

**House File 2177 - Introduced**

HOUSE FILE 2177

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**A BILL FOR**

1 An Act creating a dual language immersion pilot project  
2 and fund and a state certificate of biliteracy to be  
3 administered by the department of education.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.9, subsection 65, Code 2016, is  
2 amended to read as follows:

3 65. Establish an English language literacy for all grant  
4 program which shall be made available to all school districts.  
5 Priority in issuing grants shall be given to school districts  
6 with the highest percentage of students identified as limited  
7 English proficient, to school districts that have large numbers  
8 of students determined to be limited English proficient, or  
9 to school districts that have an exceptional diversity of  
10 languages of origin spoken by students determined to be limited  
11 English proficient. A grant may be awarded for a period of  
12 up to three years. The department and each school district  
13 receiving a grant shall enter into a performance agreement,  
14 which shall be renewed annually, that identifies clear literacy  
15 achievement goals for limited English proficient students  
16 enrolled in the school district and includes an accountability  
17 system to measure student performance and evaluate program  
18 effectiveness to ensure that program goals are met. School  
19 districts may expend grant moneys for professional development  
20 for professional staff providing instructional services to  
21 limited English proficient students. A school district awarded  
22 a grant for a dual language immersion program under section  
23 256.25A is ineligible for a grant under this subsection if the  
24 grant expenditure periods would overlap.

25 Sec. 2. NEW SECTION. 256.25 State certificate of  
26 biliteracy.

27 1. *Definitions.* As used in this section unless the context  
28 otherwise requires:

29 a. "Certificate" means the state certificate of biliteracy  
30 created under this section.

31 b. "Foreign language" means any language other than English,  
32 including but not limited to modern languages, Latin, American  
33 sign language, and Native American and other native languages.

34 2. *Certificate program established.* A state certificate  
35 of biliteracy program is established in the department to be

1 administered by the department.

2 a. The program shall be established to achieve the following  
3 purposes:

4 (1) To encourage students to study languages.

5 (2) To certify a student's attainment of biliteracy.

6 (3) To provide employers with a method of identifying  
7 individuals with language and biliteracy skills.

8 (4) To provide postsecondary educational institutions with  
9 an additional method to recognize applicants for admission.

10 (5) To complement the twenty-first century learning skills  
11 and knowledge identified in accordance with section 256.7,  
12 subsection 26.

13 (6) To recognize the value of foreign language and native  
14 language instruction in this state's schools.

15 (7) To strengthen intergroup relationships, affirm the  
16 value of diversity, and honor the multiple cultures and  
17 languages of a community.

18 b. The department shall do all of the following:

19 (1) Establish the criteria for earning a certificate,  
20 including but not limited to the number of credits a student  
21 must earn in English and language arts and a foreign language.

22 (2) Identify approved assessments of English and foreign  
23 languages and the grades and scores necessary to demonstrate a  
24 student's high level of proficiency in English and a foreign  
25 language.

26 (3) Prepare and deliver to participating school districts,  
27 attendance centers, and accredited nonpublic schools an  
28 appropriate mechanism for awarding the certificate and  
29 designating on a student's transcript that the student has been  
30 awarded a certificate.

31 (4) Provide to a participating school district, attendance  
32 center, and accredited nonpublic school any other information  
33 which the department determines is necessary for successful  
34 participation in the program.

35 3. *Voluntary participation — participation requirements.*

1     *a.* Participation in the program by a school district,  
2 attendance center, or accredited nonpublic school shall be  
3 voluntary.

4     *b.* A participating school district, attendance center, or  
5 accredited nonpublic school shall do all of the following:

6       (1) Maintain appropriate records to identify students who  
7 have earned a certificate.

8       (2) Make the appropriate designation on the transcript of  
9 each student who earns a certificate.

10     4. *Demonstration of proficiency — fees.* In order to  
11 be awarded a certificate, a student shall demonstrate  
12 the attainment of a high level of proficiency, sufficient  
13 for meaningful use in postsecondary education and career  
14 opportunities of one or more foreign languages. A student  
15 shall not be charged a fee to receive a certificate; however, a  
16 student may be required to pay a fee to demonstrate proficiency  
17 in a language, including the actual cost of a standardized test  
18 to determine the level of the student's proficiency.

19     Sec. 3. NEW SECTION. 256.25A **Dual language immersion**  
20 **project — pilot program grants.**

21     1. *Project established.* The department shall establish  
22 and maintain a dual language immersion pilot project to award  
23 grants to not more than ten school districts annually for  
24 purposes of establishing or expanding dual language immersion  
25 pilot programs which do the following:

26     *a.* Use an instructional model that provides fifty percent of  
27 instruction in English and fifty percent of instruction in any  
28 one of the following foreign languages:

29       (1) Chinese.

30       (2) Spanish.

31       (3) French.

32       (4) A language approved by the department for purposes of  
33 this section.

34     *b.* Begin dual language immersion instruction in either  
35 kindergarten or grade one.

1     *c.* Meet any other requirement established by the department  
2 for purposes of this section.

3     2. *Criteria — eligibility.* The department shall develop  
4 grant application, selection, and evaluation criteria. A  
5 school district awarded a grant under the English language  
6 literacy for all grant program established pursuant to section  
7 256.9, subsection 65, is ineligible for a grant under this  
8 section if the grant expenditure periods would overlap.

