

2023 -- H 5777

LC001766

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- SUPPORT AND ACCESS TO BILINGUAL EDUCATION  
ACT

Introduced By: Representatives Felix, Kislak, Giraldo, Henries, Morales, Tanzi,  
McNamara, Kazarian, Casimiro, and Batista

Date Introduced: February 22, 2023

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by  
2 adding thereto the following chapter:

3 CHAPTER 54.1

4 SUPPORT AND ACCESS TO BILINGUAL EDUCATION ACT

5 **16-54.1-1. Findings.**

6 The general assembly hereby finds and declares that:

7 (1) Consistent with § 42-5.1-1(1), proficiency in a second or multiple languages can be a  
8 major tool for economic growth for our state and help overcome this country's disadvantage in the  
9 world economy as we move into the twenty-first century.

10 (2) Consistent with § 42-5.1-1(j), the state both affirms the right of every resident to nurture  
11 their native language and also encourages all citizens to become proficient in English to facilitate  
12 full participation in society and promote cross-cultural communication.

13 (3) Consistent with §§ 42-5.1-1(j) and (k), native language instruction facilitates the  
14 development of English proficiency with multilingual learners and boosts the overall academic  
15 achievement of such children.

16 (4) Consistent with § 16-22-37, the department of education ("department"), in consultation  
17 with local education agencies ("LEAs") that have a dual language program, was mandated to create  
18 a model policy and timeline to assist LEAs in developing and implementing a dual language

1 program.

2 (5) There is overwhelming evidence that the state could expect a very high return to the  
3 public by investing in high quality bilingual and dual language programming for all of our students.

4 (6) Dual language investments targeted towards program development for disadvantaged  
5 children will help to promote both efficiency and educational equity for the children of our state.

6 (7) The expansion of funding for bilingual and dual language programs that advance  
7 outcomes for multilingual learners is critical to achieving the state's goal for grade-level reading by  
8 the third grade and other academic achievements.

9 **16-54.1-2. Definitions.**

10 For the purposes of this chapter:

11 (1) "Dual language " or "DL" means a method of instruction that promotes a student's full  
12 proficiency in all aspects of English and another language. DL programs educate students using  
13 both English and a partner language for academic instruction and may divide the day by language  
14 of instruction. Dual language programs may include:

15 (i) Two-way immersion programs that teach multilingual learners alongside English-  
16 speakers who are learning a partner language; and

17 (ii) One-way immersion programs that serve a student population comprised of a  
18 predominant majority of speakers of the same home language. This may include a student  
19 population with limited to no proficiency in English (these one-way immersion programs are  
20 sometimes called developmental bilingual) or a student population with limited to no proficiency  
21 in the partner language (these one-way immersion programs are sometimes called world language  
22 immersion); and

23 (iii) Teachers pursuant to these programs shall meet appropriate state certification  
24 requirements and be highly qualified as defined by the department of education (RIDE) in their  
25 content area.

26 (2) "Local education agency" or "LEA" shall have the same meaning as defined in 34 CFR  
27 § 303.23.

28 (3) "Qualifying languages" means the most common languages other than English spoken  
29 in the state according to the U.S. Census Bureau, and other state data sources, including, but not  
30 limited to the Algonquin Narragansett language.

31 **16-54.1-3. SABLE act fund authorized.**

32 (a) The department of elementary and secondary education ("department") shall establish  
33 a dual language program fund within the department. For purposes of funding this chapter, the  
34 general assembly shall appropriate the sum of three hundred thousand dollars (\$300,000).

- 1           (1) Subject to funding for the program, the department shall establish and maintain a dual  
2 language ("DL") pilot program to provide grants to school districts and schools that establish DL  
3 programs.
- 4           (2) The department shall create a competitive request for proposals process to allocate  
5 funding.
- 6           (3) The grant application process and funds shall be administered by the department.
- 7           (4) The expenses of administering the fund shall be paid from money in the fund.
- 8           (5) The fund shall consist of:
- 9           (i) Appropriations made by the general assembly;
- 10          (ii) Charitable contributions to the fund subject to the provisions of § 38-2-2(4)(G); and
- 11          (iii) Other sources deemed appropriate by the department.
- 12          (b) Eligibility. Applicants shall be a certified local education agency (LEA) within the state  
13 consistent with the provisions of 34 CFR § 303.2.
- 14          (c) An LEA may be eligible to receive a grant pursuant to the provisions of this chapter if:
- 15           (1) The LEA uses an instructional model that provides at least fifty percent (50%) of its  
16 instruction in a language other than English based on the needs of the community served and the  
17 remaining percent of the instruction is conducted in English;
- 18           (2) The program serves students in a targeted level (ex. early childhood, elementary, etc.)  
19 from pre-kindergarten to grade twelve (12);
- 20           (3) The LEA develops and commits to an immediate or gradual staffing plan to support the  
21 dual language program; or
- 22           (4) Subject to appropriations by the general assembly, a qualifying school may receive  
23 funding for readiness assessment, developing a program implementation plan or the initial stages  
24 of implementation. Funding may be awarded in increments determined by the department to lead  
25 to the successful implementation of the dual language program.
- 26          (d) Only programs that adhere to high quality dual language program standards may be  
27 funded.
- 28          (e) Priority shall be given to those LEAs that seek to support: students from low-income  
29 families, students with disabilities, multilingual students, and students and families who have  
30 challenges with access to services.

31           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- SUPPORT AND ACCESS TO BILINGUAL EDUCATION  
ACT

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- 1 This act would create a new chapter for the support and access to bilingual education. It
- 2 would create a dual language program fund to be administered by the department of education.
- 3 Local education agencies would be eligible to apply to the department for funding.
- 4 This act would take effect upon passage.

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