

1457

2009-2010 Regular Sessions

I N   S E N A T E

February 2, 2009

---

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the education law, in relation to directing the commissioner of education to establish an incentive program for school districts wishing to implement programs of foreign language in the elementary schools and directing the commissioner of education to establish an incentive program for college students wishing to become foreign language teachers; and making an appropriation therefor

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The education law is amended by adding a new section 815 to  
2     read as follows:

3     S 815. FOREIGN LANGUAGE IN THE ELEMENTARY SCHOOL PROGRAM. 1. LEGISLA-  
4     TIVE INTENT. THE STUDENTS OF NEW YORK STATE NEED TO HAVE SKILLS IN AT  
5     LEAST ONE LANGUAGE OTHER THAN ENGLISH (LOTE) AND UNDERSTANDING OF ANOTH-  
6     ER CULTURE IN ORDER TO SUCCESSFULLY CONFRONT THE CHALLENGES OF THE WORLD  
7     OF TODAY AND TOMORROW. THEY WILL HAVE TO COMPETE IN THE GLOBAL ECONOMY;  
8     WORK WITH PEOPLE OF DIVERSE CULTURES ABROAD AND AT HOME, AND ENSURE OUR  
9     NATIONAL SECURITY.

10     ONE GOAL OF THIS SECTION IS TO PROVIDE FUNDING TO START FOREIGN  
11     LANGUAGE IN THE ELEMENTARY SCHOOL (FLES) PROGRAMS FOR A LIMITED NUMBER  
12     OF SCHOOLS IN HIGH-NEED DISTRICTS. PARTICIPATION IN THIS PROGRAM IS  
13     VOLUNTARY. RELATIVELY FEW SCHOOL DISTRICTS OFFER FLES NATION-WIDE, ONLY  
14     SIX PERCENT OF STUDENTS STUDY FOREIGN LANGUAGE IN ELEMENTARY SCHOOL.  
15     THESE DISTRICTS TEND TO BE AMONG THE MORE AFFLUENT. BY CHOOSING FIVE  
16     SCHOOLS IN HIGH-NEED DISTRICTS, WE HOPE TO DEMONSTRATE THAT THOSE  
17     SCHOOLS WHO CANNOT OTHERWISE AFFORD TO HAVE FLES PROGRAMS CAN SUCCEED.  
18     CHILDREN OF LOW-INCOME DISTRICTS DESERVE TO HAVE THE SKILLS TO SUCCEED  
19     IN THE GLOBAL WORLD AS WELL AS THOSE OF MORE AFFLUENT AREAS.

20     ACCORDING TO RESEARCH AND THE GUIDELINES OF THE AMERICAN COUNCIL ON  
21     THE TEACHING OF FOREIGN LANGUAGES (ACTFL), STUDENTS WHO BEGIN STUDY OF

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD00910-01-9

1 LOTE AT AN EARLY AGE AND WHO CONTINUE THAT STUDY FOR A LONG SEQUENCE OF  
2 YEARS HAVE THE BEST CHANCES OF ATTAINING INTERMEDIATE PROFICIENCY IN  
3 THAT LANGUAGE.

4 IT IS HOPED THAT THE SUCCESS OF THESE PROGRAMS, WHICH WILL BE CAREFUL-  
5 LY MONITORED BY THE NEW YORK STATE ASSOCIATION OF FOREIGN LANGUAGE  
6 TEACHERS (NYSAFLT), WILL NOT ONLY ENCOURAGE THE DISTRICTS TO FIND THE  
7 FUNDS TO CONTINUE OFFERING THE FLES PROGRAMS ONCE FUNDING FROM THE BILL  
8 HAS ENDED, BUT ALSO WILL GENERATE INTEREST IN THE NEIGHBORING DISTRICTS  
9 WHICH WILL INSPIRE THEM TO IMPLEMENT FLES PROGRAMS, THUS CREATING A  
10 GRASSROOTS MOVEMENT IN FAVOR OF FLES.

11 THE SECOND GOAL OF THIS SECTION IS TO PROVIDE FUNDING TO ENCOURAGE  
12 COLLEGE STUDENTS WISHING TO BECOME LOTE TEACHERS. THERE IS A CURRENT  
13 SEVERE SHORTAGE OF LOTE TEACHERS IN NEW YORK STATE. THIS SHORTAGE CAN  
14 PREVENT SCHOOL DISTRICTS FROM OFFERING A VARIETY OF LANGUAGES AS WELL AS  
15 FROM ADDING CLASSES WITH THE PURPOSE OF INCREASING LOTE STUDY. THE FUND-  
16 ING PROVIDED WOULD COVER THE COST OF TUITION FOR EDUCATION COURSES LEAD-  
17 ING TO CERTIFICATION FOR TEACHING LOTE IN NEW YORK STATE.

18 2. FOREIGN LANGUAGE ELEMENTARY SCHOOL (FLES) PILOT PROGRAM. PARTIC-  
19 IPATION IN THIS PROGRAM IS VOLUNTARY. NOTWITHSTANDING ANY PROVISION OF  
20 LAW TO THE CONTRARY, PURSUANT TO RULES AND REGULATIONS PROMULGATED BY  
21 THE COMMISSIONER, THE COMMISSIONER SHALL ESTABLISH A TWO YEAR FOREIGN  
22 LANGUAGE ELEMENTARY SCHOOL (FLES) PILOT PROGRAM IN FIVE ELEMENTARY  
23 SCHOOLS LOCATED IN HIGH-NEED DISTRICTS THAT ARE CONSISTENT WITH MODELS  
24 PROVIDED BY THE ELEMENTARY FOREIGN LANGUAGE EDUCATION COMMITTEE OF THE  
25 NEW YORK STATE ASSOCIATION OF FOREIGN LANGUAGE TEACHERS.

