 regarding the effectiveness of activities carried  
 5 out under the program, including—

6 “(i) program design;

7 “(ii) student and teacher recruitment  
 8 strategies;

9 “(iii) curricular approaches;

10 “(iv) teacher development; and

11 “(v) foreign language assessment in-  
 12 struments;

13 “(B) information is collected and analyzed  
 14 regarding the impact of each activity in sub-  
 15 paragraph (A) on the foreign language pro-  
 16 ficiency of the students;

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

21 “(D) the information collected, and the  
 22 analyses of that information, are made widely  
 23 available to the public.

24 “(2) STANDARDIZATION.—The Secretary shall  
 25 provide guidelines to standardize the categories of

1 information collected and analyzed under paragraph  
2 (1) and the manner in which that information is col-  
3 lected, analyzed, and made available to the public.

4 “(g) DURATION OF PAYMENTS.—

5 “(1) INITIAL GRANTS.—An initial grant award-  
6 ed under this section to an eligible partnership shall  
7 be for a period of 4 years.

8 “(2) ADDITIONAL GRANTS.—An eligible part-  
9 nership completing a 4-year grant award under this  
10 section may be eligible for not more than 2 addi-  
11 tional 5-year awards under this section, but only if  
12 the partnership demonstrates, based on nationally  
13 recognized standardized foreign language assess-  
14 ments, that the partnership’s model program is ef-  
15 fective.

16 “(h) MATCHING REQUIREMENT.—

17 “(1) IN GENERAL.—An eligible partnership that  
18 receives a grant under this section shall provide, to-  
19 ward the cost of carrying out the activities sup-  
20 ported by the grant, from non-Federal sources an  
21 amount equal to—

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

1           “(B) 30 percent of the amount of the  
2           grant payment for the second such fiscal year;

3           “(C) 40 percent of the amount of the  
4           grant payment for the third such fiscal year;  
5           and

6           “(D) 50 percent of the amount of the  
7           grant payment for the fourth such fiscal year,  
8           and for each year of any subsequent grants  
9           made to the eligible partnership under this sec-  
10          tion.

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

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

17               “(A) the eligible partnership demonstrates  
18               hardship and the waiver will best serve the pur-  
19               poses of this section; or

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

24          “(i) SUPPLEMENT NOT SUPPLANT.—Grant funds  
25          provided under this section shall be used to supplement,

1 not supplant, other Federal and non-Federal funds avail-  
 2 able to carry out the activities described in this section.

3 “(j) DATA COLLECTION, ANALYSIS, AND DISSEMINA-  
 4 TION.—

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

8 “(A) annually collect and analyze data on  
 9 the model programs supported under this sec-  
 10 tion; and

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

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

15 “(ii) promising kindergarten through  
 16 grade 12 foreign language learning and  
 17 teaching practices, and successful program  
 18 models, that are developed under this sec-  
 19 tion.

20 “(2) AUTHORITY FOR GRANTS OR CON-  
 21 TRACTS.—The activities described in paragraph (1)  
 22 may be carried out by the Secretary directly or  
 23 through grants or contracts to institutions of higher  
 24 education or public or private nonprofit agencies and  
 25 organizations.

1 “(k) DEFINITIONS.—In this section:

2 “(1) ADVANCED LEVEL OF PROFICIENCY.—The  
3 term ‘advanced level of proficiency’ means—

4 “(A) the advanced level as measured by  
5 the American Council on the Teaching of For-  
6 eign Languages;

7 “(B) level 2 as measured by the Inter-  
8 agency Language Roundtable; or

9 “(C) any other nationally recognized meas-  
10 ure of advanced standards of foreign language  
11 proficiency, as determined by the Secretary.

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

18 “(3) ELIGIBLE PARTNERSHIP.—The term ‘eligi-  
19 ble partnership’ means a partnership that—

20 “(A) shall include—

21 “(i) one or more local educational  
22 agencies or State educational agencies; and

23 “(ii) one or more institutions of high-  
24 er education, which shall include—

1 “(I) a school, department, or pro-  
2 gram within the institution or institu-  
3 tions of higher education that provides  
4 a teacher preparation program;

5 “(II) a school, department, pro-  
6 gram, or center within the institution  
7 or institutions of higher education  
8 that provides a program of study or  
9 research in foreign languages; and

10 “(III) a school, department, pro-  
11 gram, or center within the institution  
12 or institutions of higher education  
13 that provides programs of study about  
14 the historic, geographic, cultural, eco-  
15 nomic, and other contextual factors of  
16 the world area or country with popu-  
17 lations who speak the foreign lan-  
18 guage to which the model program re-  
19 lates; and

20 “(B) may also include one or more busi-  
21 nesses or nonprofit organizations.

22 “(l) AUTHORIZATION OF APPROPRIATIONS.—There  
23 are authorized to be appropriated to carry out this section  
24 \$50,000,000 for fiscal year 2014 and such sums as may  
25 be necessary for each of the 5 succeeding fiscal years.”.

1 (b) FINDINGS AND PURPOSES.—Subpart 9 of part D  
 2 of title V of the Elementary and Secondary Education Act  
 3 of 1965 (20 U.S.C. 7259 et seq.) is further amended by  
 4 inserting after section 5491 the following:

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

6 “(a) FINDINGS.—Congress finds the following:

7 “(1) According to the National Research Coun-  
 8 cil in 2007, a pervasive lack of knowledge about for-  
 9 eign cultures and foreign languages in this country  
 10 threatens the security of the United States as well  
 11 as its ability to compete in the global marketplace  
 12 and produce an informed citizenry.

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

19 “(3) According to the Committee for Economic  
 20 Development in 2006, current efforts to develop lan-  
 21 guage skills and knowledge of world regions at an  
 22 early age are clearly inadequate to prepare high  
 23 school graduates with the skills necessary for pro-  
 24 ductivity and citizenship in an integrated global  
 25 economy.

1           “(4) Research demonstrates that success lies  
 2           not only in the number of years of learning but also  
 3           in having carefully sequenced and articulated pro-  
 4           grams of language learning across a child’s school  
 5           experience, requiring bridging the gaps between lev-  
 6           els in foreign language education.

7           “(b) PURPOSES.—The purposes of this subpart are—

8                 “(1) to provide grants for model programs that  
 9                 address the needs for developing, strengthening, and  
 10                expanding the teaching and learning of foreign lan-  
 11                guages and foreign cultures in the elementary and  
 12                secondary schools of the United States; and

13               “(2) to widely disseminate information on suc-  
 14                cessful programs and practices.”.

15           “(c) TECHNICAL AMENDMENTS.—The table of con-  
 16           tents in section 2 of such Act is amended—

17                (1) by inserting after the item relating to sec-  
 18                tion 5491 the following:

“Sec. 5491A. Findings; purposes.”;

19                and

20                (2) by striking the item relating to section 5494  
 21                and inserting the following:

“Sec. 5494. Partnership program in foreign languages.”.

○