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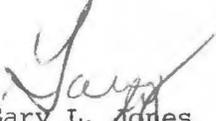


UNITED STATES DEPARTMENT OF EDUCATION
THE UNDER SECRETARY

May 3, 1984

Jim:

Per our conversation yesterday.


Gary L. Jones

enclosure



THE SECRETARY
WASHINGTON, D.C. 20202

May 2, 1984

MEMORANDUM FOR JAMES A. BAKER, III
CHIEF OF STAFF AND ASSISTANT TO THE PRESIDENT

FROM : T.H. BELL *T.H. Bell*
SUBJECT: Bilingual Education Act Reauthorization

The Congress is expected to reauthorize bilingual education programs before adjournment this year. To date, the House Committee on Education and Labor (Perkins) has reported, as part of H.R. 11 (omnibus reauthorizing legislation) a bill authored by Reps. Kildee and Corrada which basically retains the traditional definition of bilingual education. An amendment in committee markup, sponsored by Reps. Bartlett and McCain, provides a 4 percent set-aside of all monies appropriated up to \$140 million for alternative instructional methods, and 50 percent of all monies over \$140 million for alternative methods. A 10 percent ceiling of the total appropriation is imposed for alternative instructional methods.

Rep. Goodling's substitute bill, a slightly amended version of the Administration's proposal, was defeated in committee. However, Goodling is committed to fight on the Floor for the Administration's bill. It is his perception that the Congress believes that flexibility in instructional methods is the course to follow at this time, and that he can build a coalition to pass the Administration's bill. He has asked for strong support from the White House to help him in this endeavor. Specifically, Rep. Goodling requests Administration backup and assistance when the bill is debated on the House Floor.

To date, Senator Stafford has not introduced a reauthorization bill. Staff has indicated that he is waiting to see what action the House takes when the bill is on the Floor. If the Goodling (Administration) bill passes, it is highly possible that Stafford may embrace it.

Attached is a side-by-side analysis of current law, the Kildee-Corrada bill, and the administration proposal.

Please advise.

Attachments

THE TITLE VII ESEA REAUTHORIZATION BILLS: HOW THEY COMPARE

CURRENT TITLE VII,
SEA ACT (1978 Amendments)

KILDEE/CORRADA BILL

HR 2682

APPROPRIATION AUTHROIZATION:

400,000,00 for FY 83
(reduced by Omnibus Budget
Reconciliation Act of 1982
to \$139,970,000 for each
fiscal year, 1982-1984)

such sums for FY 85,
such sums for FY 86,
such sums for FY 87
and such sums as may be
necessary for each of
the two succeeding fis-
cal years.

\$95,000,000 for FY 84
and such sums as may
be necessary for FY 85
(FY 85 budget request
is \$139 million).

GRANTS FOR STATE PROGRAMS

\$16,000,000 for FY 81 (re-
duced by Omnibus Budget Re-
conciliation Act of 1982)
this is in addition to the
sums authorized above.

Additional authorization
of: \$24,000,000 for FY 85,
\$28,000,000 for FY 86,
\$32,000,000 for FY 87,
and such sums as may be
necessary for each of the
two succeeding fiscal
years.

The Department has
proposed a maximum 10%
of Basic and Demon-
stration grant awards
or a minimum of
\$25,000 per state.
This is not an addi-
tional authorization
request.

PROGRAM GRANTS:

No Funds reserved for
Program Grants.

Of the total amount of
funds authorized under
the Act, 4% shall be re-
served for alternative
instructional methods
(i.e. ESL or Emersion
programs) up to an appro-
priation level of \$140 million.
On any amount above \$140 million
that is appropriated, 50% of these
monies shall be reserved for alter-
native instructional methods.
Alternative instructional methods
funding cannot exceed 10% of all
monies appropriated. 60% of authorized funds
for FY 85 is reserved for bilingual ed
programs (same % for subsequent fiscal years)
75% of amount authroized for bilingual
education programs shall be reserved for
Programs of Transitional Bilingual Education.

Budget request of
\$100,000,000 for local
school districts Basic
and Demonstration
Projects.

TRAINING PROGRAMS:

\$16,000,000 of first
\$70,000,000 authorized,
and 20% of any amount
above \$70,000,000 is re-
served for training ac-
tivities.

25% of the amount author-
ized under this Act
is reserved for training
activities

Budget request for
training activities is
\$25,000,000. This is
in addition to the
\$100,000,000 requested
in item 3.

5
NATIONAL ADVISORY COUNCIL
FOR BILINGUAL EDUCATION:

An amount not to exceed 1% is reserved for activities of the National Advisory Council for Bilingual Education.

NO CHANGE

NO CHANGE

DEFINITIONS:

Limited English Proficiency (LEP)

NO CHANGE

NO CHANGE

Native Language

NO CHANGE

NO CHANGE

Low-income

NO CHANGE

NO CHANGE

Bilingual Education:

"A program of instruction, ...in which...there is instruction given in, and study of English and, to the extent necessary to allow a child to achieve competence in the English language, the native language of the children of limited English proficiency, and such instruction is given with appreciation for the cultural heritage of such children, and of other children in American society...

