

Bilingual Ed - 3/17/99

We've been very explicit about goal 1 any.

3 yr. goal: that's what the Pres. has said.
Need to explicitly state this is Pres. goal
~~Need~~ even though C+C is ~~go~~ against.

Assessment - after 3 yrs ~~after~~ you need
to be tested in English & that is
counted for school's overall assessment.

Consequences of ~~school~~ testing and not
doing well: need to have strategies in
place to have LEP students

→ but what happens if you fail?

10 states have promotionist

NY: graduation test in English:

Engl LEP → related to soc. promotion
policies → so if don't have
3 proficiency after 3 yrs →
then hurt kids.

**TITLE VII DRAFT BILL
RECOMMENDED LIST OF MAJOR CHANGES**

HIGH-QUALITY INSTRUCTION

Teachers are well trained to teach LEP students

- Reorganizes grant programs to provide for clear focus on and accountability for either pre-service or in-service-professional development.
- Focuses on pre-service teacher education and institutionalizing improvements in teacher education programs through Bilingual Education Teachers and Personnel Grants (SEC. 715. Section 7143 (1)(a-d) and (2)(A-G).
- Focuses on professional development/in-service programs through Training for All Teachers Program and aligns activities to principals of high-quality professional development as described in Title II (SEC. 714. Section 7142 (1-2)).
- Requires assurances of teacher quality in applications (SEC 706. Section 7116).

Use and professional development of paraprofessionals

- Promotes Bilingual Education Career Ladder leading to a baccalaureate degree and certification (SEC. 716. Section 7144 (a)(1)(B)).
- Replicates proposed Title I language:
 - Requires all paras to hold a high-school diploma or equivalent
 - Restricts the use of paras for instructional practice. Except in the case of translators, only paras with at least two-year of college can participate in limited instructional assistance.
 - LEAs encouraged to develop career-ladders for paraprofessionals

STANDARDS AND ASSESSMENTS

- Supports program and school/district improvements aligned to high standards and state and local reform efforts.
- Emphasizes achievement to challenging standards in grant descriptions, application requirements, and reporting and evaluation criteria.
- Requires grantees to administer annual assessments of student progress in developing English proficiency and to use results to inform parents and improve instruction (SEC.701. Section 7102 (b)).
- Describes Title VII and Title I assessment policy and approaches to achieving a goal for schools and districts to help LEP students learn English within three years (SEC.701. Section 7102 (b))

FLEXIBILITY AND CAPACITY TO SERVE LEP STUDENTS

- Lifts the 25 percent cap on funding for special alternative instruction programs to provide local flexibility in determining instructional approaches (Section 7116).
- Authorizes the Secretary to create a competitive priority for small LEAs with growing numbers of LEP students Under the Program Development and Enhancement Grants (SEC. 703. Section 7113 (d)).

EVALUATION AND ACCOUNTABILITY

Application (SEC 706. Section 7116)

- Requires more specific data to 1) provide clear baseline data and performance goals against which grantee progress can be accurately measured; and 2) allow for more consistent data across grantees to support aggregate evaluations of Title VII program effectiveness.
- Affirms grantee responsibility for ensuring student progress in achieving to high academic standards and learning English.

Evaluation (SEC 707. Section 7123)

- Requires annual--rather than biennial--reporting.
- Uses application data as a baseline for measuring progress.
- Requires specific data for determining progress (in academic performance and developing English proficiency) against identified benchmarks.
- Authorizes the Secretary to establish benchmarks of significant progress. OBEMLA is currently pursuing a study of "Expected Gains" to help determine sufficient annual progress under varied conditions.

Accountability

- Explicitly includes the development and improvement of aligned accountability systems and systems of tracking student progress as allowable activities under Program Development and Enhancement, Comprehensive, and Systemwide grants.
- Provides clear expectations for progress and affirms the Secretary's authority to make continued support contingent on grantee success (SEC. 704. Section 7114(b)(2)(A)-Comprehensive; SEC. 705. Section 7115 (b)(2)(A)-Systemwide).

LEARNING A SECOND LANGUAGE

- Continues support for Foreign Language Assistance Awards (SEC. 723. Section 7204)
- Continues priority for projects that would develop proficiency in more than one language.

PARENTAL CHOICE (SEC. 729. Section 7502 (1) and (2))

Empower families of LEP children

- Requires grantees to provide parents with clear program descriptions and informs them of the right to withdraw their children from the program at any time.
- Requires grantees to administer annual assessments of student progress in developing English proficiency and to use results to inform parents and improve instruction (SEC. 701. Section 7102 (b)).

INTERNAL TALKING POINTS

**1999 Reauthorization of the Elementary and Secondary Education Act:
Issues in Serving LEP Students**

ESEA reauthorization, particularly Titles I and VII, will continue to focus attention on President Clinton's goal of helping all LEP students achieve to high standards and develop proficiency in English within three years. The proposal would:

- **Help ensure that all teachers are well trained to teach LEP students.**

A recent Education Department study found that only 20 percent of teachers believe they are "very well prepared" to teach LEP students. Because LEP students are increasingly common in all classrooms, the proposal would expand LEP-related professional development and support changes throughout all teacher education programs (not just bilingual and English-as-a-second-language programs).

- **Support schools to help LEP students learn English in three years.**

Under both Title VII and Title I, schools would be required to annually administer assessments of student progress in developing English proficiency; results would be used to inform parents and improve instruction.

The proposal would encourage States and districts to support LEP student achievement to high standards and development of English language proficiency within three years. Under Title VII, the Secretary would be authorized to make Academic Excellence Awards to States to recognize districts that have made significant progress in reaching the goals. *no \$ - just awards small \$*

modest awards not just

- **Assist local school districts with rapidly growing numbers of LEP students.**

The proposal would help schools with small but growing LEP populations to better serve LEP students by authorizing a priority for such districts in Title VII competitions. Some states and communities with little experience in serving LEP students have been strained by rapidly growing LEP populations. For example, between the 1992-93 and 1996-97 school years, the LEP population more than doubled in Alabama, Alaska, Florida, Idaho, Nebraska, Nevada, North Carolina, Oregon, South Carolina, and Tennessee.

