

## Series 2000-2001

Circular Letter – C –2

To: Superintendents of Schools with Bilingual Education Programs

From: Theodore S. Sergi, Commissioner of Education

Date: July 3, 2000

Subject: An Act Improving Bilingual Education

*Public Act 99-211, an Act Improving Bilingual Education*, became effective in July 1999. Since the statute is rather detailed, many questions have been raised concerning its interpretation and implementation. To provide school districts with responses and guidance until final regulations have been written and adopted, the SDE has issued the enclosed document entitled *Questions and Answers: An Act Improving Bilingual Education*, commonly referred to as the *Q & A*. The document contains three main sections: Bilingual Education Certification, Bilingual Education Programming, and Bilingual Education Assessment.

A summary of the principal programmatic and certification changes enacted and recommendations for implementation are also provided (Appendices A and B). The requirements in the statute are to be implemented over a period of time (see Date Chart, Appendix C). A reading of the enclosed copy of the Act (Appendix D) is advised.

Among the changes initiated by the Act are the following:

- Bilingual education programs are to provide for (1) the continuous increase in the use of English and decrease in the use of the native language and (2) the use of English for more than half of the instructional time by the end of a student's first year in the program;
- By July 1, 2000, the Department is to develop a state English mastery standard to assess student progress in bilingual education programs. Beginning September 1, 2000, districts are to use the standard to assess student progress annually and provide language support services if a student is not making sufficient progress toward meeting the standard;
- Students are to spend not more than 30 months in a bilingual education program. If a student does not meet the standard at the end of such time, the district is to provide language transition support services to the student;
- District personnel are to meet with parents of students eligible for bilingual education programs to explain language program options;
- Parents must "opt in" for student placement in a bilingual education program;
- New assessment requirements;
- Changes in routes to obtaining certification;
- Changes in coursework requirements to move from a provisional to professional certificate;
- New CEU requirements for professional certificate holders.

The provisions of this act create an opportunity for each district to restructure their current bilingual education programs. We at the department are committed to providing the support and assistance necessary to change the instructional programs, retrain and deploy staff and revise student assessment and reporting systems. We wish to thank the Professional Association of Bilingual Education Administrators (PABEA) and the Connecticut Association of Public School ESOL Administrators (CAPSEA) for all their assistance to the Department in asking and answering these questions.

TSS:ah

Connecticut State Department of Education

Division of Teaching and Learning

**Questions and Answers: An Act Improving Bilingual Education**

Public Act 99-211, an Act Improving Bilingual Education became effective in July 1999. The following is a set of questions and answers which reflect the new requirements of PA 99-211 as it relates to bilingual education certification and bilingual education programs.

**A. Bilingual Education Certification**

1. What options do people have when they are applying to become certified in bilingual education?

Applicants for bilingual positions in Connecticut public schools must hold a valid Connecticut certificate endorsed for bilingual education. There are three options available to obtain a bilingual certificate.

Note: The initial educator certificate, endorsed for bilingual education, issued between July 1, 1999, and June 30, 2003, is valid for grades PRE-K to 12, and authorizes the teacher to teach all academic and special subjects in the classroom. When people with an initial educator certificate move to the provisional educator certificate, they will be required to meet specific coursework requirements described in this act, and will lose the PreK-12 validity when they move to the professional educator certificate.

**Option 1. Planned Program Route**

A candidate, who has completed a planned teacher preparation program or alternative route to certification if available, in bilingual education, may apply to the Bureau of Certification and Professional Development for a bilingual endorsement. In addition to the planned program requirements, the candidate must have completed the appropriate PRAXIS tests as indicated below, prior to obtaining the bilingual education endorsement:

- PRAXIS I – CBT;
- ACTFL Oral Proficiency Interview in the language of the bilingual program. If an ACTFL examination is not available for the language of the bilingual program, the candidate would need to take an alternative assessment as approved by the Connecticut State Department of Education;

**Option 2. Cross Endorsement Route**

Under this option, the bilingual endorsement is added to an existing valid certificate (e.g. initial educator certificate, provisional educator certificate, and professional educator certificate).

A candidate, who is already certified in a teaching field, may add the bilingual endorsement by completing the appropriate PRAXIS tests and course work as indicated below, prior to obtaining the bilingual education endorsement:

- PRAXIS I – CBT;
- ACTFL Oral Proficiency Interview in the language of the bilingual program. If an ACTFL examination is not available for the language of the bilingual program, the candidate would need to take an alternative assessment as approved by the Connecticut State Department of Education;

- 18 semester hours of credit in the following bilingual education course work: first and second language acquisition including language and literacy development; linguistic and academic assessment; cross cultural sensitivity and communication and implications for instruction; strategies for modifying English content area instruction; methods of teaching English as a second language; and, methods of bilingual education.