The definition is kept, but made more specific by mandating structured English instruction and by specifying that instruction shall, to the extent necessary, be in all courses or subjects of study which allow a child to meet grade-promotion and graduation standards.

The definition includes instruction for the acquisition of English skills and does not preclude the use of the child's native language. Children whose language is English would continue to be eligible to participate.

This bill recognizes two major types of programs of bilingual education:

- (1) Transitional Bilingual Education which provides structured English language instruction and instruction in the child's native language;
- (2) Developmental Bilingual Education which provides structured English language instruction and instruction in a second language.

The proposed definition does not require the recipient of funds under this Title to use any particular method or approach for providing education to LEP children.

Current Title VII allows adult literacy programs, but does not specifically mandate them.

Further provision is made for programs of Family English Language Literacy which are designed to help limited English proficient parents and out-of-school family members of limited English proficient students achieve competence in the English language.

Programs of vocational and adult education using bilingual education methods and techniques may be funded as a new activity. In addition adult education components remain as eligible activities under grants to local school districts.

7
PROGRAMS OF ACADEMIC EXCELLENCE:

None authorized.

Defined as programs of transitional or developmental bilingual education which have an established record of providing effective, academically excellent instruction and serve as exemplary models and to facilitate dissemination of effective practices.

All eligible programs under this title are designed to develop and institutionalize effective and exemplary approaches of instruction to LEP children.

Proposed amendments authorize activities designed to disseminate information about effective and exemplary approaches.

8
DURATION OF GRANTS/PARTICIPATION IN PROGRAM:

1-3 years, recompetition allowed

Depends on the program:
Transitional and Developmental Bilingual Programs:
3 years, 2 year renewal possible;
Academic Excellence and Family English Language Literacy programs: 3 years;
other programs, 1-3 years.

Basic grants are awarded for a period of 1-3 years. No LEA shall receive financial assistance for more than five fiscal years.

9
TRAINING PROGRAMS:

Current Act authorizes a training component.

Encourages improvements in education curriculum, graduate education, as related to bilingual education, and provides for focus on specialization in certain areas such as gifted/talented education, special education, evaluation, also provides for retraining of teachers via short-term institutes designed to improve language skills of participants in programs of bilingual education.

The same types of training are eligible for support.

BILINGUAL VOCATIONAL PROGRAMS:

Funding currently provided under Part B, Vocational Education Act; \$60,000,000 authorized for FY 84.

No change.

Proposes bilingual vocational programs for out-of-school youth and adults of limited English proficiency.

MULTIFUNCTIONAL RESOURCE CENTERS:

Current Act allows the establishment of multifunctional resource centers.

Specifies the establishment of at least 16 multifunctional resource centers to provide technical assistance and training to persons participating or preparing to participate in bilingual education programs.

(The FY 85 budget provides \$10 million dollars for 16 Multifunctional Centers.)

12 NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION:

Current Act specifies a council of 15 members.

The number of Council members is expanded to 20, and the composition of the council is mandated to reflect state and local concerns by specifying that 5 members be State directors of bilingual education programs and 5 members be local school board members or local bilingual education program directors; it is also specified that 3 members of the council have experience in research on bilingual education or evaluation of such programs.

No change

13

ADMINISTRATION OF THE OFFICE OF BILINGUAL EDUCATION AND MINORITY LANGUAGES AFFAIRS:

The current Act specifies that the Commissioner (now Secretary) "shall delegate all of his delegable functions relating to bilingual education" to the Director of the Office of Bilingual Education.

NO CHANGE.

Section 210 of the Department of Education Act provides authority to administer bilingual education programs to the Director of OBEMLA.

14

Research and Evaluation

Research and evaluation activities are provided for.

Congress of the United States
House of Representatives
Washington, D.C. 20515

May 15, 1984

Mr. James A. Baker III
Chief of Staff and Assistant to the President
The White House
Hand Deliver

Dear Jim:

We respectfully request a meeting with you at your earliest convenience to discuss pending legislation on bilingual education.

As you know, we have been involved in the drafting of compromise legislation which we believe merits bipartisan support.

Enclosed please find a copy of materials which were delivered last week to Secretary T.H. Bell.

Thank you for your consideration.

Sincerely,

JOHN MCCAIN
Member of Congress
225-2635

STEVE BARTLETT
Member of Congress
225-4201

SB/JMC/roc

Enc.

→ 5/15

MDT	5/16 Jim How handle?
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FYI - - Ciccone
is in on this
issue too
GIVE TO him THEN

Congress of the United States

House of Representatives

Washington, D.C. 20515

May 9, 1984

The Honorable Terrel H. Bell
Secretary of the Department
of Education
Room 4181
400 Maryland Avenue, S.W.
Hand Deliver

Dear Mr. Secretary:

As you know, the Committee on Education and Labor last week approved a compromise package of amendments which allows flexibility in curriculum for the first time in the history of bilingual education. We were involved in negotiating the amendments to the Kildee-Corrada bill, and we are now seeking Administration support for the amended bilingual legislation.