- **Provide flexibility for school districts.**

This proposal would continue to offer schools flexibility to offer varied instructional approaches appropriate for the needs of their students by removing the 25% cap on special alternative English programs in Title VII.

- **Empower families with LEP children.** To allow families to make the informed decisions for their children, the proposal would support improved parental choice for participation in Title VII bilingual education programs.

- **Hold schools and districts accountable for results.**

New ESEA provisions will strengthen accountability provisions to hold schools accountable for the achievement of LEP students, both toward the President's goal that LEP students will achieve English proficiency in three years and the goal that all children will master challenging State academic standards.

little I - accountability through testing

little I of LEP students + using it as accountability for schools

1 school improvement made

what happens to school if don't - could become a fairly school - little I - outside help

In Title I, LEP students would continue to be included in state assessments of academic achievement. In addition, LEP students who have been in U.S. schools for three consecutive years will be required to participate in State reading assessments in English. Data will be reported as part of the system for school and district accountability.

The continuation of Title VII bilingual education grants will be contingent on improving LEP student performance to the standards and in developing English language proficiency. Title VII grantees will be required to submit specific data in the application process, and provide annual performance/evaluation reports to track progress.

- **End social promotion and ensure against grade retention.**

The proposal would, under the accountability provisions, require states to have in place promotion policies designed to end the practice of social promotion and traditional retention practices in schools and districts.

The policies would require all students to meet challenging performance standards (at three key transition points) before being promoted or graduating. Districts and schools would be required to implement early intervention strategies to help students reach the standards and meet promotion requirements, including specific interventions and instructional strategies for supporting LEP students who need additional help. Determinations about promotion and retention would be based on multiple indicators, including at least one valid assessment. In the case of LEP students who have participated in the English/language arts assessment in English--where that assessment is determined to be valid--promotion decisions could be based on performance on that assessment in conjunction with a broad range of indicators, such as teacher evaluations, native language assessments, etc.

- **Promote learning of a second language.**

Foreign language grants under Title VII of the ESEA currently help over 60,000 students nationwide develop proficiency in two languages. The Administration proposal would continue to prioritize Title VII programs that develop proficiency in more than one language and require that applicants develop a plan to support their program after the grant period ends.

The ESEA proposal would also include a discretionary authority to support efforts that improve access to and quality of foreign language programs at the elementary school. Projects would develop strategies for developing high quality programs to 1) prepare elementary level foreign language teachers; and 2) use technology to deliver or support foreign language instruction.

whether test is right to use in promotion or not is a valid test in context - don't know - in LEP: (all information in English)

340 goal is not a cut off but a goal.

Indicators
→ teacher judgment
→ special ed. teacher:

rule =
need to have use of test beyond soc. promotion bc school will be held accountable for school test that students ~~will be~~ ^{won't be} taken seriously.

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*Give parents
info at front
end so they
can receive.*

TITLE VII - BILINGUAL EDUCATION ACT

FINDINGS, POLICY, AND PURPOSE

SEC. 701. Section 7102 of the Act is amended--

(1) by amending subsection (a) to read as follows:

"(a) FINDINGS. The Congress finds that—

" (1) as Nations of the world become increasingly interdependent and as international communication becomes a daily occurrence in government, business, commerce, and family life, multilingual skills constitute an important national resource that deserves protection and development;

"(2) the presence of language-minority Americans is related to Federal immigration policies;

"(3) language-minority Americans speak virtually all languages, including many that are indigenous to the United States;

"(4) many language-minority Americans are limited in their English proficiency, and many have limited education and income;

"(5) there are large and growing numbers of children and youth of limited English proficiency, many of whom have a cultural heritage that differs from that of their English proficient peers;

"(6) limited English proficient students and their families are increasingly moving into school districts that do not have appropriate services in place to serve them;

"(7) limited English proficient students arrive at their schools at various age levels and often with little or no prior formal schooling;

"(8) limited English proficient children and youth face a number of challenges in receiving an education that will enable them to participate fully in American society, including--

"(A) segregated education programs;

"(B) disproportionate and improper placement in special education and other special programs, due to the use of inappropriate evaluation procedures;

"(C) disproportionate attendance in high-poverty schools, as demonstrated by the fact that in 1994, 75 percent of limited English proficient students attended schools in which at least half of all students were eligible for free or reduced-price meals;

"(D) the limited English proficiency of their parents, which hinders their parents' ability to participate fully in the education of their children; and

"(E) a shortage of teachers and other staff who are professionally trained and qualified to serve such children and youth;

"(9) school districts and schools find it challenging to include limited English proficient students in their reform efforts;

"(10) a 1999 National Center for Education Statistics survey found that teachers are less likely to participate in professional development designed to address the needs of limited English proficient students than to take part in any other kind of professional development activity, and that this is especially true for the most experienced teachers;

"(11) institutions of higher education can assist in preparing teachers, administrators, and other school personnel to understand and build upon the educational strengths and needs of language-minority and culturally diverse student enrollments;

"(12) high-quality bilingual education programs enable children and youth to learn English and meet high academic standards **(in more than one language)**;

"(13) a 1998 National Research Council report, "Preventing Reading Difficulties in Young Children," found that limited English proficient students should be taught to read first in their native language, and that if such an approach is not possible due to lack of materials and resources, limited English proficient students should attain some fluency in oral English before they receive formal reading instruction in English;

"(14) the use of a child's or youth's native language and culture in classroom instruction can--

"(A) promote self-esteem and contribute to academic achievement and learning English by limited English proficient children and youth;

"(B) benefit children and youth who are proficient in English and also participate in such programs; and

"(C) develop our Nation's national language resources, thus promoting our Nation's competitiveness in the global economy;

"(15) research, evaluation, and data-collection capabilities in the field of bilingual education need to be strengthened so that educators and other staff can better identify and promote programs, program implementation strategies, and instructional practices that result in effective education of limited English proficient children;

"(16) parent and community participation in bilingual education programs contributes to program effectiveness;

