

# SENATE BILL No. 225

February 27, 2003, Introduced by Senator THOMAS and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending sections 1153 and 1155 (MCL 380.1153 and 380.1155),  
as amended by 1995 PA 289, and by adding sections 1154, 1156, and  
1158.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1153. (1) The board of a school district having an  
2 enrollment of 20 or more children of limited English-speaking  
3 ability in a language classification in grades K to 12 shall  
4 establish and operate a bilingual instruction program for those  
5 children.

6       (2) ~~—(1)—~~ The board of a school district that has an  
7 enrollment of fewer than 20 children of limited English-speaking  
8 ability may establish and operate a bilingual instruction program  
9 in a language classification for children of limited

1 English-speaking ability.

2       (3) Children enrolled in a bilingual instruction program  
3 operated under this section may be placed in classes with other  
4 children of approximately the same age and grade level. If  
5 children of different age groups or grade levels are combined,  
6 the board shall insure that the instruction given each child is  
7 appropriate to the child's level of educational attainment.

8       (4) ~~—(2)—~~ A child of limited English-speaking ability  
9 residing in a district that does not have an appropriate  
10 bilingual instruction program or that is not required to have a  
11 bilingual instruction program may enroll in a bilingual  
12 instruction program in another school district. If a child  
13 enrolls in a bilingual instruction program in another school  
14 district under this subsection, the school district in which the  
15 child resides shall pay any tuition charged for the pupil and  
16 shall provide transportation for the pupil.

17       (5) ~~—(3)—~~ If fewer than 20 children of limited  
18 English-speaking ability in a language classification are  
19 enrolled in a school district, the intermediate school board  
20 shall determine whether the total number of these children  
21 residing in its constituent districts that do not operate  
22 bilingual instruction programs warrants the establishment of an  
23 intermediate bilingual instruction-support program. An  
24 intermediate school district ~~may operate or contract~~ **operating**  
25 **or contracting** for the operation of a bilingual program or  
26 service ~~—, and—~~ may carry children enrolled in the program in  
27 membership in the same manner as a local school district and be

1 entitled to its proportionate share of state funds available for  
2 the program. Membership shall be calculated under rules  
3 promulgated by the state board. The intermediate school board  
4 shall consider **all of the following:**

5 (a) Whether the cost of operating an intermediate bilingual  
6 instruction-support program is justified by the number of  
7 children at each grade level who would benefit from its  
8 establishment.

9 (b) Whether alternative methods of providing a bilingual  
10 instruction-support program, such as visiting teachers or  
11 part-time instruction, can be provided.

12 ~~(4) The state shall continue to fund programs of bilingual~~  
13 ~~instruction described in this section at least at the level that~~  
14 ~~instruction is funded in the 1995-1996 state fiscal year.~~

15 **Sec. 1154. The bilingual instruction program operated by a**  
16 **school district shall be a full-time program of bilingual**  
17 **instruction in all of the following:**

18 (a) **The courses and subjects required by this act.**

19 (b) **The courses and subjects required by the board for**  
20 **completion of the grade level in which the child is enrolled.**

21 **Sec. 1155. (1) ~~Prior to~~ Before** the placement of a child  
22 of limited English-speaking ability in a bilingual instruction  
23 program, the board of the local school district in which the  
24 child resides shall notify, by registered mail, the child's  
25 parents or legal guardian that the child is being enrolled in a  
26 bilingual instruction program. The notice shall contain a  
27 simple, nontechnical description of the purposes, method, and

1 content of the program and shall inform the parents or guardian  
2 that they have the right to visit bilingual instruction classes  
3 in which their child is enrolled.

4 (2) The notice shall be written in English and in the native  
5 language of the child of limited English-speaking ability.

6 (3) The notice shall inform the parents or guardian that they  
7 have the absolute right to refuse the placement or to withdraw  
8 their child from the program by giving written notice to the  
9 board of the local school district in which the child resides.

10 (4) A child of limited English-speaking ability residing in a  
11 school district operating or participating in a bilingual  
12 instruction program pursuant to section 1153 shall be enrolled in  
13 the bilingual instruction program for 3 years or until the child  
14 achieves a level of proficiency in English language skills  
15 sufficient to receive an equal educational opportunity in the  
16 regular school program, whichever occurs first. A child of  
17 limited English-speaking ability shall not be transferred out of  
18 a bilingual instruction program before the child's third year of  
19 enrollment unless the parent or guardian of the child approves  
20 the transfer in writing or unless the child successfully  
21 completes an examination that, in the determination of the state  
22 board, reflects a level of proficiency in English language skills  
23 appropriate to the child's grade level.

24 Sec. 1156. The board of a school district operating a  
25 bilingual instruction program pursuant to section 1153 shall  
26 establish an advisory committee to assist the board in evaluating  
27 and planning the bilingual instruction program. The advisory

1 committee shall be comprised of representatives of parents of  
2 children enrolled in the program, bilingual instruction teachers  
3 and counselors, and members of the community. A majority of the  
4 members of the advisory committee shall be parents of children  
5 enrolled in the bilingual instruction program.

6       Sec. 1158. The state board shall do all of the following:

7       (a) Advise and assist school districts in complying with and  
8 implementing sections 1152 to 1158.

9       (b) Study, review, and evaluate textbooks and instructional  
10 materials, resources, and media for use in bilingual  
11 instructional programs.

12       (c) Compile data relative to the theory and practice of  
13 bilingual instruction and pedagogy.

14       (d) Encourage experimentation and innovation in bilingual  
15 education.

16       (e) Recommend curriculum development and testing mechanisms.

17       (f) Make an annual report relative to bilingual instruction  
18 programs to the legislature and the governor.