

111TH CONGRESS  
1ST SESSION

# H. R. 4065

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

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## 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

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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”.

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

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

5 (1) by striking section 5494 (20 U.S.C. 7259c);

6 and

7 (2) by inserting after section 5493 the fol-  
8 lowing:

9 **“SEC. 5494. PARTNERSHIP PROGRAM IN FOREIGN LAN-  
10 GUAGES.**

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

12 “(1) to provide incentives for developing and  
13 maintaining model programs of articulated foreign  
14 language learning from kindergarten through grade  
15 12 that increase the number of students graduating  
16 from high school with an advanced level of pro-  
17 ficiency in at least one foreign language; and

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

20 “(b) PROGRAM AUTHORIZED.—

21 “(1) IN GENERAL.—From the amounts made  
22 available to carry out this section, the Secretary may  
23 make incentive payments for a fiscal year to eligible  
24 partnerships to develop and maintain, or to improve  
25 and expand, model programs that support articu-

1       lated foreign language learning in kindergarten  
2       through grade 12.

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

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

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

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

24       “(e) APPLICATIONS.—

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

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

7           “(A) identify each member of the partner-  
8 ship, provide contact information and letters of  
9 commitment for each such member, and de-  
10 scribe the responsibilities of each such member,  
11 including—

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

14           “(ii) specifying how each member will  
15 be involved in the planning, development,  
16 and implementation of the activities pro-  
17 posed under the grant;

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

20           “(iv) describing how each member will  
21 contribute to ensuring the continuity of  
22 student progress in foreign language pro-  
23 ficiency from kindergarten through grade  
24 12;

1           “(B) describe how an articulated cur-  
2           riculum for students to achieve an advanced  
3           level of proficiency by grade 12 will be devel-  
4           oped and implemented;

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

9           “(D) describe how the partnership will  
10          support and continue the program after the  
11          grant has expired, including how the partner-  
12          ship will seek support from other sources, such  
13          as State and local governments, foundations,  
14          and the private sector; and

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

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

20                 “(1) shall be used—

21                         “(A) to design programs and teaching  
22                         strategies informed by the best practices recog-  
23                         nized by the field and by available research;

24                         “(B) to develop curriculum materials based  
25                         on an articulated framework or approach de-

1 signed to bring students to an advanced level of  
2 proficiency by grade 12;

3 “(C) to recruit students and teachers, such  
4 as from heritage populations; and

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

9 “(2) may be used—

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

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

20 “(C) to provide scholarships and incentives  
21 to recruit new teachers and encourage prac-  
22 ticing teachers to take advantage of the profes-  
23 sional development opportunities;

24 “(D) to provide opportunities for max-  
25 imum foreign language exposure for students

1           domestically, such as the creation of immersion  
2           environments in the classroom and school and  
3           on weekend or summer experiences, and special  
4           tutoring and academic support;

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

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

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

20          “(H) to carry out activities to encourage  
21          community involvement, especially with respect  
22          to heritage communities;

23          “(I) to incorporate effective and innovative  
24          uses of technology to enhance student learning  
25          and teaching;

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

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

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

13       “(e) CONTEXTUAL DIMENSION.—A model program  
14 may not receive an incentive payment under this section  
15 unless it includes a dimension, carried out in conjunction  
16 with foreign language instruction, under which each for-  
17 eign language learner also participates in programs to ex-  
18 pand the understanding and knowledge of historic, geo-  
19 graphic, cultural, economic, and other contextual factors  
20 of countries with populations who speak the foreign lan-  
21 guage to which the model program relates.

22       “(f) RESEARCH AND EVALUATION.—

23           “(1) IN GENERAL.—A model program may not  
24 receive an incentive payment under this section un-



1 less it includes a research and evaluation component,  
2 under which—

3 “(A) information is collected and analyzed  
4 regarding the effectiveness of activities carried  
5 out under the program, including but not lim-  
6 ited to—

7 “(i) program design;

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

10 “(iii) curricular approaches;

11 “(iv) teacher development; and

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

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

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

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

1           “(2) STANDARDIZATION.—The Secretary shall  
2 provide guidelines to standardize the categories of  
3 information collected and analyzed under paragraph  
4 (1) and the manner in which that information is col-  
5 lected, analyzed, and made available to the public.