"(17) educational technology has the potential for improving the education of language-minority and limited English proficient students and their families, and the Federal Government should foster development of that technology;

"(18) the Federal Government, as reflected in title VI of the Civil Rights Act of 1964 and section 204(f) of the Equal Education Opportunities Act of 1974, has a special and continuing obligation to ensure that States and local school districts take appropriate action to provide equal educational opportunities to children and youth of limited English proficiency;

"(19) the Federal Government also, as exemplified by programs authorized under this title, has a special and continuing obligation to assist States and local school districts to develop the capacity to provide programs of instruction that offer limited English proficient children and youth an equal educational opportunity; and

"(20) Native Americans and Native American languages (as such terms are defined in section 103 of the Native American Languages Act), including native residents of the outlying areas, have a unique status under Federal law that requires special policies within the broad purposes of this Act to serve the education needs of language minority students in the United States.";

(2) by amending subsection (b) to read as follows:

"(b) POLICY. The Congress declares it to be the policy of the United States--

"(1) in order to ensure equal educational opportunity for all children and youth and to promote educational excellence, to assist State and local educational agencies, institutions of higher education, and community-based organizations to build their capacity to establish, implement, and sustain programs of instruction for children and youth of limited English proficiency; and

“(2) in order to ensure that school districts are providing effective instruction to limited English proficient students, to--

“(A) include those students in State assessments;

“(B) assess those students, to the extent practicable, in the language and form most likely to yield accurate and reliable information on what those students know and can do in subjects other than English, **including using tests written in Spanish for Spanish-speaking students with limited English proficiency, if tests written in Spanish are more likely than tests written in English to yield accurate and reliable information on what those students know and can do in subjects other than English; and**

“(C) to test those students who have been in United States' schools **(not including Puerto Rico)** for three consecutive years or more in reading and language arts **using tests written in English.**”; and

[AT ISSUE. IF IN TITLE VII, OBEMLA WANTS LANGUAGE IN THE EVALUATION SECTION]

(3) in subsection (c)--

(A) in the matter before paragraph (1), by striking out "to educate limited English proficient children and youth to" and inserting in lieu thereof "to help ensure that limited English proficient students master English and"; and

(B) by amending paragraph (1) to read as follows:

"(1) promoting systemic improvement and reform of, and developing accountability systems for, educational programs serving students with limited English proficiency." **[TAKE OUT THE "BIL ED" AND "SAIP" LANGUAGE?]**

[NOTE: OBLEMA NEEDS TO HELP IDENTIFY PLACES IN TITLE THAT WE SHOULD CHANGE "BIL ED" AND "SAIP" LANGUAGE.]

AUTHORIZATION OF APPROPRIATIONS

SEC. 702. Section 7103(a) of the Act is amended to read as follows:

"(a) IN GENERAL.--For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2001 through 2005."

PROGRAM DEVELOPMENT AND ENHANCEMENT GRANTS

SEC. 703. Section 7113 of the Act is amended--

(1) by amending the section heading to read as follows: "PROGRAM DEVELOPMENT AND ENHANCEMENT GRANTS";

(2) by amending subsection (a) to read as follows:

"(a) PURPOSE. The purpose of this section is to provide grants to eligible entities to carry out highly focused, innovative, locally designed instructional programs for limited English proficient students, such as programs of early childhood education, gifted and talented education, vocational and applied technology education, and programs that apply high-quality interactive technology.";

(3) in subsection (b)--

(A) in paragraph (1)(B), by striking out "two" and inserting in lieu thereof "three"; and

(B) by amending paragraph (2) to read as follows:

"(2) AUTHORIZED ACTIVITIES.--(A) Grants under this section shall be used for--

"(i) developing and implementing comprehensive, preschool, elementary, or secondary education programs for children and youth with limited English proficiency, that are aligned with standards-based State and local school reform efforts and coordinated with other relevant programs and services to meet the full range of educational needs of such children and youth;

"(ii) providing high-quality professional development to classroom teachers, administrators, and other school or community-based organization personnel to improve the instruction and assessment of limited English proficient students; and

"(iii) annually assessing the English proficiency of all limited English proficient students served by the program.

"(B) Grants under this section may be used for--

"(i) implementing programs to upgrade the reading and other academic skills of limited English proficient students;

"(ii) developing accountability systems to track the academic progress of limited English proficient and formerly limited English proficient students;

"(iii) implementing family education programs and parent outreach and training activities designed to assist parents to become active participants in the education of their children;

"(iv) improving the instructional program for limited English proficient students by identifying, acquiring, and upgrading curriculum, instructional materials, assessments, and educational software, and by applying innovative educational technology;

"(v) providing tutorials and academic or career counseling for children and youth who are limited English proficient; and

"(vi) such other activities, consistent with the purposes of this part, as the Secretary may approve."; and

[PARENTAL RIGHTS TO OPT-OUT IN SEC. 7502(B)(2)]

(4) by adding a new subsection (d) to read as follows:

"(d) PRIORITY. The Secretary is authorized to give priority to applicants that have experienced a dramatic increase in the number of limited English proficient students enrolled or that have limited or no experience in serving limited English proficient students and have a total district enrollment that is less than 10,000 students."

COMPREHENSIVE SCHOOL GRANTS

SEC. 704. Section 7114 of the Act is amended--

(1) by amending subsection (a) to read as follows:

"(a) PURPOSE. The purpose of this section is to implement school-wide education programs for children and youth with limited English proficiency--

"(1) to assist such children and youth to learn English and master challenging State content standards; and

"(2) to improve, reform, and upgrade relevant programs and operations, in schools with significant concentrations of such students or that serve significant numbers of such students.";

(2) by amending subsection (b)(2)(A) to read as follows:

"(A) after three years and four years of the grant, a significant number of students with limited English proficiency in the project, who have been in United States schools for three consecutive years, have not made ~~[adequate--OBEMLA]~~ progress in learning English **and in achieving challenging State content and performance standards**; or";

(3) by amending paragraphs (3) and (4) to read as follows:

"(3) AUTHORIZED ACTIVITIES.--(A) Grants under this section shall be used to improve the education of limited English proficient students and their families by--

"(i) coordinating the program with district policies and practices, as well as other relevant programs and services, and aligning the program with school reform efforts to meet the full range of educational needs of limited English proficient students;

"(ii) providing training to **all or virtually all school personnel** and **participating** community-based organization personnel to improve the instruction and assessment of limited English proficient students;

"(iii) developing or improving accountability systems to track the academic progress of limited English proficient and formerly limited English proficient students; and

"(iv) annually assessing the English proficiency of all limited English proficient students served by the program.

