



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB5981

Introduced 2/10/2010, by Rep. Mike Fortner

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/14C-1	from Ch. 122, par. 14C-1
105 ILCS 5/14C-2	from Ch. 122, par. 14C-2

Amends the Transitional Bilingual Education Article of the School Code. Adds as a purpose of the Article the establishment of approved alternative programs in public schools. Provides that an approved alternative program means a full-time program of instruction (1) in all of those courses or subjects that a child is required by law to receive and that are required by the child's school district, given in either the native language of those children of limited English-speaking ability who are enrolled in the program or in English; and (2) that consists of both a structured English immersion program and a program of 2-way bilingual education, or a part-time program of instruction based on the educational needs of those children of limited English-speaking ability who do not need a full-time program of instruction.

LRB096 19351 NHT 35152 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections  
5 14C-1 and 14C-2 as follows:

6 (105 ILCS 5/14C-1) (from Ch. 122, par. 14C-1)

7 Sec. 14C-1. The General Assembly finds that there are large  
8 numbers of children in this State who come from environments  
9 where the primary language is other than English. Experience  
10 has shown that public school classes in which instruction is  
11 given only in English are often inadequate for the education of  
12 children whose native tongue is another language. The General  
13 Assembly believes that a program of transitional bilingual  
14 education can meet the needs of these children and facilitate  
15 their integration into the regular public school curriculum.  
16 Therefore, pursuant to the policy of this State to insure equal  
17 educational opportunity to every child, and in recognition of  
18 the educational needs of children of limited English-speaking  
19 ability, it is the purpose of this Act to provide for the  
20 establishment of transitional bilingual education or approved  
21 alternative programs in the public schools, and to provide  
22 supplemental financial assistance to help local school  
23 districts meet the extra costs of such programs.

1 (Source: P.A. 94-1105, eff. 6-1-07.)

2 (105 ILCS 5/14C-2) (from Ch. 122, par. 14C-2)

3 Sec. 14C-2. Definitions. Unless the context indicates  
4 otherwise, the terms used in this Article have the following  
5 meanings:

6 (a) "State Board" means the State Board of Education.

7 (b) "Certification Board" means the State Teacher  
8 Certification Board.

9 (c) "School District" means any school district  
10 established under this Code.

11 (d) "Children of limited English-speaking ability" means  
12 (1) all children in grades pre-K through 12 who were not born  
13 in the United States, whose native tongue is a language other  
14 than English, and who are incapable of performing ordinary  
15 classwork in English; and (2) all children in grades pre-K  
16 through 12 who were born in the United States of parents  
17 possessing no or limited English-speaking ability and who are  
18 incapable of performing ordinary classwork in English.

19 (e) "Teacher of transitional bilingual education" means a  
20 teacher with a speaking and reading ability in a language other  
21 than English in which transitional bilingual education is  
22 offered and with communicative skills in English.

23 (f) "Program in transitional bilingual education" means a  
24 full-time program of instruction (1) in all those courses or  
25 subjects which a child is required by law to receive and which

1 are required by the child's school district which shall be  
2 given in the native language of the children of limited  
3 English-speaking ability who are enrolled in the program and  
4 also in English, (2) in the reading and writing of the native  
5 language of the children of limited English-speaking ability  
6 who are enrolled in the program and in the oral comprehension,  
7 speaking, reading and writing of English, and (3) in the  
8 history and culture of the country, territory or geographic  
9 area which is the native land of the parents of children of  
10 limited English-speaking ability who are enrolled in the  
11 program and in the history and culture of the United States; or  
12 a part-time program of instruction based on the educational  
13 needs of those children of limited English-speaking ability who  
14 do not need a full-time program of instruction.

15 (g) "Approved alternative program" means a full-time  
16 program of instruction:

17 (1) in all of those courses or subjects that a child is  
18 required by law to receive and that are required by the  
19 child's school district, given in either the native  
20 language of those children of limited English-speaking  
21 ability who are enrolled in the program or in English; and

22 (2) that consists of both a structured English  
23 immersion program and a program of 2-way bilingual  
24 education; or a part-time program of instruction based on  
25 the educational needs of those children of limited  
26 English-speaking ability who do not need a full-time

1 program of instruction.

2 In an approved alternative program, each child's parent or  
3 legal guardian must be given the opportunity to select which of  
4 the available programs will best meet the child's specific  
5 educational needs.

6 For the purposes of this subdivision (g), a 2-way bilingual  
7 education program is one in which (i) the goal is to develop  
8 proficiency in both the child's native language and English,  
9 (ii) students with an English background and students with one  
10 other language background are included, and (iii) instruction  
11 is in both languages; and a structured English immersion  
12 program is one in which (A) the goal is fluency, with only  
13 limited-English proficient students in the class, (B) primary  
14 instruction is in English, adjusted to the proficiency level of  
15 students so subject matter is comprehensible, and (C)  
16 instruction may be supplemented with support in the students'  
17 native language.

18 (Source: P.A. 95-793, eff. 1-1-09.)