### **Option 3: Deferral Route\***

If a district is unable to find a certified bilingual educator, the district may request a deferral for course work requirements for bilingual certification. Under this option, the candidate must have completed the following:

- A four year course of study at a post-secondary institution\*\*;
- PRAXIS I – CBT; and,
- ACTFL Oral Proficiency Interview in the language of the bilingual program. If an ACTFL examination is not available for the language of the bilingual program, the candidate would need to take an alternative assessment as approved by the Connecticut State Department of Education.

Under this option, the candidate is issued a nonrenewable certificate endorsed for bilingual education, with a deficiency for three semester hours of credit in foundations of bilingual education, three semester hours of methods in teaching English as a second language, and a course in special education.

**\* The Deferral Route is only in effect until July 1, 2001. Candidates employed by a board of education as bilingual education teachers on and after that date will obtain their bilingual endorsement by completing a planned program of teacher preparation in bilingual education as outlined in Option 1.**

\*\*All applicants who completed degrees in a country other than the United States, must have their transcripts evaluated by one of the authorized evaluation agencies prior to submitting them to the Bureau of Certification and Professional Development.

2. What materials does the Bureau of Certification and Professional Development need if a district is requesting a bilingual education deferral?

The Bureau needs the following:

- form ED 170 general application form;
- certification fee of \$100;
- official transcripts of all course work completed;
- form ED 178 (bilingual deferral request form submitted by district).

3. Are bilingual educators who completed their planned program in another state eligible for the 12 month deferral of testing, consistent with existing certification regulations?

Yes.

4. What options does a district have if they can not hire a person with bilingual education endorsement?

If a district is unable to find a certified bilingual educator, and is also unable to hire a teacher who meets the bilingual deferral route requirements, the district may request from the State Department of Education an authorization to hire a teacher certified in TESOL (Teaching English to Speakers of Other Languages.) Form ED

178a (Request for Authorization to employ a TESOL teacher) must be submitted by the district. The district must still provide a bilingual program for eligible students.

5. What are the requirements for BEST?

Candidates who hold the initial educator certificate must complete the Beginning Educator Support and Training Program (BEST) and a minimum of 10 months of successful bilingual teaching experience to progress to the provisional educator certificate. If an initial educator certificate was issued through the deferral route, the candidate, in addition to completing the successful experience and BEST requirements must also complete the required course work in bilingual education and special education.

6. What are the requirements for a bilingual educator who holds a provisional certificate?

Effective, July 1, 2000, the holder of a provisional educator certificate endorsed in bilingual education must complete a minimum of 30 months of successful bilingual teaching experience to progress to the professional educator certificate.

In addition:

- bilingual teachers, who teach at the elementary level, must complete 15 semester hours of credit in bilingual education methodology and a total of 15 semester hours of credit in language arts, reading and mathematics;
- bilingual teachers, who teach at the middle or secondary level, must complete 15 semester hours of credit in bilingual education and 15 semester hours of credit in the subject matter they teach. If more than one subject is taught, one subject should be selected. Upon application for a professional educator certificate, the validity of the certificate will be limited to either elementary, or the subject area selected.

7. What are the requirements for a person who holds a professional educator certificate?

Effective July 1, 1999, holders of professional educator certificates endorsed for bilingual education must meet specific CEU requirements to continue their certificates. The CEUs they are required to take must correspond to their teaching assignment.

For example:

- bilingual teachers who teach at the elementary level and who do not hold an elementary education endorsement must complete all of their remaining CEU credits in language arts, reading and mathematics.
- bilingual teachers who teach at the middle or secondary level and who do not hold an endorsement in the subject area they teach must complete all of their CEU credits in the subject area they teach. If more than one subject area is taught, one subject area should be selected.

8. Are there any additional changes, which will occur?

**Effective July 1, 2003,** bilingual education endorsements will be either for “elementary/bilingual education” or “secondary/bilingual education.” The elementary/bilingual endorsement will authorize the teacher to teach all

elementary academic subjects to students in both bilingual and regular education settings. The secondary/bilingual education endorsement will be valid for teaching one subject area (e.g. biology, English, history/social studies, etc.) to students in both bilingual and regular education settings.

Requirements to progress from the initial educator certificate to the provisional educator certificate, from the provisional educator certificate to the professional educator certificate, and to continue the professional educator certificate, remain as indicated above.