"(B) Grants under this section may be used **for--**

"(i) implementing programs to upgrade the reading and other academic skills of limited English proficient students;

"(ii) **developing and using innovative technology, including interactive technology, to improve learning and learning assessments and accountability;**

"(iii) implementing and adapting research-based models for meeting the needs of limited English proficient students;

"(iv) developing and implementing programs to meet the needs of limited English proficient students with disabilities;

"(v) implementing family education programs and parent outreach and training activities designed to assist parents to become active participants in the education of their children;

"(vi) improving the instructional program for limited English proficient students by identifying, acquiring, and upgrading curriculum, instructional materials, educational software and assessment procedures;

"(vii) providing tutorials and academic or career counseling for children and youth of limited-English proficiency;

"(viii) developing and implementing programs to help all students become proficient in more than one language; and

"(ix) carrying out such other activities, consistent with the purposes of this part, as the Secretary may approve.

"(4) SPECIAL RULES. A grant recipient--

"(A) before carrying out a program assisted under this section, shall plan, train personnel, develop curriculum, and acquire or develop materials, but shall not use funds under this section for planning purposes for more than 90 days; and

"(B) shall not carry out a program under this section in more than two schools for each grant it receives under this section." **[PARENTAL RIGHT TO OPT-OUT IN SEC. 7502(B)(2).]**

SYSTEMWIDE IMPROVEMENT GRANTS

SEC. 705. Section 7115 of the Act is amended--

(1) in subsection (a), by striking out "bilingual education programs or special alternative instruction programs to" and inserting in lieu thereof "instructional programs for children and youth with limited English proficiency".

(2) by amending subsection (b)(2)(A) to read as follows:

"(A) after three years and four years of the grant, a significant number of students with limited English proficiency in the project, who have been in United States schools for three consecutive years, have not

made [~~adequate--OBEMLA~~] progress in learning English **and in achieving challenging State content and performance standards**; or";

(3) by amending paragraph (4) to read as follows:

"(4) AUTHORIZED ACTIVITIES.--(A) Grants under this section shall be used for--

"(i) aligning programs for limited English proficient students in the district to school, district, and State reform efforts and coordinating the program with other relevant programs and services to meet the full range of educational needs of limited English proficient students throughout the district;

"(ii) providing high-quality professional development, that is aligned with high standards, to classroom teachers, administrators, and other school or community-based personnel to improve the instruction and assessment of limited English proficient students;

"(iii) developing and implementing a plan, coordinated with programs under title II of Higher Education Act of 1965 where applicable, to recruit teachers trained to serve limited English proficient students;

"(iv) annually assessing the English proficiency of all limited English proficient students served by the program; and

"(v) developing or improving accountability systems, which are consistent with the State's accountability system to measure limited English proficient students' academic progress in a valid and reliable manner.

"(B) Grants under this section may be used for --

"(i) developing **content and performance standards for English as a Second Language, as well as for other languages spoken by program participants**, and implementing programs to help all students become proficient in more than one language;

"(ii) developing English as a Second Language content and performance standards;

"(iii) developing assessments tied to performance standards;

"(iv) developing benchmarks for the academic performance of limited English proficient students;

"(v) redesigning programs for limited English proficient students to meet the needs of changing population of such students;

"(vi) coordinating assessments with State accountability systems;

"(vii) implementing policies and procedures to ensure that limited English proficient students have access to all district programs, such as gifted and talented, vocational education, and special education programs; and

"(viii) integrating technology into all aspects of educating limited English proficient students, including data management systems and the delivery of instructional services to limited English proficient students."

APPLICATIONS

SEC. 706. Section 7116 of the Act is amended--

(1) in subsection (b)--

(A) in paragraph (1), by striking out "such application" and inserting in lieu thereof "its written comment on the application"; and

(B) by amending paragraph (2)(B) to read as follows:

"(B) For purposes of this subpart, such comments shall address--

"(i) how the eligible entity will further the academic achievement and English proficiency of limited English proficient students served under a grant received under this subpart; and

"(ii) how the grant application is consistent with the State plan, especially with regard to State assessments, required under section 1111.";

(2) by amending subsection (f) to read as follows:

"(f) REQUIRED DOCUMENTATION.--Such application shall include documentation that--

"(1) the applicant has the qualified personnel required to develop, administer, and implement the proposed program; and

"(2) the leadership of each participating school has been involved in the development and planning of the program in their school for which grant funds are sought.";

(3) in subsection (g)(1)--

(A) by amending subparagraph (A) to read as follows:

"(A) A description of the need for the proposed program, including data on the number of children and youth of limited English proficiency in the schools or school districts to be served and the characteristics of such children and youth, including--

"(i) the native languages of the students to be served;

"(ii) student proficiency in English and the native language;

"(iii) current achievement data (individually and in comparison to their English proficient peers) of the limited English proficient students to be served by the program in reading or language arts (in English and in the native language, if applicable) and in math;

"(iv) reclassification rates for limited English proficient students in the district;

"(v) the previous schooling experiences of participating students;

"(vi) the professional development needs of the instructional personnel who will provide services for limited English proficient students, including the need for certified teachers; and

"(vii) how the grant would supplement the basic services provided to limited English proficient students.";

(B) in subparagraph (B)--

(i) by amending clause (ii) to read as follows:

"(ii) is coordinated with other programs under this Act, and other Acts as appropriate, such as the Individuals with Disabilities

Education Act and the Carl D. Perkins Vocational and Technical Education Act, in accordance with section [14306 --WILL CHANGE];”;

(ii) by redesignating clauses (ii) through (v) as clauses (iii) through (vi) respectively; and

(iii) by inserting a new clause (ii) to read as follows:

"(ii) supplements the basic services the applicant provides to limited English proficient students;”; and

(C) by amending subparagraph (E) to read as follows:

"(E) An assurance that the applicant will employ teachers in the proposed program that individually, or in combination, are proficient in--

"(i) English, including written, as well as oral, communication skills; and

"(ii) the native language of the majority of studentst they teach, if instruction in the program is also in the native language.”; and

(4) in subsection (i) by--

(A) striking out paragraphs (2) and (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), repectively.

