

House Bill 4286
Sponsor: Rep. Belda Garza
Committee: Education

Complete to 3-16-01

A SUMMARY OF HOUSE BILL 4286 AS INTRODUCED 2-20-01

The Revised School Code (Public Act 289 of 1995), which took effect July 1, 1996, removed provisions requiring school districts serving students of limited English-speaking ability to operate bilingual instruction programs. House Bill 4286 would restore bilingual education provisions removed or repealed by Public Act 289.

The provisions that would be reinstated include the following.

Availability of programs.

-- The board of a school district with 20 or more children of limited English-speaking ability in a language classification in grades K-12 would have to establish and operate a bilingual instruction program for those children. A district with fewer such children could, but would not be required to, have a bilingual program.

-- Children enrolled in a bilingual instruction program could be placed in classes with other children of approximately the same age and grade level. If children of different age or grade levels were combined, the school board would have to insure that the instruction given each child was appropriate to the child's level of educational attainment.

-- If a child residing in a district without an appropriate bilingual program enrolled in such a program in another district, the district of residence would be required to pay tuition for the child and provide transportation.

-- If fewer than 20 children of limited English-speaking ability in a language classification were enrolled in a school district, the intermediate district school board would have to determine whether the total number of such children in constituent districts without bilingual programs warranted the establishment of an ISD bilingual instruction-support program.

Nature of Programs.

-- A bilingual instruction program would have to be a full-time program of bilingual instruction in 1) the courses and subjects required by the code; and 2) the course and subjects required by the board for completion of the grade level in which the child was enrolled.

-- A child would be enrolled in a bilingual program for three years or until the child achieved a level of proficiency in English language skills sufficient to receive an equal educational opportunity

in the regular school program, whichever occurred first. A child could not be transferred out of a program prior to the third year of enrollment unless the parents or guardian of the child approved the transfer in writing or unless the child successfully completed an examination reflecting a level of proficiency in English language skills appropriate to the child's grade level.

Advisory Committee. The board of a school district operating a bilingual instruction program would have to establish an advisory committee to assist in evaluating and planning the program. The committee would have to be composed of representatives of parents of children enrolled in the program, bilingual instruction teachers and counselors, and members of the community. A majority of the committee members would have to be parents of children enrolled in the program.

State Board Duties. The State Board of Education would be required to advise and assist school districts in complying with bilingual instruction requirements; study, review, and evaluate textbooks and instructional materials, resources, and media for use in programs; compile data relative to the theory and practice of bilingual instruction and education; recommend curriculum development and testing mechanisms; and make an annual report relative to bilingual instruction programs to the legislature and the governor.

Funding. The bill also would delete a provision that requires the state to continue to fund programs of bilingual instruction at least at the level that instruction was funded in the 1995-96 state fiscal year.

MCL 380.1153 et al.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.