9. How will teachers be notified of these changes?

The Bureau of Certification and Professional Development provides the following material to inform teachers of the changes in certification for bilingual education:

- Letters were mailed in September 1999 to holders of initial, provisional, and professional educator certificates endorsed for bilingual education. The letters were mailed to people at the home address as listed in the Bureau's database.
- A revised bilingual education fact sheet is available from the Bureau. (Copies enclosed.)
- A revised CEU fact sheet, and a revised CEU matrix, are available from the Bureau. (Copies enclosed.)

**Option 4: Durational Shortage Area Permit**

If a district is unable to find a certified bilingual educator, the district may request a durational shortage area permit. Under this option, the candidate must have completed the following:

- A bachelors degree
- PRAXIS I – CBT
- 12 semester hours of credit in bilingual education

**B. Bilingual Education Programming**

**Meetings with Parents/Guardians**

PA 99-211 requires school districts to meet with parents/guardians “of eligible students” to explain the benefits of the language programs available in the district.

10. With which parents/guardians of limited English proficient (LEP) students are districts required to meet: with all such parents/guardians or only those of the 20-or-more students who may be placed in a bilingual education program?

Only those of the 20-or-more students who may be placed in a bilingual education program. This does not mean that meeting with the parents of all LEP students is discouraged—on the contrary.

11. Must the school district hold this meeting annually with all parents/guardians of LEP students?

No, only with parents of students who may be enrolling in the bilingual education program for the first time.

12. What kinds of meetings need to be held with parents/guardians to allow them to choose a language program? Large, small group? Individual? Must the district meet with the parents/guardians before the child is placed?

Whatever format is chosen for meeting with parents/guardians, the individuals must be able to make an educated choice of program for their child and select in writing the educational option for their child. Such meetings will need to be held prior to placement of the student in the program of the parent or guardian's choice. Please note that the parents and legal guardians may bring an advisor or interpreter to the meeting.

13. Does a school district need to meet with parents/guardians of students currently in a bilingual education program?

Yes. We advise you to start the bilingual education program but district personnel must meet with parents/guardians of enrolled students as soon as possible and at least by mid-September to advise them regarding the same educational choice as parents/guardians of new students.

14. May eligible secondary students assigned to an ESL program (i.e., those with less than 30 months to graduation at enrollment) be placed in a bilingual education program if the parents so choose?

No. The statute says that such students must be placed in an ESL program.

### **Program Placement and Options**

15. If a parent or guardian opts for a language program option available in the district rather than the bilingual education program, what is to be provided?

Any option should include the development of ESL proficiency and assistance with content area learning in English. Please note that PA 99-211 includes in its definition of an ESL program achievement of 1) English proficiency, and 2) "academic mastery of subject matter content and higher order skills, including critical thinking, so as to meet appropriate grade promotion and graduation requirements."

16. What types of programs in addition to bilingual education does a district have to offer parents of students eligible for a bilingual education program?

The statute requires only two types of programs for eligible students: a bilingual education program and, for eligible secondary students with less than 30 months to graduation, an ESL program. ESL programs are not otherwise specifically required on a grade K-12 basis, although they are commonly offered by many school districts to eligible students in groups of less than 20 who are dominant in any one language other than English. The statute does mention that one of the language program options that school districts need to explain to parents is "English language immersion." Although the statute does not define this program, the term usually refers to the "mainstream" program, i.e., the regular education program that is taught in English. Another option mentioned but not required in the statute is a sheltered English program.

In this connection, two other points need to be mentioned. Section 10-4a of the Connecticut General Statutes states: "...the educational interests of the state shall include, but not be limited to, the concern of the state that (1) each child shall have for the period prescribed in the general statutes equal opportunity to receive a suitable program of educational experiences..." To accomplish this goal, students who are non-English or limited-English proficient and for whom a required program of bilingual education is not available will clearly need to be offered assistance which will enable them to receive a suitable program of educational experiences. Instruction in developing English proficiency and sheltered content instruction in English are the most commonly used ways of

providing such students with an opportunity to receive an adequate education in American schools, i.e., in schools where the common language of instruction is English.

Title VI of the 1964 Civil Rights Act states: “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” In a September 1991 memorandum to senior staff of the United States Office of Civil Rights, the then Assistant Secretary for Civil Rights stated that schools have an obligation to comply with “the regulation implementing Title VI of the Civil Rights Act of 1964 to provide any alternative language programs necessary to ensure that national origin minority students with limited-English proficiency (LEP students) have meaningful access to the schools’ programs.” The Civil Rights Act and the memorandum are likewise not specific regarding the types of programs that need to be offered to limited English proficient students. Nevertheless, in determining whether schools are in compliance with Title VI of the Civil Rights Act, the Office of Civil Rights employs a set of criteria regarding the adequacy of programs offered and the need for a formal program. The criteria for program adequacy include the following: soundness of educational approach; proper implementation (staffing requirements; exit criteria; special education programs; gifted/talented programs and other specialized programs); and program evaluation. Again, in addition to bilingual education programs, instruction in developing English proficiency and sheltered content instruction in English are the most commonly used ways of providing such students with an opportunity to receive an adequate education.