EVALUATIONS

SEC. 707. Section 7123 of the Act is amended--

(1) in subsection (a), by striking out "every two years" and inserting in lieu thereof "every year";

(2) by amending subsection (c) to read as follows:

"(c) EVALUATION COMPONENTS.--(1) In preparing evaluation reports, the recipient shall--

"(A) use the data provided in the application as baseline data against which to report academic achievement and gains in English proficiency for students in the program;

"(B) report on the validity and reliability of all instruments used to measure student progress; and

"(C) present data disaggregated by relevant factors, such as grade, gender, **students with disabilities**, and language group.

"(2) Evaluations shall include--

"(A) data on the project's progress in achieving its objectives;

"(B) data showing how students **served by the program** are achieving to the State's student performance standards, including--

"(i) data comparing limited English proficient children and youth with English proficient students with regard to grade retention and academic achievement in reading and language arts, in English and in the native language if the project develops native language proficiency, and in math;

"(ii) gains in English proficiency, including speaking, comprehension, reading, and writing, as developmentally appropriate, and such gains in native language proficiency if the project develops native language proficiency; and

"(iii) reclassification rates for limited English proficient students by grade and data on the academic achievement of redesignated students for two years after redesignation;

"(C) program implementation indicators that address each of the program's objectives and components, including the extent to which professional development activities have resulted in improved classroom practices and improved student achievement;

"(D) a description of how the activities funded under the grant are coordinated and integrated with the overall school program and other Federal, State, or local programs serving limited English proficient children and youth; and

(E) such other information as the Secretary may require."; and

(3) adding a new subsection (d) to read as follows:

"(d) **BENCHMARKS.** The Secretary is authorized to establish benchmarks relating to educational progress for limited English proficient students that the Secretary

may use in determining if grantees are making sufficient annual progress in meeting program objectives."

RESEARCH

SEC. 708. Section 7132 of the Act is amended--

(1) in subsection (a), by--

(A) inserting the paragraph designation "(1)" before "The Secretary shall";

(B) striking out "through the Office of Educational Research and Improvement in coordination and collaboration with the Office of Bilingual Education and Minority Language Affairs"; and

(C) adding a paragraph (2) to read as follows:

"(2) Such research may include--

"(A) collecting data for performance indicators under the Government Performance and Results Act;

"(B) improving data collection procedures and the infrastructure for data collection on limited English proficient students, for purposes of improving instruction and accountability;

"(C) developing research-based models for serving limited English proficient students of diverse language backgrounds and in diverse educational settings;

"(D) identifying technology-based approaches that show particular promise for helping limited English proficient students reach challenging State standards; and

"(E) other research, demonstration, and data collection activities consistent with the purpose of this title.";

(2) in subsection (b)--

(A) in paragraph (1), by inserting "and " at the end thereof;

(B) by striking out paragraphs (2) and (3); and

(C) by redesignating paragraph (4) as paragraph (2);

(3) in subsection (c)--

(A) in paragraph (1), by--

(i) striking out "(1) IN GENERAL.--"; and

(ii) by striking out "under subpart 1 or 2" and inserting lieu thereof "under subpart 1, section 7134, or subpart 3"; and

(B) striking out paragraph (2); and

(4) by striking out subsection (e).

ACADEMIC EXCELLENCE AWARDS

SEC. 709. Section 7133 of the Act is amended to read as follows:

"ACADEMIC EXCELLENCE AWARDS

"SEC. 7133.(a) AUTHORITY. The Secretary is authorized to make grants to State educational agencies to assist them in recognizing, consistent with criteria established under subsection (c), local educational agencies and other public and non-profit entities whose programs have--

"(1) demonstrated significant progress in assisting limited English proficient students to learn English within three years; and **[OBEMLA would take out the previously included "substantial progress against benchmarks. They say "number 1 repeats what 2 and 3 do in summary form. We want to strike out 1, which is less explicit, and may not be ready for a couple of years. This change allows us to start funding academic excellence programs in the first year after reauthorization."]**

"(2) demonstrated significant progress in assisting limited English proficient students to meet the same challenging State content standards expected of all children and youth **within three years.**

"(b) APPLICATIONS. A State educational agency desiring a grant under this section shall include an application for such grant in its application required under section 7134(e).

"(c) PANEL. The Secretary is authorized to establish a panel of experts in the field of educating students with limited English proficiency to assist in establishing criteria for selecting programs for recognition."

STATE GRANT PROGRAM

SEC. 710. Section 7134(c) of the Act is amended to read as follows:

"(c) USES OF FUNDS. A State educational agency shall use funds awarded under this section to—

"(1) assist local educational agencies in the State with program design, capacity building, assessment of student performance, program evaluation, and development of data collection and accountability systems for limited English proficient students that are aligned with State reform efforts; and

"(2) collect data on limited English proficient populations in the State and the educational programs and services available to such populations.".

NATIONAL CLEARINGHOUSE FOR [THE EDUCATION OF CHILDREN AND YOUTH WITH LIMITED ENGLISH PROFICIENCY]

SEC. 711. Section 7135 of the Act is amended to read as follows:

NATIONAL CLEARINGHOUSE FOR THE EDUCATION OF CHILDREN AND YOUTH WITH LIMITED ENGLISH PROFICIENCY

"SEC. 7135. The Secretary shall establish and support the operation of a National Clearinghouse **for the Education of Children and Youth with Limited English Proficiency**, which shall collect, analyze, synthesize, and disseminate information about programs related to the education of children and youth with limited English proficiency and which shall coordinate its activities with Federal data and information clearinghouses and dissemination networks and systems.".