9     3. *Grant requisites.* Priority in awarding grants shall  
10 be given to school districts with the highest percentage of  
11 students identified as limited English proficient, to school  
12 districts that have large numbers of students determined to be  
13 limited English proficient, or to school districts that have an  
14 exceptional diversity of languages of origin spoken by students  
15 determined to be limited English proficient. However, students  
16 who are native English speakers may be enrolled in a pilot  
17 program. A grant may be awarded for a period of up to three  
18 years.

19     4. *Performance agreement.* The department and each school  
20 district receiving a grant shall enter into a performance  
21 agreement, which shall be renewed annually, that identifies  
22 clear achievement goals for students enrolled in the school  
23 district's dual language immersion pilot program and includes  
24 an accountability system to measure student performance and  
25 evaluate program effectiveness to ensure that program goals are  
26 met.

27     5. *Professional development.* School districts may expend  
28 grant moneys for professional development for professional  
29 staff providing dual language immersion instructional services  
30 to students.

31     6. *Annual report.* The department shall submit an  
32 annual report summarizing program activities and making  
33 recommendations to the state board, the governor, and the  
34 general assembly by January 15.

35     7. *Fund.* A separate, dual language immersion pilot project

1 fund is created in the state treasury under the control of the  
2 department. The fund shall consist of all moneys deposited  
3 in the fund, including any moneys appropriated by the general  
4 assembly and any other moneys available to and obtained or  
5 accepted by the department from federal or private sources  
6 for purposes of the pilot project. Moneys in the fund are  
7 appropriated to the department for purposes of this section.  
8 Notwithstanding section 8.33, moneys in the fund at the end  
9 of a fiscal year shall not revert to the general fund of the  
10 state but shall remain available for expenditure for purposes  
11 of this section. Notwithstanding section 12C.7, subsection 2,  
12 interest or earnings on moneys in the fund shall be credited  
13 to the fund.

14 8. *Rules.* The state board shall adopt rules to administer  
15 this section.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with  
18 the explanation's substance by the members of the general assembly.

19 This bill establishes a dual language immersion pilot  
20 project and fund and a state certificate of biliteracy to be  
21 administered by the department of education.

22 CERTIFICATE. The state certificate of biliteracy is  
23 established to encourage students to study languages, to  
24 certify a student's attainment of biliteracy and recognize the  
25 value of such attainment, to provide employers with a method  
26 of identifying individuals with such skills, to complement the  
27 21st century skills and knowledge identified by the department,  
28 to provide colleges and universities with an additional  
29 method to recognize applicants for admission, and to honor the  
30 multiple cultures and languages of a community.

31 The department must establish criteria for earning a  
32 certificate; identify approved assessments and measures  
33 necessary to demonstrate a student's high level of proficiency  
34 in English and a foreign language; and prepare and deliver  
35 to participating school districts, attendance centers, and

1 accredited nonpublic schools a mechanism for awarding the  
2 certificate and for designating such attainment on a student's  
3 transcript, and providing any other information which the  
4 department determines is necessary for successful participation  
5 in the program.

6 Participation in the program is voluntary, but a  
7 participating school district, attendance center, or accredited  
8 nonpublic school must maintain appropriate records to identify  
9 students who have earned a certificate and must make the  
10 appropriate designation on the transcript of each student who  
11 earns a certificate.

12 A student shall not be charged a fee to receive a  
13 certificate; however, a student may be required to pay a fee  
14 to demonstrate proficiency in a language, including the actual  
15 cost of a standardized test to determine the student's level  
16 of proficiency.

17 The bill defines "foreign language" to mean any language  
18 other than English, including but not limited to modern  
19 languages, Latin, American sign language, and Native American  
20 and other native languages.

21 DUAL LANGUAGE IMMERSION PROJECT AND FUND. The department is  
22 directed to establish and maintain a dual language immersion  
23 pilot project to award grants to not more than 10 school  
24 districts annually for purposes of establishing or expanding  
25 dual language immersion pilot programs. A grant may be awarded  
26 for a period of up to three years.

27 Such programs must use an instructional model that,  
28 beginning in kindergarten or grade one, provides 50 percent  
29 of instruction in English and 50 percent of instruction in  
30 Chinese, Spanish, French, or any other language approved by  
31 the department. The department is authorized to add to these  
32 requirements.

33 A school district is ineligible to grants concurrently under  
34 the English language literacy for all grant program and the  
35 dual language immersion pilot project if the grant expenditure

1 periods would overlap.

2 Priority in awarding grants shall be given to school  
3 districts with high limited English proficient enrollments  
4 or that have an exceptional diversity of languages of origin  
5 spoken by students. However, students who are native English  
6 speakers may be enrolled in a pilot program.

7 The department and each school district receiving a grant  
8 shall enter into a performance agreement that identifies clear  
9 achievement goals and includes an accountability system to  
10 measure student performance and evaluate program effectiveness.

11 School districts may expend grant moneys for professional  
12 development for staff providing dual language immersion  
13 instructional services to students.

14 The dual language immersion pilot project fund is created  
15 in the state treasury under the control of the department.  
16 The fund consists of any moneys appropriated by the general  
17 assembly and any other moneys available to and obtained or  
18 accepted by the department from federal or private sources for  
19 purposes of the program. Moneys in the fund are appropriated  
20 to the department for purposes of the project and do not revert  
21 to the general fund of the state. Interest or earnings on the  
22 moneys in the fund shall be credited to the fund.

23 The department shall submit an annual report summarizing  
24 program activities and progress and making recommendations to  
25 the state board, the governor, and the general assembly by  
26 January 15. The state board is directed to adopt rules to  
27 administer the project.