While the Kildee-Corrada bill in its original form was not acceptable to us or most other Republicans, we believe the amendments make it possible and desirable for Republicans now to support the legislation. The amendments:

- Allow use of federal funds for Alternative Instruction, such as English as a second language (ESL) or structured English immersion.
- Recognize that the goal of bilingual education programs is to teach students English.
- Specify that research will be done into alternative methods of teaching children English, as well as into traditional bilingual education.
- Encourage States and local school districts to develop and implement appropriate instructional programs for limited English proficient students.
- Open three of the positions on the National Advisory Council to representatives of Alternative Instruction.
- Allow the Secretary to give funding priority to school districts which find it impracticable to implement traditional bilingual education or which already have such programs and want to try new approaches.

The Compromise amendments specify that four percent of funding at

The Honorable Terrel H. Bell

May 9, 1984

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the current level (\$140 million) plus 50 percent of new funding will be reserved for alternative instruction, up to 10 percent of the total appropriation. However, the percentage of funding reserved for Alternative Instruction is actually higher when compared to funding reserved for instruction rather than to the total appropriation, and we are enclosing a chart which illustrates this factor.

Also for your information, please find enclosed a copy of an article which appeared in The Dallas Morning News the day after the Education and Labor Committee mark-up on the bill.

As you know, the reauthorization of bilingual education with the compromise package of amendments is currently a part of H.R. 11, the omnibus reauthorization bill which includes a number of education programs. We recognize that there are problems with the omnibus nature of the bill and are not asking for endorsement of all of H.R. 11. We simply ask that you consider the merits of Title VII, the portion which reauthorizes bilingual education.

We hope that the information contained in this letter clarifies some points pertaining to the bilingual education compromise. As is the nature of a compromise, it does not go as far as we would have liked. But we believe it makes profound changes in the federal bilingual education legislation and merits Administration support.

Thank you for your consideration in this matter.



JOHN McCAIN
Member of Congress

Sincerely,



STEVE BARTLETT
Member of Congress

FUNDING FOR ALTERNATIVE INSTRUCTION

The compromise agreement states that 4 percent of appropriations which are \$140 million or less will be reserved for Alternative Instruction, plus 50 percent of appropriations which exceed \$140 million, up to a maximum of 10 percent of total appropriations.

However, funds reserved for Alternative Instruction are actually a higher percentage of the total funding reserved for classroom programs, as indicated by the chart below. The legislation stipulates that 60 percent of appropriations will be reserved for Part A, which funds classroom instruction, and 75 percent of that 60 percent will be reserved for programs of Transitional Bilingual Education.

Total Appropriation	<u>\$140 million</u>	<u>\$150 million</u>	<u>\$165 million</u>
Reserved for Part A (Classroom Instruction)	84.0 million	90.0 million	99.0 million
Reserved for Transitional Bilingual Education (TBE)	63.0 million	67.5 million	74.25 million
Reserved for Alternative Instruction	5.6 million	10.6 million	16.5 million
ALTERNATIVE INSTRUCTION AS PERCENT OF PART A	6.7%	11.8%	16.7%

In addition, Teacher Training, Fellowships, Research and Technical Assistance are now open to Alternative Instruction as a result of amendments in the compromise agreement.

Panel trying to forestall bilingual-education fight

DALLAS MORNING NEWS
By William J. Choyke
Washington Bureau of The News 5/3/84

WASHINGTON — A House committee reached a compromise Wednesday designed to avert a congressional brouhaha on the controversial question of whether immigrant children should be taught in English or their native languages in public schools.

The bipartisan agreement would, for the first time, allow a portion of federal bilingual education funds to be used to teach non-English speaking students in English, or in a combination of languages.



Steve Bartlett

Current law restricts such funds, available through Department of Education Title VII grants, to school programs that offer instruction in a child's native language. Texas and some other states, however, have financed experimental programs, such as one in McAllen, in which Spanish-speaking students are immersed in a structured English format.

The compromise, proposed by Rep. Steve Bartlett, R-Dallas, and three other lawmakers, permits the Department of Education to earmark for alternative methods of instruction up to 4 percent of current funds and 50 percent of any new funding.

"Everything each of us wanted was not in the compromise," said Bartlett, shortly before the House Education and Labor Committee approved the agreement by voice vote.

"But I think we avoided what would have been a very emotional, difficult and unproductive floor debate," he said. Some lawmakers had predicted "a bloodbath" during floor debate if the compromise had not been reached, he said.

Bartlett said the education bill, approved in total by the committee Wednesday, would probably be considered by the House before the July recess. He said he hoped for White House support, since the bill does what the administration sought: It introduces curriculum flexibility into federal law.

The agreement, developed with Hispanic interest groups such as the League of United Latin American Citizens, grows out of a debate by the Reagan administration, lawmakers and special-interest groups over whether the traditional approach of bilingual education is the most effective way of teaching non-English-speaking children.

LULAC National Executive Director Arnoldo Torres also said that the agreement probably would diffuse for this year a growing congressional move to overhaul the bilingual education system.