INSTRUCTIONAL MATERIALS DEVELOPMENT

SEC. 712. Section 7136 of the Act is amended to read as follows:

"INSTRUCTIONAL MATERIALS DEVELOPMENT

"SEC. 7136 (a) AUTHORITY. The Secretary may award grants for the development, publication, and dissemination of high-quality instructional materials--

"(1) in Native American and Native Hawaiian languages;

"(2) in the language of Native Pacific Islanders and other natives of the outlying areas for whom instructional materials are not readily available;

"(3) in other languages that are low-incidence in the United States for which instructional materials are not readily available; and

"(4) on standards, assessments, and instructional programs related to the education of children and youth with limited English proficiency for the parents of such children and youth.

"(b) PRIORITIES. The Secretary shall give priority to applications that provide for--

"(1) developing instructional materials in languages indigenous to the United States or the outlying areas; and

"(2) developing and evaluating instructional materials, including instructional technology, that reflect challenging State **and local** content standards, in collaboration with activities assisted under subpart 1 and **section 7134**."

PURPOSE

SEC. 713. Section 7141 of the Act is amended to read as follows--

"PURPOSE

"SEC. 7141. The purpose of this subpart is to assist in preparing educators to improve educational services for children and youth with limited English proficiency by supporting professional development programs for such educators."

TRAINING OF ALL TEACHERS PROGRAM

SEC. 714. Section 7142 of the Act is amended--

(1) by amending subsection (a) to read as follows--

"(a) PURPOSE. The purpose of this section is assist eligible consortia to develop and provide inservice training programs to teachers and other educational personnel with a baccalaureate degree to improve the provision of their services to limited English proficient students.";

(2) in subsection (b)--

(A) by amending paragraph (1) to read as follows:

"(1) AUTHORITY. The Secretary is authorized to award grants under this section to one or more local educational agencies in consortium with one or more State educational agencies, institutions of higher education, or nonprofit organizations."; and

(B) in paragraph (2), by striking out "five" and inserting in lieu thereof "three"; and

(3) by amending subsection (c) to read as follows:

"(c) ACTIVITIES.--(1) Funds under this section shall be used to conduct high-quality, long-term professional development activities.

"(2) Funds under this section may be used to--

"(A) design and implement induction programs for new teachers, including mentoring and coaching by trained teachers, team teaching with experienced teachers, time for observation of, and consultation with, experienced teachers; and additional time for course preparation;

"(B) restructure the content of courses offered to individuals preparing to become educators;

"(C) implement school-based collaborative efforts among teachers to improve instruction in reading and other core academic areas for students with limited English proficiency, including programs that facilitate teacher observation and analyses of fellow teachers' classroom practice;

"(D) support long-term collaboration among teachers and outside experts to improve instruction of limited English proficient students;

"(E) coordinate project activities with other programs such as those under titles I and II of the Act and the Head Start Act;

"(F) implement programs that support effective teacher use of innovative education technologies to improve instruction and assessment;

"(G) establish and maintain local professional networks;

"(H) develop curricular materials and assessments **for teachers that are** aligned with State and local standards **for** and the needs of the limited English proficient students to be served; and

"(I) use technology to enrich professional development opportunities, to create a communications-rich learning environment for participants, and to build a growing learning community."

BILINGUAL EDUCATION TEACHERS AND PERSONNEL GRANTS

SEC. 715. Section 7143 of the Act is amended--

(1) by amending subsection (a) to read as follows--

"(a) PURPOSE. The purpose of this section is to provide for preservice professional development to improve the quality of the preparation of prospective teachers who are preparing to teach children and youth of limited English proficiency.";

(2) by amending subsection (c) to read as follows--

"(c) AUTHORITY.--(1) The Secretary is authorized to make grants to institutions of higher education for preservice professional development in order to improve the quality of preparation for prospective teachers who are preparing to teach children and youth of limited English proficiency.

"(2) Each grant under this section shall be awarded for a period of not more than five years.

"(3) A recipient of a grant under this section shall coordinate its grant program activities with other programs under this Act and other Acts as appropriate."; and

(3) by adding a new subsection (d) to read as follows:

"(d) ACTIVITIES.--(1) Funds under this section shall be used to--

"(A) put in place a course of study that prepares teachers to serve limited English proficient students;

"(B) integrate course content relating to meeting the needs of limited English proficient students into all programs for prospective teachers;

"(C) assign tenured faculty to train teachers to serve limited English proficient students;

"(D) incorporate State content and performance standards into the institution's coursework; **and**

"(E) expand clinical experiences for participants.

"(2) Funds under this section may be used to--

"(A) support partnerships with local educational agencies that include placing participants in intensive internships in local educational agencies that serve large numbers of limited English proficient students;

"(B) restructure higher education course content, including improving coursework and clinical experiences for all prospective teachers regarding the needs of limited English proficient students;

"(C) assist other institutions of higher education to improve the quality of professional development programs for limited English proficient students;

"(D) expand recruitment of students who will be trained to serve limited English proficient students;

"(E) improve the skills and knowledge of faculty related to the needs of limited English proficient students;

"(F) coordinate project activities with activities under title II of the Higher Education Act of 1965; and

"(G) use technology to enrich professional development opportunities, to create a communications-rich learning environment for participants, and to build a growing learning community.".

BILINGUAL EDUCATION CAREER LADDER PROGRAM

SEC. 716. Section 7144 of the Act is amended--

(1) by amending subsection (a) to read as follows--

"(a) PURPOSE. The purpose of this section is to assist **eligible consortia** to develop and implement high-quality bilingual education career ladder programs.";

(2) by amending subsection (b)(1) to read as follows--

"(a) IN GENERAL.--(1)(A) The Secretary is authorized to award grants to a **consortium of one or more** institutions of higher education, **State educational agencies, and local educational agencies** to develop and implement bilingual education career ladder programs.