6           “(g) DURATION OF PAYMENTS.—

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

9           “(2) A partnership completing a four-year in-  
10 centive grant award may be eligible for two addi-  
11 tional five-year awards, but only if the partnership  
12 demonstrates, based on nationally recognized stand-  
13 arized foreign language assessments, that the  
14 model program is effective.

15           “(h) MATCHING REQUIREMENT.—

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

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

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

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

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

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

11          “(3) WAIVER.—The Secretary may waive, in  
12          whole or in part, the matching requirement in para-  
13          graph (1) for any fiscal year if—

14                 “(A) the eligible partnership demonstrates  
15                 hardship and the waiver will best serve the pur-  
16                 poses of this section; or

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

21          “(i) SUPPLEMENT NOT SUPPLANT.—Grant funds  
22          provided under this section shall be used to supplement,  
23          not supplant, other Federal and non-Federal funds avail-  
24          able to carry out the activities described in this section.

1       “(j) DATA COLLECTION, ANALYSIS, AND DISSEMINA-  
2 TION.—

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

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

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

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

12                               “(ii) promising K–12 foreign language  
13 learning and teaching practices and suc-  
14 cessful program models developed under  
15 this section.

16               “(2) The activities described in paragraph (1)  
17 may be carried out by the Secretary directly or  
18 through grants and contracts to institutions of high-  
19 er education and public and private nonprofit agen-  
20 cies and organizations.

21       “(k) DEFINITIONS.—In this section:

22               “(1) ELIGIBLE PARTNERSHIP.—The term ‘eligi-  
23 ble partnership’ means a partnership that—

24                       “(A) shall include—

1           “(i) one or more local educational  
2 agencies or State educational agencies, or  
3 both; and

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

6           “(I) a school, department, or pro-  
7 gram within the institution or institu-  
8 tions of higher education that provides  
9 a teacher preparation program;

10          “(II) a school, department, pro-  
11 gram, or center within the institution  
12 or institutions of higher education  
13 that provides a program of study or  
14 research in foreign languages; and

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

1           “(B) may also include one or more busi-  
2           nesses or nonprofit organizations, or both.

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

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

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

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

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

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

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

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

13          “(3) According to the Committee for Economic  
14          Development in 2006, current efforts to develop lan-  
15          guage skills and knowledge of world regions at an  
16          early age are clearly inadequate to prepare high  
17          school graduates with the skills necessary for pro-  
18          ductivity and citizenship in an integrated global  
19          economy.

20          “(4) The American Council on the Teaching of  
21          Foreign Languages found that only 34 percent of  
22          United States K–12 students were enrolled in for-  
23          eign language classes in 2000. Furthermore, the  
24          length of time students spent studying languages at

1 school has stagnated, so that many students reach  
2 only introductory levels of proficiency.

3 “(5) Research demonstrates that success lies  
4 not only in the number of years of learning but also  
5 in having carefully sequenced, articulated, programs  
6 of language learning across a child’s school experi-  
7 ence, requiring bridging the gaps between levels in  
8 foreign language education.

9 “(6) A survey of secondary school principals  
10 and foreign language teachers by the Center for Ap-  
11 plied Linguistics in 1999 identified a shortage of  
12 foreign language teachers as a major impediment to  
13 greater foreign language learning, along with fund-  
14 ing, lack of training, and poor academic counseling.

15 “(b) PURPOSES.—The purposes of this subpart are  
16 to provide incentives for model programs that address the  
17 needs for developing, strengthening and expanding the  
18 teaching and learning of foreign languages and foreign  
19 cultures in the United States elementary and secondary  
20 schools, and to widely disseminate information on success-  
21 ful programs and practices.”.

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

24 (1) by inserting after the item relating to sec-  
25 tion 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.”.

○