"It avoids the donnybrook," Torres said after the vote. "While we feel that the bilingual way is the best way, the issue goes beyond Hispanics. It is the best way, but isn't the only way."

The compromise permits the Department of Education to grant 4 percent of the \$140 million authorized under the program to alternative instructional methods. Half of any additional funds Congress allocates — the House committee is considering proposing an increase of \$15 million to \$20 million — can also be used for alternative tutoring as long as the total amount spent is less than 10 percent of the Title VII budget.

Although committee Republicans endorsed the compromise developed primarily by two Democrats and two Republicans, several criticized the program for requiring a specific type of instruction in the nation's schools.

"The real problem with the whole piece of legislation is, we are mandating one type of instruction from Washington D.C.," argued Rep. William Goodling, R-Pa. "To me that is frightening."



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

May 15, 1984

MEMORANDUM TO THE HONORABLE JAMES A. BAKER, III
CHIEF OF STAFF AND
ASSISTANT TO THE PRESIDENT

This memorandum is intended to express my views on the bilingual education bills now pending before Congress.

As you know, I proposed new legislation to improve the Federal role in bilingual education. This bill was cleared through channels and is now before Congress as H.R. 2682.

Our bill, H.R. 2682, permits the Federal Government to fund, based upon the quality of proposals received by ED, any method of instruction at the local level. It has many advantages:

- o The language is clear and distinct. School districts would be able to provide the same kinds of services now provided, but with greatly decreased administrative burdens.
- o It is designed to encourage school districts to develop instructional capacity for providing services to limited English proficient school children as part of the regular school program.
- o It allows local school officials to choose the method they feel most suitable for their limited English proficient children.

We should not prescribe nor use Federal funds to coerce the use of one teaching method in the nation's schools. The existing bilingual education law permits funding only for the transitional bilingual method. Both the English as a second language and the immersion methods have been successfully used by school systems. New legislation should permit the school districts to choose the method most suitable to their needs, and school districts should be allowed to apply for Federal funds for use in support of the method chosen.

Pending before Congress is H.R. 5231. This bilingual education bill (as amended, thanks to the hard work of Congressman Steve Bartlett) is an improvement over the existing statute. H.R. 5231 permits four percent of the funds to be used for other methods than the transitional bilingual method. Increased funding for other methods would be permitted only if funding exceeded \$140 million (our current budget allowance is at \$139 million). I called Steve to express my disappointment that only four percent of current funds could be used to support alternative methods. He agreed that there should be more flexibility, but he also told me that

it was very difficult to get any changes. Steve insists that H.R. 5231 as amended is the best we can do. If this is so, we should, of course, support it as an improvement. But I would like to urge that we continue to press for our legislation. H.R. 5231 has the following flaws that concern me:

- o The transitional bilingual method is the only method subject to research--even though there is evidence no one approach works best in any or all situations.
- o It does little to encourage local capacity building (training of teachers).
- o It does not target funds to children most in need.
- o It creates new data collection requirements which will often prove intrusive on all levels of government.
- o It mandates funding two Evaluation, Dissemination and Assessment Centers which Administration policy has been to phase out.
- o It increases both in size and responsibility the advisory council under Title VII, to the extent of possibly restricting the Secretary's authority.

Congressmen Goodling and Erlenborn are prepared to substitute our bill for H.R. 5231 on the House floor. Congressman Goodling believes that with Administration and specifically White House support, he can get a bill passed largely reflective of H.R. 2682. It is important to note that while leaders of many Hispanic organizations favor H.R. 5231, the parental, institutional, and political environment appears to favor our more flexible approach.

Furthermore, editorial support, for whatever its value, has appeared in the Washington Post and the New York Times.

I suggest that we try to get our bill passed if we can. If that is not attainable, we should then try to amend H.R. 5231 to improve it as much as possible.

I want to emphasize that Steve Bartlett has been a great supporter of our views on education, and we should not criticize him for the compromise he was able to attain on H.R. 5231. He did improve the bill as best he could, but it is still not nearly as desirable as H.R. 2682.

I close by emphasizing that this is a very sensitive issue. Many of our Hispanic friends feel that they have made a big compromise by going along with Steve Bartlett's amendments to H.R. 5231. If we are overly aggressive in attacking the transitional bilingual methods, they will perceive us as being opposed to their desires, and this will hurt us. Let's be careful about explaining our views and supporting transitional bilingual education at the same time that we permit other approaches to be used in the classrooms.


T. H. Bell



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

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T. H. Bell

THE WHITE HOUSE
WASHINGTON

May 9, 1984

NOTE TO JIM CICCONI

FROM: TOM DONNELLY

SUBJECT: Attached letter to
Secretary Bell

The attached letter to Secretary
Bell from Congressmen John McCain
and Steve Bartlett is for your
information

Congress of the United States

House of Representatives

Washington, D.C. 20515

May 9, 1984

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Secretary of the Department
of Education
Room 4181
400 Maryland Avenue, S.W.
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The Honorable Terrel H. Bell

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Thank you for your consideration in this matter.