"(B) For purposes of this section, a 'bilingual education career ladder program' means a program that--

"(i) is designed to provide high-quality, pre-baccalaureate coursework and teacher training to educational personnel who do not have a baccalaureate degree; and

"(ii) leads to a baccalaureate degree and certification or licensure of program participants as bilingual education teachers or

other educational personnel who serve limited English proficient students.

"(C) Recipients of grants under this section shall--

"(i) coordinate with programs under title II of the Higher Education Act of 1965, and other relevant programs, for the recruitment and retention of bilingual students in postsecondary programs to train them to become bilingual educators; and

"(ii) make use of all existing sources of student financial aid before using grant funds to pay tuition and stipends for participating students.";

(3) in subsection (c)--

(A) in paragraph (1)--

(i) by striking out "consortium"; and

(ii) at the end thereof, by inserting "and" after the semicolon;

(B) in paragraph (2), by striking out "teachers; and" and inserting in lieu thereof "teachers."; and

(C) by striking out paragraph (3); and

(4) by amending subsection (d) to read as follows:

"(d) SPECIAL CONSIDERATION. The Secretary shall give special consideration to applications under this section that provide training in English-as-a-second-language, including developing proficiency in the instructional use of English and, as appropriate, a second language in classroom contexts."

GRADUATE FELLOWSHIPS IN BILINGUAL EDUCATION PROGRAM

SEC. 717. Section 7145(a) of the Act is amended--

(1) in paragraph (1), by striking out "masters, doctoral, and post-doctoral" and inserting in lieu thereof "masters and doctoral";

(2) by striking out paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

APPLICATION

SEC. 718. Section 7146 of the Act is amended--

(1) in subsection (a), by inserting "and applicants for grants under section 7145" after "Bureau of Indian Affairs"; and

(2) in subsection (b)--

(A) in paragraph (1)--

(i) by striking out "of such application copy" and inserting in lieu thereof "an application under sections 7142, 7143, or 7144"; and

(ii) by inserting "the written review of" after "and transmit"; and

(B) in paragraph (2), by striking out "this subpart" and inserting in lieu thereof "sections 7142, 7143, and 7144".

PROGRAM EVALUATIONS

SEC. 719. Section 7149 of the Act is amended to read is as follows:

"PROGRAM EVALUATIONS

"SEC. 7149. Each recipient of funds under this subpart shall provide the Secretary with an evaluation of the program assisted under this part **every year**. Such evaluations shall include the--

"(1) number of participants served, the number of participants who have completed program requirements, and the number of participants who have been placed in an instructional setting with limited English proficient students;

"(2) effectiveness of the program in imparting the professional skills necessary for participants to achieve the objectives of the program; and

"(3) teaching effectiveness of graduates or other persons who have completed the training program."

TRANSITION

SEC. 720. Subpart 4 of Part A of Title VII of the Act is amended to read as follows:

"Subpart 4 -- Transition

"TRANSITION

"SEC. 7161. Notwithstanding any other provision of law, a recipient of a grant under title VII of this Act that was in its third or fourth year of that grant on the day preceding the date of enactment of [-- Act of 1999] shall be eligible to receive continuation funding under the terms and conditions of the original grant."

FINDINGS FOR THE FOREIGN LANGUAGE ASSISTANCE PROGRAM

SEC. 721. Section 7202 of the Act is amended by adding at the end thereof new paragraphs (9) and (10) to read as follows--

"(9) A growing number of school districts are implementing two-way bilingual programs to support all students in learning both a second language and challenging academic content through the second language.

"(10) Foreign language teachers have a continuing need for professional development that provides opportunities to improve their target language competence and their teaching skills. This need is particularly important for elementary school teachers, most of whom have no specialized training or certification to teach languages at that level."

PROGRAM AUTHORIZED

SEC. 722. Section 7203(b) of the Act is amended--

(1) in paragraph (1)--

(A) by inserting the subparagraph designation "(A)" after the heading; and

(B) by adding new paragraphs (B) and (C) to read as follows:

"(B) Grants awarded to State educational agencies under this section may be used for--

"(i) developing performance standards and assessment systems to measure proficiency in a second language;

"(ii) staff development;

"(iii) curriculum development; and

"(iv) the use of instructional technologies to improve foreign language learning in the State.

"(C) A State educational agency receiving a grant under this section shall submit to the Secretary annual evaluations and a final evaluation at the end of the project period that provide data on the progress of its project in achieving its goals and objectives."; and

(2) in paragraph (2)--

(A) in subparagraph (B), by striking out "and" at the end thereof;

(B) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii) respectively;

(C) by adding new clauses (iv) and (v) to read as follows:

"(iv) include performance standards and assessment systems that measure proficiency in a second language; and

"(v) align curriculum with State or national standards.";

(D) by inserting the subparagraph designation "(A)" after the paragraph heading; and

(E) by adding new subparagraphs (B) and (C) to read as follows:

"(B) Local educational agencies that receive grants under this section shall submit to the Secretary annual evaluations and a final evaluation at the end of the project period, that includes--

"(i) data on the project's progress in achieving its goals and objectives;

"(ii) data showing gains in the target language, including gains in speaking, comprehension, reading, and writing; and

"(iii) data showing the achievement of students against State **or national** foreign language standards.

"(C) Local educational agencies desiring to receive a grant under this section shall, in their application, submit a plan for the project that demonstrates how the applicant will--

"(i) help ensure that students in the project become proficient in more than one language; and

"(ii) continue to offer a comparable foreign language program once federal assistance under this section is reduced or eliminated."

APPLICATIONS FOR FOREIGN LANGUAGE ASSISTANCE AWARDS

SEC. 723. Section 7204 of the Act is amended--

(1) in subsection (a), by inserting a comma and "including an assurance that any local educational agency applying for a grant under this part will develop its application in consultation with an advisory council, the majority of whose members are parents and other representatives of the children and youth to be served by the program"; and

(2) in subsection (b)(1), by inserting "as a part of their program" after "include".