17. Section 6 of PA 99-211 states if a school district “is not able to hire a sufficient number of certified bilingual education teachers, the board of education may apply to the Commissioner of Education for permission to use a certified teacher of English as a second language to fill its need and the commissioner may grant such request for good cause shown.” In such a case, is the school district still required to offer a program of bilingual education as defined in Section 1 of the statute?

Yes. In such a case, the school district will have to find other ways of making instructional use of the students’ native language. Permission to hire an ESL teacher in place of a bilingual teacher will be granted for good cause shown for one year only. To obtain such permission for another year, the district will need to demonstrate that it made a good faith effort to identify and hire a bilingual education teacher.

### **Calculating for the 30 Month Program Tenure**

18. How is a student’s 30 month tenure in a bilingual education program to be calculated?

- Only time in a bilingual education program in a Connecticut public school is to be counted toward the 30 months.
- For time spent in bilingual education programs in another district for which there are no records or no records can be obtained, the count can begin when the student enters your district’s program.
- For purposes of counting months, a student enrolled in a bilingual education program for 15 days or more may be counted as having been in the program for a month (e.g., an entering student with 10 months and 15 days in a bilingual education program from another district will be considered to have 11 months)
- Time in summer school or in a two-way language program is not to be counted.
- For students who have been in a bilingual education program in Connecticut prior to September 1, 1999, the count toward the 30 months begins on September 1, 1999. That is, for all new and continuing students the count begins on September 1, 1999; time prior to that date is not to be counted toward the 30 months.

19. How is a district to account for half-time vs. full-time kindergarten with respect to the 30 month limit? Will a year of half-time kindergarten be counted as one year or one-half year?

It will be counted as one half of a year.

20. What about the case of “eligible” high school students who have more than 30 months to graduation and who may be placed in a bilingual education program? If they are so placed, how long may they stay in the bilingual education program?

30 months.

21. If an IEP directs that a bilingual special education student is to receive bilingual education services, including instruction through the native language, beyond the 30 month limit, does the IEP violate the state law or does it supercede it?

The IEP supercedes state law since it operates under a federal law. Therefore, bilingual special education students may receive bilingual education services beyond the 30 month limit if their IEPs require them.

### **Use of Languages of Instruction**

PA 99-211 requires the “continuous increase in the use of English and corresponding decrease in the use of the native language for the purpose of instruction within each year and from year to year and provides for the use of English for more than half the instructional time by the end of the first year.”

22. As of what date does one start the native language countdown and the English increase?

As of the date of entry of the student into the program. Because many students enter later in the year (e.g., December, March), this will require some tracking as to date of entry and grouping according to language of instruction. The intent of the legislation is to increase the amount of English used by the students in program classes.

### **Use of Grant Funds**

23. For which eligible students may bilingual education grant funds be used?

- For eligible students in the required program of bilingual education.
- For eligible high school students with less than 30 months to graduation at the time of their enrollment who have been placed in an ESL program.
- For eligible students who have left the bilingual education program after 30 months without meeting the state English mastery standard and who are receiving language transition support services until they meet the standard.

(Note: Language transition support services can be required only in a school with a required program of bilingual education.)

### **High School Programs**

P.A. 99-211 states that “if an eligible student enrolls in a secondary school when the student has fewer than thirty months (30) remaining before graduation, the local or regional board of education shall assign the student to an English as a second language program...”

24. Does the statute prohibit high school students with fewer than 30 months to graduation to receive some bilingual instruction?

Yes. While the statute does not allow such students to receive bilingual instruction, appropriate support services should be given to ensure that the students continue to receive instruction to meet their level of academic subject area need.

25. With respect to the secondary level, because of the less-than-30-month rule, it is conceivable that a school district can be required to have both a bilingual and ESL program at the high school level with small numbers of students in each. Is this correct?

Yes. Bear in mind that the statute requires that if in a given school there are 20 or more eligible students who are classified as dominant in a language other than English (in October of a given year), a program of bilingual education will be provided “the school year next following.” This program is to be provided even if the number of eligible students drops below 20 in the interim.

26. If a student with fewer than 30 months does not meet all graduation requirements at the end of the senior year, then what is to be done?

A student who has not met all graduation requirements is entitled to remain in school until the age of 21.