JOHN McCAIN
Member of Congress

Sincerely,



STEVE BARTLETT
Member of Congress

cc: Mr. Donnelly ✓

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"It avoids the donnybrook," Torres said after the vote. "While we feel that the bilingual way is the best way, the issue goes beyond Hispanics. It is the best way, but isn't the only way."

The compromise permits the Department of Education to grant 4 percent of the \$140 million authorized under the program to alternative instructional methods. Half of any additional funds Congress allocates — the House committee is considering proposing an increase of \$15 million to \$20 million — can also be used for alternative tutoring as long as the total amount spent is less than 10 percent of the Title VII budget.

Although committee Republicans endorsed the compromise developed primarily by two Democrats and two Republicans, several criticized the program for requiring a specific type of instruction in the nation's schools.

"The real problem with the whole piece of legislation is, we are mandating one type of instruction from Washington D.C.," argued Rep. William Goodling, R-Pa. "To me that is frightening."

Congress of the United States

House of Representatives

Washington, D.C. 20515

May 9, 1984

The Honorable Terrel H. Bell
Secretary of the Department
of Education
Room 4181
400 Maryland Avenue, S.W.
Hand Deliver

Dear Mr. Secretary:

As you know, the Committee on Education and Labor last week approved a compromise package of amendments which allows flexibility in curriculum for the first time in the history of bilingual education. We were involved in negotiating the amendments to the Kildee-Corrada bill, and we are now seeking Administration support for the amended bilingual legislation.

While the Kildee-Corrada bill in its original form was not acceptable to us or most other Republicans, we believe the amendments make it possible and desirable for Republicans now to support the legislation. The amendments:

- Allow use of federal funds for Alternative Instruction, such as English as a second language (ESL) or structured English immersion.
- Recognize that the goal of bilingual education programs is to teach students English.
- Specify that research will be done into alternative methods of teaching children English, as well as into traditional bilingual education.
- Encourage States and local school districts to develop and implement appropriate instructional programs for limited English proficient students.
- Open three of the positions on the National Advisory Council to representatives of Alternative Instruction.
- Allow the Secretary to give funding priority to school districts which find it impracticable to implement traditional bilingual education or which already have such programs and want to try new approaches.

The Compromise amendments specify that four percent of funding at

The Honorable Terrel H. Bell
May 9, 1984
Page Two

the current level (\$140 million) plus 50 percent of new funding will be reserved for alternative instruction, up to 10 percent of the total appropriation. However, the percentage of funding reserved for Alternative Instruction is actually higher when compared to funding reserved for instruction rather than to the total appropriation, and we are enclosing a chart which illustrates this factor.

Also for your information, please find enclosed a copy of an article which appeared in The Dallas Morning News the day after the Education and Labor Committee mark-up on the bill.

As you know, the reauthorization of bilingual education with the compromise package of amendments is currently a part of H.R. 11, the omnibus reauthorization bill which includes a number of education programs. We recognize that there are problems with the omnibus nature of the bill and are not asking for endorsement of all of H.R. 11. We simply ask that you consider the merits of Title VII, the portion which reauthorizes bilingual education.

We hope that the information contained in this letter clarifies some points pertaining to the bilingual education compromise. As is the nature of a compromise, it does not go as far as we would have liked. But we believe it makes profound changes in the federal bilingual education legislation and merits Administration support.

Thank you for your consideration in this matter.


JOHN McCAIN
Member of Congress

Sincerely,


STEVE BARTLETT
Member of Congress

cc: Mr. Picconi ✓

FUNDING FOR ALTERNATIVE INSTRUCTION

The compromise agreement states that 4 percent of appropriations which are \$140 million or less will be reserved for Alternative Instruction, plus 50 percent of appropriations which exceed \$140 million, up to a maximum of 10 percent of total appropriations.

However, funds reserved for Alternative Instruction are actually a higher percentage of the total funding-reserved for classroom programs, as indicated by the chart below. The legislation stipulates that 60 percent of appropriations will be reserved for Part A, which funds classroom instruction, and 75 percent of that 60 percent will be reserved for programs of Transitional Bilingual Education.

Total Appropriation	<u>\$140 million</u>	<u>\$150 million</u>	<u>\$165 million</u>
Reserved for Part A (Classroom Instruction)	84.0 million	90.0 million	99.0 million
Reserved for Transitional Bilingual Education (TBE)	63.0 million	67.5 million	74.25 million
Reserved for Alternative Instruction	5.6 million	10.6 million	16.5 million
ALTERNATIVE INSTRUCTION AS PERCENT OF PART A	6.7%	11.8%	16.7%

In addition, Teacher Training, Fellowships, Research and Technical Assistance are now open to Alternative Instruction as a result of amendments in the compromise agreement.

Panel trying to forestall bilingual-education fight

DALLAS MORNING NEWS
By William J. Choyke
Washington Bureau of The News

5/3/84

WASHINGTON — A House committee reached a compromise Wednesday designed to avert a congressional brouhaha on the controversial question of whether immigrant children should be taught in English or their native languages in public schools.