AUTHORIZATION OF APPROPRIATIONS

SEC. 724. Section 7206 of the Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS FOR PART B

"SEC. 7206 For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2001 through 2005."
[IF KEEP, DO WE LIMIT FUNDS FOR SEC. 7205?]

FINDINGS OF THE EMERGENCY IMMIGRANT EDUCATION PROGRAM

SEC. 725. Section 7301(a) of the Act is amended--

(1) in paragraph (3), by striking out "and" at the end thereof;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by adding a new paragraph (4) to read as follows:

"(4) an increasing number of immigrant children are entering US schools with interrupted or little previous schooling; and".

STATE ADMINISTRATIVE COSTS

SEC. 726. Section 7302 of the Act is amended by inserting a comma and "or 2 percent if the State educational agency distributes funds received under this part to local educational agencies on a competitive basis," after "1.5 percent of the amount".

AUTHORIZATION OF APPROPRIATIONS

SEC. 727. Section 7309 of the Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS FOR PART C

"SEC. 7309 For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2001 through 2005."

DEFINITION

SEC. 728. Section 7501 of the Act is amended by striking out paragraph (15) and inserting in lieu thereof a new paragraph to read as follows:

"(15) RECLASSIFICATION RATE. The term reclassification rate means the annual percentage of limited English proficient students who have met the State criteria for no longer being considered limited English proficient."

REGULATIONS, PARENTAL NOTIFICATION, AND USE OF PARAPROFFESIONALS

SEC. 729. Section 7502 of the Act is amended by--

(1) amending the section title to read as follows:

"REGULATIONS, PARENTAL NOTIFICATION, AND USE OF
PARAPROFFESIONALS";

(2) in subsection (b)--

(A) in paragraph (1), in the matter before subparagraph (A),
by striking out "youth participating in" and inserting in lieu thereof
"youth who will participate in"; and

(B) by amending paragraph (2)(A) to read as follows:

"(A) A recipient of funds under subpart 1 of part A shall provide a
written notice to parents of children who will participate in the programs
under that subpart, in a form and language understandable to the parents,
that informs them that they may withdraw their child from the program at
any time."; and

(3) adding a new subsection (c) to read as follows:

"(c) USE OF PARAPROFESSIONALS. On the date of enactment of the [---- Act of 1999], all new staff hired to provide academic instruction in programs supported under Part A, Subpart 1, shall be in accordance with the requirements of section xxxx of this Act [WATEVER THE TITLE I CITATION IS]."

REPEALS

SEC. 730. Sections 7112, 7117, 7119, 7120, 7121, 7147, and 7205 [AT ISSUE] are repealed.

[REDESIGNATIONS OF SECTION NUMBERS AND INTERNAL COMFORMING NUMBERING WILL HAVE TO BE ADDED LATER.]

###

In case decision is not to repeal 7205:

Section 7205 – Elementary School Foreign Language Incentive Program

Current Law: Authorizes an incentive program to reward all elementary schools that have a program in place designed to lead to communicative competency in a foreign language. Requires the Department to fund this program each year from the appropriation for Foreign Language Assistance.

Proposed Amendment:

Change the program to have the State apply for funds on behalf of eligible districts. The State would ensure that funds go only to programs whose foreign language program is linked to approved state foreign language curriculum. Districts eligible to receive these funds are those that do at least one of the following:

- ❖ *have plan to help all students achieve proficiency in two languages*
- ❖ *the foreign language instruction is linked to state or national foreign language standards*
- ❖ *foreign language is part of the core curriculum offerings offered during the regular school year*
- ❖ *have an articulated sequential program of foreign language instruction*

Delete (c) requirement

The following would receive priority to receive funds:

- ❖ *LEA recipients of grants under Sec. 7203 shall receive priority in receiving funding under this section, after the termination of their grant under Sec. 7203, provided they can show that program was effective, and that the program meets the requirements laid out above. Such LEAs may receive funding under this priority for up to 2 years.*

- ❖ *Districts that are using Title I funds to develop second language proficiency for all children- can use the funds to coordinate with that foreign language program*

Put in language that specifies that this program will be funded only if there is a minimum (specified) appropriation in any fiscal year.

Explanation- this incentive program currently goes to foreign language programs that focus only on communicative competence, as defined as a program that provides at least 45 minutes of instruction at least 4 days a week. The proposed changes support the reauthorization focus on helping all students become fluent in two languages, and rewards districts based on the quality of their foreign language programs, rather than time-on-task.

Original paraprofessional language:

(2) adding a new subsection (c) to read as follows:

"(c)(1) On the date of enactment of the [---- Act of 1999], all new staff hired to provide academic instruction in programs supported under Part A, Subpart 1, shall be--

"(A) teachers certified in the field in which they will teach; or

"(B) individuals who have a bachelors degree and are enrolled in a program through which they will obtain certification on a timely basis.

"(2)(A) Elementary and secondary schools in which existing staff do not meet the requirements of paragraph (1) on the date of enactment of the [----- Act of 1999], and are providing academic instruction in programs under this part, shall develop, and submit to the Secretary within [-?-] days **[WHAT'S THE SECRETARY GOING TO DO WITH IT?]**, a plan for ensuring that within four years all individuals who provide such instruction meet the requirements. **[SCHOOL PLANS? SHOULDN'T THE GRANTEE DO THE PLANS OR ENSURE THAT THEY ARE DONE?]**

"(B) The activities set forth in that plan may include--

(i) the establishment of "career ladder" programs to enable paraprofessionals currently working in the schools to become certified teachers; and **[SCHOOLS WILL START CAREER LADDER PROGRAMS? WHAT ABOUT THE IHE'S THAT GET THE GRANTS?]**

(ii) reassignment of those paraprofessionals to non-teaching activities.

"(3) Subsequent to the phase-in period [**PHASE-IN IS, AT MOST, 4 YEARS AND GRANTS ARE 5 YEARS. WHY ARE WE CONTROLLING PAST-GRANT CONDUCT?**], paraprofessionals may be employed in programs under Part A, Subpart 1 in such positions as parent liaisons, library, media center, or computer aides, translators for students or parents who are limited English proficient, administrative assistants, or tutors in extended learning programs."