

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1779

H. P. 1428

House of Representatives, April 7, 1975

Referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Mitchell of Vassalboro.

Cosponsor: Mr. Ingegneri of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Providing for the Establishment of a Pilot Project in Bilingual Education.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 20 MRSA c. 312 is enacted to read:

CHAPTER 312

TRANSITIONAL BILINGUAL EDUCATION

§ 2461. Title

This chapter shall be known and may be cited as the "Transitional Bilingual Education Act."

§ 2462. Purpose

The purpose of this chapter is to develop a model maintenance bilingual program pursuant to the policy of the State to ensure equal educational opportunity to every child to develop a positive educational attitude toward differing cultural heritages and in recognition of the educational needs of children of limited English-speaking capability. The Legislature recognizes that there are large numbers of children in many sections of the State who come from environments where the primary language is other than English and that public school classes in which instruction is given only in English are often inadequate for and slight the cultural heritage of children whose native tongue is another language. To begin to meet the needs of these children and to develop their ability to function equally well in both languages and to facilitate the enrichment of the public school curriculum,

this chapter provides for a pilot project in bilingual education designed to accommodate 50 pupils for each year of the biennium.

§ 2463. Definitions

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings.

1. Bilingual education. "Bilingual education" shall mean the use of 2 languages, one of which is English, as a means of instruction in any subject or course. It is a means of instruction in which concepts and information are introduced in the dominant language of the student and reinforced in the 2nd language. It recognizes that teaching of language skills is most meaningful and effective when presented in the context of an appreciation of cultural differences and similarities.

2. Bilingual teacher or staff. "Bilingual teacher or staff" shall mean a teacher or faculty member fluent in both English and the primary language of the limited English-speaking pupils in a bilingual program. A teacher need not be certified to teach in both languages.

3. Maintenance bilingual program. "Maintenance bilingual program" shall mean a bilingual program which encourages pupils from various ethnic groups to perfect and maintain their knowledge of their primary tongue while also mastering English.

4. Primary language. "Primary language" shall mean a language other than English, which is the language which the child first learned or the language which is spoken in the child's home environment.

5. School superintendent. "School superintendent" shall mean the superintending school committees or school directors of the several school administrative units of the State.

§ 2464. Pilot program

The general supervision of the model maintenance bilingual program is the responsibility of the commissioner. He shall establish, organize and develop a pilot project to meet the purpose of this chapter, and shall develop, inspect, approve and supervise maintenance bilingual programs in local school systems. The pilot project shall accommodate 50 pupils for each year in one or more local school programs, and the funds appropriated may be used for the employment of bilingual teachers and staff and the acquisition of equipment and material as required in establishing and operating the pilot project on the local level. The commissioner, with the approval of the state board, shall make necessary rules and regulations for the proper administration of this chapter. The department is authorized to receive contributions and donations to be used in conjunction with appropriations made to carry out the provisions and requirements of this chapter. The department is designated as the agency for cooperation with the Federal Government in any program for bilingual education.

§ 2465. Local school systems; procedures

Any local school system may participate in the pilot project of the maintenance bilingual program subject to approval by the commissioner. Ap-

plication shall be made by the school superintendent on a form provided by the department. Such application shall include: An assessment of the local need for such a program, based on the number of children in the local school system with a primary language other than English, and the primary languages so represented; the plan of instruction, objectives, methods of testing performance, facilities, supervision and management of the program; the cost of program over and above the average per capita cost of educating children not in the program; and the amount of funds requested from the department for such program. The commissioner may require any further information he considers necessary to meet the requirements of this chapter.

§ 2466. Commissioner; applications

The commissioner shall review all applications for programs in local school systems on the following basis: Identified goals for bilingual education as determined by the local need assessment; the identification of objectives for the attainment of these goals, the objectives to be stated in measurable terms; a description of how the student is to demonstrate the knowledge or skill to be achieved; the level of performance which will be accepted; a management plan to organize, coordinate and monitor with distinctly outlined plans that will ensure success in the bilingual program; and an attempt to achieve an approximate balance between the number of children whose primary language is other than English and children proficient in English.

The commissioner may approve such programs for participation in the pilot project that meet these criteria, consistent with the nature and size of the pilot project as set forth herein. The commissioner may provide funds under the appropriation for such projects.

§ 2467. Reports

The school superintendent of any local school system receiving funds under this chapter shall keep an accurate account of all moneys paid for the maintenance bilingual program, and shall report the same to the commissioner on forms provided for this purpose.

The school superintendent shall also report on the program as required by the commissioner, to enable a proper and thorough evaluation by the commissioner of the pilot project.

§ 2468. Report to the Legislature

The commissioner shall report to the next regular session of the Legislature on the pilot project and shall include recommendations on the maintenance bilingual program and its possible expansion.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Department of Educational and Cultural Services, the sum of \$73,640 for establishment of a pilot project in bilingual education. The breakdown shall be as follows:

	1975-76	1976-77
EDUCATIONAL AND CULTURAL SERVICES DEPARTMENT OF		
Transitional Bilingual Education		
Personal Services	\$33,400	\$36,740
All Other	1,000	1,000
Capital Expenditures	1,000	500
	<hr/>	<hr/>
	\$35,400	\$38,240

STATEMENT OF FACT

The purpose of this Act is to inculcate pride in the heritage and culture among those children who come from homes with a different cultural background and to extend an appreciation of that culture and heritage to those children who speak English effectively. The end result is a person who is proficient and functionally literate in 2 languages and able to appreciate two cultures.

This project will result in a model bilingual program which other communities can adapt to their own pupil needs.