The bipartisan agreement would, for the first time, allow a portion of federal bilingual education funds to be used to teach non-English speaking students in English, or in a combination of languages.



Steve Bartlett

Current law restricts such funds, available through Department of Education Title VII grants, to school programs that offer instruction in a child's native language. Texas and some other states, however, have financed experimental programs, such as one in McAllen, in which Spanish-speaking students are immersed in a structured English format.

The compromise, proposed by Rep. Steve Bartlett, R-Dallas, and three other lawmakers, permits the Department of Education to earmark for alternative methods of instruction up to 4 percent of current funds and 50 percent of any new funding.

"Everything each of us wanted was not in the compromise," said Bartlett, shortly before the House Education and Labor Committee approved the agreement by voice vote.

"But I think we avoided what would have been a very emotional, difficult and unproductive floor debate," he said. Some lawmakers had predicted "a bloodbath" during floor debate if the compromise had not been reached, he said.

Bartlett said the education bill, approved in total by the committee Wednesday, would probably be considered by the House before the July recess. He said he hoped for White House support, since the bill does what the administration sought: It introduces curriculum flexibility into federal law.

The agreement, developed with Hispanic interest groups such as the League of United Latin American Citizens, grows out of a debate by the Reagan administration, lawmakers and special-interest groups over whether the traditional approach of bilingual education is the most effective way of teaching non-English-speaking children.

LULAC National Executive Director Arnolando Torres also said that the agreement probably would diffuse for this year a growing congressional move to overhaul the bilingual education system.

"It avoids the donnybrook," Torres said after the vote. "While we feel that the bilingual way is the best way, the issue goes beyond Hispanics. It is the best way, but isn't the only way."

The compromise permits the Department of Education to grant 4 percent of the \$140 million authorized under the program to alternative instructional methods. Half of any additional funds Congress allocates — the House committee is considering proposing an increase of \$15 million to \$20 million — can also be used for alternative tutoring as long as the total amount spent is less than 10 percent of the Title VII budget.

Although committee Republicans endorsed the compromise developed primarily by two Democrats and two Republicans, several criticized the program for requiring a specific type of instruction in the nation's schools.

"The real problem with the whole piece of legislation is, we are mandating one type of instruction from Washington D.C.," argued Rep. William Goodling, R-Pa. "To me that is frightening."

MAY 3, 1984

THE WHITE HOUSE
WASHINGTON

FOR: Jim Cicconi

FROM: Cathi V.

Steve Bartlett will be calling you on this issue to advise you on the compromise reached last night and answer further questions you might have.

He is leaving for Texas late tonight. If you need to talk to someone now - call Becky in his office.

BILINGUAL EDUCATION COMPROMISE

- WOULD ALLOW USE OF FEDERAL FUNDS FOR ALTERNATIVE INSTRUCTION, SUCH AS ENGLISH AS A SECOND LANGUAGE (ESL) OR STRUCTURED IMMERSION.
- SPECIFIES THAT 4 PERCENT OF THE CURRENT LEVEL OF FUNDING PLUS 50 PERCENT OF NEW FUNDING WILL BE RESERVED FOR ALTERNATIVE INSTRUCTION, UP TO 10 PERCENT OF THE TOTAL APPROPRIATION.
- FUNDING FOR ALTERNATIVE INSTRUCTION AT VARIOUS APPROPRIATIONS LEVELS:
 - \$140 MILLION: \$5.6 MILLION FOR ALTERNATIVE PROGRAMS
 - \$150 MILLION: \$10.6 MILLION FOR ALTERNATIVE PROGRAMS
 - \$165 MILLION: \$16.5 MILLION FOR ALTERNATIVE PROGRAMS
- RECOGNIZES THAT THE PRIMARY PURPOSE OF BILINGUAL EDUCATION PROGRAMS IS TO TEACH STUDENTS ENGLISH.
- SPECIFIES THAT RESEARCH WILL BE DONE INTO ALTERNATIVE METHODS TO TEACH CHILDREN ENGLISH, AS WELL AS INTO TRADITIONAL BILINGUAL EDUCATION.
- ENCOURAGES STATES AND LOCAL SCHOOL DISTRICTS TO DEVELOP AND IMPLEMENT APPROPRIATE INSTRUCTIONAL PROGRAMS FOR LIMITED ENGLISH PROFICIENT STUDENTS.
- ALLOWS THE SECRETARY TO GIVE FUNDING PRIORITY TO SCHOOL DISTRICTS WHICH FIND IT IMPRACTICABLE TO IMPLEMENT TRADITIONAL BILINGUAL EDUCATION OR WHICH ALREADY HAVE SUCH PROGRAMS AND WANT TO TRY NEW APPROACHES.

