

COMMITTEE ON EDUCATION AND WORKFORCE  
DEVELOPMENT

03/10/2022-AMENDED AND REPORTED OUT TO THE FLOOR

02/08/2022 – AMENDED AND REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

**BILL NO. 34-0154**

**Thirty-Fourth Legislature of the Virgin Islands**

**November 16, 2021**

An Act amending title 17 Virgin Islands Code, chapter 5, section 41a relating to bilingual education to direct the Department of Education to establish and maintain the Bilingual and English Language Development Program in the public schools

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**PROPOSED BY:** Senators Samuel Carrión, Genevieve R. Whitaker,  
Janelle K. Sarauw, Marvin A. Blyden and Franklin D. Johnson

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*Be it enacted by the Legislature of the Virgin Islands:*

**SECTION 1.** Title 17 Virgin Islands Code, chapter 5, section 41a is amended in the following instances

(a) Subsection (a) is amended by striking all the language after “Department of Education” and inserting new language that reads as follows: “shall establish and maintain the Bilingual and English Language Development Program in the Virgin Islands public schools for students once 10 or more students are identified as English Learners to assist these students in attaining English language proficiency and meeting academic standards. The Bilingual and English Language Development Program may consist of implementing a Bilingual Education or an English as a Second Language Support Program. If fewer than 10 students are identified as English Learners at a school, then the Department of Education shall enroll the student at the nearest school where the Bilingual and English Language Development Program has been established. For purposes of this subsection:

1           (1) English Learners are students enrolled in grades Pre-Kindergarten through  
2 twelfth and in educational courses, who cannot speak, understand, read, or write the  
3 English language well enough to carry out class activities in the same manner as their  
4 peers in the grades in which they are enrolled.

5           (2) Bilingual Education consists of classroom instruction in English and the  
6 students' native language taught by qualified bilingual education teachers which allows  
7 English learners to acquire grade-level academic skills in their native language while  
8 learning the English Language.

9           (3) English as a Second Language (ESL) is an instructional approach in which  
10 English is the primary language of instruction. Qualified ESL teachers provide  
11 instructional support to assist English learners learn the English language.”

12           (b) Subsection (b) is amended by inserting “all” after “accepts”; striking “Bilingual  
13 Program” and inserting “Bilingual and English Language Development Program”; and striking  
14 paragraphs (1), (2) and (3) and inserting new paragraphs (1) through (8) to read as follows:

15           “(1) Create a plan and take the necessary steps leading to developing,  
16 implementing, and evaluating programs designed to meet the language instructional  
17 needs of students with limited English-speaking and comprehension abilities in the  
18 Virgin Islands public schools;

19           (2) Recruit qualified ESL teachers and provide workshops and training to staff,  
20 paraprofessionals, teachers, school administrators, counselors, and other ancillary  
21 education personnel in the implementation and execution of the Bilingual and English  
22 Language Development Program;

23           (3) Provide the necessary instructional materials and equipment for the Bilingual  
24 and English Language Development Program;

25           (4) Establish through the Department of Education procedures to communicate  
26 meaningfully with parents who have limited English proficiency and effectively keep



1 establish and maintain English Language Development Program. The Program may consist of  
2 implementing a bilingual education curriculum or an English as a second language support  
3 program.

4 **BR21-0209/July 28, 2021/YLT/Revised September 20, 2021/YLT**

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