26 (A) THE LANGUAGE ELEMENTARY SCHOOL PROGRAM SHALL:

27 (1) CONSIST OF AT LEAST THREE TO FIVE SESSIONS PER WEEK;

28 (2) BE IN DURATION OF AT LEAST TWENTY MINUTES PER SESSION FOR GRADES  
29 KINDERGARTEN THROUGH SECOND AND THIRTY MINUTES IN DURATION FOR GRADES  
30 THREE THROUGH SIX; AND

31 (3) ATTEMPT TO UTILIZE FOREIGN LANGUAGE ELEMENTARY SCHOOL CERTIFIED  
32 TEACHERS AND TO REQUIRE ONGOING AND AGE-APPROPRIATE ASSESSMENTS.

33 (B) THE CURRICULUM SHOULD BE CONTENT COORDINATED WITH OVERALL COORDI-  
34 NATION WITH THE SCHOOL DISTRICT'S FOREIGN LANGUAGE PROGRAM.

35 (C) FUNDING FOR THIS PROGRAM SHALL BE PROVIDED TO:

36 (1) HIRE FOREIGN LANGUAGE ELEMENTARY CERTIFIED TEACHERS;

37 (2) PURCHASE INSTRUCTIONAL MATERIALS; AND

38 (3) INCORPORATE OTHER FORMS OF SUPPORT TO ENSURE THAT THE PROGRAM IS  
39 SUSTAINABLE AND SUCCESSFUL.

40 3. STUDENT INCENTIVE AWARD FOR CERTIFICATION IN LANGUAGES OTHER THAN  
41 ENGLISH (LOTE) TEACHING. NOTWITHSTANDING ANY PROVISION OF LAW TO THE  
42 CONTRARY, PURSUANT TO REGULATIONS PROMULGATED BY THE COMMISSIONER, THE  
43 COMMISSIONER SHALL ESTABLISH A STUDENT INCENTIVE AWARD FOR ATTRACTING  
44 AND RETAINING COLLEGE STUDENTS WISHING TO BECOME TEACHERS OF LANGUAGES  
45 OTHER THAN ENGLISH.

46 (A) THESE INCENTIVES SHOULD BE USED TO PAY FOR TUITION IN EDUCATION  
47 COURSES, UNDERGRADUATE OR GRADUATE, LEADING TO CERTIFICATION IN NEW YORK  
48 STATE.

49 (B) A PROVISION OF SUCH TUITION SCHOLARSHIPS WOULD BE A COMMITMENT ON  
50 THE PART OF THE PROSPECTIVE TEACHER TO TEACH FOREIGN LANGUAGES IN NEW  
51 YORK STATE FOR A MINIMUM OF THREE YEARS AFTER GRADUATION. SUCH PROGRAM  
52 SHALL INCLUDE AN INCENTIVE AWARD OF TEN THOUSAND DOLLARS PER STUDENT  
53 UPON THE COMPLETION OF COURSES FULFILLING THE REQUIREMENT FOR CERTIF-  
54 ICATION IN LANGUAGES OTHER THAN ENGLISH (LOTE) TEACHING IN NEW YORK  
55 STATE.

1     S 2. The sum of two million dollars (\$2,000,000), or so much thereof  
2 as may be necessary, is hereby appropriated to the department of educa-  
3 tion out of any moneys in the state treasury in the general fund to the  
4 credit of the state purposes account, not otherwise appropriated, and  
5 made immediately available, for the purpose of carrying out the  
6 provisions of this act. Such moneys shall be payable on the audit and  
7 warrant of the comptroller on vouchers certified or approved by the  
8 commissioner of education in the manner prescribed by law. Such sum  
9 shall be distributed as follows:

10     1. One million dollars (\$1,000,000) for the foreign language elementa-  
11 ry school (FLES) pilot program, or so much thereof as may be necessary,  
12 is hereby appropriated to the department of education from any moneys in  
13 the state treasury in the general fund to the credit of the state  
14 purposes account not otherwise appropriated for services and expenses of  
15 the department of education for the purposes of carrying out the  
16 provisions of this act.

17     Five elementary schools will receive one hundred thousand dollars  
18 (\$100,000) per year, for each year of the two year program.

19     2. One million dollars (\$1,000,000) for student incentives, or so much  
20 thereof as may be necessary, is hereby appropriated to the department of  
21 education from any moneys in the state treasury in the general fund to  
22 the credit of the state purposes account not otherwise appropriated for  
23 services and expenses of the department of education for the purposes of  
24 carrying out the provisions of this act.

25     One hundred individual student incentive awards will be issued at ten  
26 thousand dollars (\$10,000) each. Such sum shall be payable on the audit  
27 and warrant of the state comptroller on vouchers certified or approved  
28 by the commissioner of education, or his or her duly designated repre-  
29 sentative in the manner provided by law.

30     3. No expenditure shall be made from this appropriation until a  
31 certificate of approval of availability shall have been issued by the  
32 director of the budget and filed with the state comptroller and a copy  
33 filed with the chair of the senate finance committee and the chair of  
34 the assembly ways and means committee.

35     4. Such certificate may be amended from time to time by the director  
36 of the budget and a copy of each such amendment shall be filed with the  
37 state comptroller, the chair of the senate finance committee and the  
38 chair of the assembly ways and means committee.

39     S 3. This act shall take effect on the first of September next  
40 succeeding the date on which it shall have become a law.