

6232

2011-2012 Regular Sessions

I N A S S E M B L Y

March 10, 2011

Introduced by M. of A. KAVANAGH, PHEFFER -- Multi-Sponsored by -- M. of A. ABBATE, BOYLAND, BRENNAN, CLARK, COLTON, COOK, ENGLEBRIGHT, GOTTFRIED, MAGNARELLI, McDONOUGH, PERRY, P. RIVERA, SCHROEDER, SWEENEY, TITUS -- read once and referred to the Committee on Education

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.

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

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1 ACCORDING TO RESEARCH AND THE GUIDELINES OF THE AMERICAN COUNCIL ON
2 THE TEACHING OF FOREIGN LANGUAGES (ACTFL), STUDENTS WHO BEGIN STUDY OF
3 LOTE AT AN EARLY AGE AND WHO CONTINUE THAT STUDY FOR A LONG SEQUENCE OF
4 YEARS HAVE THE BEST CHANCES OF ATTAINING INTERMEDIATE PROFICIENCY IN
5 THAT LANGUAGE.

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

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

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

28 (A) THE LANGUAGE ELEMENTARY SCHOOL PROGRAM SHALL:

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

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

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

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

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

38 (1) HIRE FOREIGN LANGUAGE ELEMENTARY CERTIFIED TEACHERS;

39 (2) PURCHASE INSTRUCTIONAL MATERIALS; AND

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

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

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

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

1 ICATION IN LANGUAGES OTHER THAN ENGLISH (LOTE) TEACHING IN NEW YORK
2 STATE.

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

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

19 Five elementary schools will receive one hundred thousand dollars
20 (\$100,000) per year, for each year of the two year program.

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

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

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

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

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