5-3-84

Jim -

This is what Bell's
office sent you - they
are updating due to
last site's compromise
Cath

THE TITLE VII ESEA REAUTHORIZATION BILLS: HOW THEY COMPARE

CURRENT TITLE VII,
SEA ACT (1978 Amendments)

KILDEE/CORRADA BILL

HR 2682

APPROPRIATION AUTHROIZATION:

400,000,00 for FY 83
(reduced by Omnibus Budget
Reconciliation Act of 1982
to \$139,970,000 for each
fiscal year, 1982-1984)

such sums for FY 85,
such sums for FY 86,
such sums for FY 87
and such sums as may be
necessary for each of
the two succeeding fis-
cal years.

\$95,000 for FY 84, and
such sums as may be
necessary for FY 85.
(FY 85 budget request
is \$139 million)

GRANTS FOR STATE PROGRAMS

\$16,000,000 for FY 81 (re-
duced by Omnibus Budget Re-
conciliation Act of 1982)
this is in addition to the
sums authorized above.

Additional authorization
of: \$24,000,000 for FY 85,
\$28,000,000 for FY 86,
\$32,000,000 for FY 87,
and such sums as may be
necessary for each of the
two succeeding fiscal
years.

The Department has
proposed a maximum 10%
of Basic and Demon-
stration grant awards
or a minimum of
\$25,000 per state.
This is not an addi-
tional authorization
request.

PROGRAM GRANTS:

No Funds reserved for
Program Grants.

Of the total amount of
funds authorized under
the Act, 4% shall be re-
served for alternative
instructional methods
(i.e. ESL or Emersion
programs) up to an appro-
priation level of \$140 million.
On any amount above \$140 million
that is appropriated, 50% of these
monies shall be reserved for alter-
native instructional methods.
Alternative instructional methods
funding cannot exceed 10% of all
monies appropriated. 60% of authorized funds
for FY 85 is reserved for bilingual ed
programs (same % for subsequent fiscal years)
75% of amount authorized for bilingual
education programs shall be reserved for
Programs of Transitional Bilingual Education.

Budget request of
\$100,000,000 for local
school districts Basic
and Demonstration
Projects.

TRAINING PROGRAMS:

\$16,000,000 of first
\$70,000,000 authorized,
and 20% of any amount
above \$70,000,000 is re-
served for training ac-
tivities.

25% of the amount author-
ized under this Act
is reserved for training
activities

Budget request for
training activities is
\$25,000,000. This is
in addition to the
\$100,000,000 requested
in item 3.

NATIONAL ADVISORY COUNCIL
ON BILINGUAL EDUCATION:

Amount not to exceed 1% is reserved for activities of National Advisory Council on Bilingual Education. NO CHANGE NO CHANGE

DEFINITIONS:

Limited English Proficiency (LEP) NO CHANGE NO CHANGE
Native Language NO CHANGE NO CHANGE
Low-Income NO CHANGE NO CHANGE

Bilingual Education:

"A program of instruction, ...in which...there is instruction given in, and study of English and, to the extent necessary to allow a child to achieve competence in the English language, the native language of the children of limited English proficiency, and such instruction is given with appreciation for the cultural heritage of such children, and of other children in American society...

The definition is kept, but made more specific by mandating structured English instruction and by specifying that instruction shall, to the extent necessary, be in all courses or subjects of study which allow a child to meet grade-promotion and graduation standards.

The definition includes instruction for the acquisition of English skills and does not preclude the use of the child's native language. Children whose language is English would continue to be eligible to participate.

- This bill recognizes two major types of programs of bilingual education:
- (1) Transitional Bilingual Education which provides structured English language instruction and instruction in the child's native language;
 - (2) Developmental Bilingual Education which provides structured English language instruction and instruction in a second language.

The proposed definition does not require the recipient of funds under this Title to use any particular method or approach for providing education to LEP children.

Programs of vocational and adult education using bilingual education methods and techniques may be funded as a new activity. In addition adult education components remain as eligible activities under grants to local school districts.

Further provision is made for programs of Family English Language Literacy which are designed to help limited English proficient parents and out-of-school family members of limited English proficient students achieve competence

Current Title VII allows adult literacy programs, but does not specifically mandate them.

PARAMS OF ACADEMIC EXCELLENCE:

authorized.

Defined as programs of transitional or developmental bilingual education which have an established record of providing effective, academically excellent instruction and serve as exemplary models and to facilitate dissemination of effective practices.

All eligible programs under this title are designed to develop and institutionalize effective and exemplary approaches of instruction to LEP children.

Proposed amendments authorize activities designed to disseminate information about effective and exemplary approaches.

PERIOD OF GRANTS/PARTICIPATION IN PROGRAM:

1-3 years, recompetition allowed

Depends on the program:
Transitional and Developmental Bilingual Programs:
3 years, 2 year renewal possible;
Academic Excellence and Family English Language Literacy programs: 3 years;
other programs, 1-3 years.

Basic grants are awarded for a period of 1-3 years. No LEA shall receive financial assistance for more than five fiscal years.

TRAINING PROGRAMS:

Current Act authorizes a training component.

Encourages improvements in education curriculum, graduate education, as related to bilingual education, and provides for focus on specialization in certain areas such as gifted/talented education, special education, evaluation, also provides for retraining of teachers via short-term institutes designed to improve language skills of participants in programs of bilingual education.

The same types of training are eligible for support.

BILINGUAL VOCATIONAL PROGRAMS:

Amount currently provided under Part B, Vocational Education Act; \$60,000,000 authorized for FY 84.

No change.

Proposes bilingual vocational programs for out-of-school youth and adults of limited English proficiency.

MULTIFUNCTIONAL RESOURCE CENTERS:

Current Act allows the establishment of multifunctional resource centers.

Specifies the establishment of at least 16 multifunctional resource centers to provide technical assistance and training to persons participating or preparing to participate in bilingual education programs.

(The FY 85 budget provides \$10 million dollars for 16 Multifunctional Centers.)

NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION:

Current Act specifies a council of 15 members.

The number of Council members is expanded to 20, and the composition of the council is mandated to reflect state and local concerns by specifying that 5 members be State directors of bilingual education programs and 5 members be local school board members or local bilingual education program directors; It is also specified that 3 members of the council have experience in research on bilingual education or evaluation of such programs.

No change

3

ADMINISTRATION OF THE OFFICE OF BILINGUAL EDUCATION AND MINORITY LANGUAGES AFFAIRS:

Current Act specifies
the Commissioner (now
Secretary) "shall delegate
of his delegable functions
relating to bilingual edu-
cation" to the Director
of the Office of Bilingual
Education.

NO CHANGE.

Section 210 of the Department
of Education Act provides author-
ity to administer bilingual
education programs to the
Director of OBEMLA.

Research and Evaluation

Research and evaluation
activities are provided for.



GOP, Democrats Square Off:

House Subcommittee Retains Traditional Bilingual Program

With Republicans and Democrats squaring off over the controversial issue of bilingual education, a House subcommittee April 25 turned back GOP efforts to revamp a federal program to help non-English-speaking students.

The panel approved a bill (HR 11) that would continue to focus federal aid on bilingual programs after rejecting, on party-line votes, Republican amendments to authorize support for alternative approaches that help students learn English without also providing special instruction in their native language.

But GOP critics are prepared to continue the fight in full committee and, if necessary, on the House floor, where they believe they have broader support from both sides of the aisle.

As approved by the Education and Labor Subcommittee on Elementary, Secondary and Vocational Education, HR 11 would reauthorize bilingual aid through fiscal 1991.

The aid is part of a package extending several other education programs that expire at the end of fiscal 1984. The omnibus bill would extend through fiscal 1989 programs serving adults, women, Indians and immigrants, and it also includes impact aid to school districts that educate children of federal employees.

The Senate Labor and Human Resources Subcommittee on Education has not yet scheduled action on bilingual education. Current programs could, however, remain in effect through fiscal 1985 under a provision of law that automatically extends programs for one year if their authorizations expire.

The Bilingual Controversy

The central issue in the House subcommittee's debate on bilingual education was whether a \$139 million Education Department program

—By Janet Hook

should continue to require that schools, to qualify for grants, provide some native language instruction while children are learning English. (*Background, Weekly Report p. 811*)

The panel maintained the requirement by approving, 10-8, an amendment by Dale E. Kildee, D-Mich. The amendment, based on a bill (HR 5231) Kildee introduced with Baltasar Corrada, New Prog.-Puerto Rico, also would increase the share of bilingual funds earmarked for teacher training and authorize new grants for teaching the families of children with limited proficiency in English.

Although HR 5231 would have authorized \$400 million in fiscal 1985 and more in later years, the amend-

ademic classes in English.

The Reagan administration wants to revise the program to allow support for other approaches, saying that schools should have the flexibility to decide how to help students enter the English-speaking mainstream.

The House subcommittee rejected, 8-10, an amendment by Bill Goodling of Pennsylvania, ranking Republican on the panel, to allow grants to be used for alternative approaches. But Goodling predicted his amendment would be "much more successful on the [House] floor than in committee."

Steve Bartlett, R-Texas, offered an amendment to earmark 15 percent of the program's grants to school districts for alternative methods. It was rejected, 8-10.

Corrada said he would be willing to allow support for such programs only if it came out of increased appropriations and did not tap existing funding for bilingual education.

"If from this very modest program, which is serving only one out of

GOP efforts to revise the bilingual program will be "much more successful on the [House] floor than in committee."

—Bill Goodling, R-Pa.



ment tacked on to HR 11 simply would authorize Congress to appropriate "such sums" as it deems necessary.

Advocates of bilingual education say that the best way to ensure that children do not fall behind scholastically while they are learning English is to provide some native language instruction in academic subjects until students are ready to make the transition to all-English classes.

Under the current bilingual aid program, school districts generally have not qualified for grants if they used other methods, such as giving children intensive English language instruction while they take regular ac-

20 students [with limited proficiency in English], we take out money for alternative methods, we are decimating the program," said Corrada.

The Kildee-Corrada amendment was approved along party lines, but Kildee said after the markup that some committee Democrats were sympathetic to the view that "we should allow some flexibility for alternative methods" if it did not drain support for traditional bilingual programs.

Other Programs Extended

Other provisions of HR 11 include:

Immigrant Education. The