27. Can eligible secondary school students with fewer than 30 months assigned to an ESL program who do not meet graduation requirements at the end of their senior year and who remain in the school continue to be classified as eligible and will they be counted for funding purposes?

Yes. Such students will continue to be classified as eligible and will be counted for funding purposes and may remain in the ESL program for up to 30 months (to be calculated as of the date of their enrollment and assignment to the ESL program). If they do not meet the standard at the end of 30 months, they must be provided with transitional support services and will continue to be classified as eligible and counted for funding purposes until they meet the standard. (Note: Language transition support services can required only in schools with a required program of bilingual education.)

28. Which eligible high school students must be placed in an ESL program upon first time enrollment according to Section 10-17f as amended by Section 2 (d) of PA 99-211?

When 20 or more eligible students of the same language group are identified in a given high school, the school district must establish a bilingual education program for them in the following year. The statute limits the time the eligible students may spend in the program to 30 months. However, when the eligible students of that 20-or-more group enroll in the school during a given school year, any who are enrolling for the first time that have fewer than 30 months to graduation must be assigned to an ESL program rather than to the bilingual education program.

If there are fewer than 20 students in a given language group, the statute does not require ESL services to be provided to them. Bear in mind, nevertheless, that it is good educational practice to provide ESL services for all students who are classified as limited English proficient. Such practice is consistent with Section 10-4a of the Connecticut General Statutes that states: “...the educational interests of the state shall include, but not be limited to, the concern of the state that (1) each child shall have for the period prescribed in the general statutes equal opportunity to receive a suitable program of educational experiences...”

### **Language Support and Transition Services**

29. What is the difference between language support services and language transition support services?

Language support services are to be provided to students who do not make sufficient progress toward meeting the state English mastery standard on the annual assessment. Examples of support services include tutoring, after school assistance, homework assistance, assignment of a mentor and summer school. Language transition support services are to be provided to students who have completed 30 months in the bilingual education program and who have not met the state English mastery standard. Transitional services may include an ESL program, immersion with support, a bilingual aide, an ESL resource teacher, and sheltered English programs.

30. When are language support and language transition support services to be provided?

Language support services are to be provided for program students who do not make sufficient progress toward meeting the state English mastery standard based on an annual assessment. The state standard has now been developed (see question 35) and the CMT part of the annual assessment will be implemented in the fall of 2000. Therefore, districts will have to offer such services during the 2000-2001 school year. Language transition services are to be offered when an eligible student does not meet the state English mastery standard at the end of 30 months. The earliest that such services will have to be offered is September 2002 and districts are urged to offer them as soon as they are needed.

Examples of language support and transition services mentioned in the statute are: summer school, after-school assistance, tutoring, ESL programs, sheltered English programs, English immersion programs, and homework assistance.

31. Will the State Department of Education develop guidelines for the provision of language support services and language transition support services?

Yes. During the 2000-2001 school year, a statewide committee of individuals, including relevant professionals from the field, will be established to develop such guidelines.

32. Will eligible students receiving required language transition support services who transfer to another school continue to be provided with such services?

Only if the schools to which they are transferred have required programs of bilingual education. In such situations, the students will continue to be classified as eligible and will be counted for purposes of bilingual education funding until they meet the state English mastery standard.

Bear in mind, nevertheless, that it is good educational practice to provide ESL services and sheltered content instruction for all students who are classified as limited English proficient. Such practice is consistent with Section 10-4a of the Connecticut General Statutes that states: "...the educational interests of the state shall include, but not be limited to, the concern of the state that (1) each child shall have for the period prescribed in the general statutes equal opportunity to receive a suitable program of educational experiences..."

### **Two-Way Language Programs**

33. For how long will eligible students in two-way language programs continue to be classified as eligible, counted for funding purposes, and be assessed annually for linguistic and academic progress?

Until they meet the standard.

## **Instructional Guidelines and Frameworks**

34. Does the Department of Education intend to develop guidelines or a framework for the teaching of English as a second language (ESL)?

Yes. During the 2000-2001 school year, the State Department of Education will convene a statewide advisory committee, that will include relevant professionals from the field, to determine what would be appropriate to include in a set of guidelines or in a framework for the teaching of ESL in Connecticut schools based on the best national and state models available and to produce such guidelines or framework within a reasonable period of time.

## **C. Bilingual Education: State English Mastery Standard, Annual Assessment,<sup>1</sup> Student Exit and Evaluation**

### **English Mastery Standard, Annual Assessment of Progress, Student Exit from the Program**

PA 990-211 stipulates that “on or before July 1, 2000, the State Board of Education...shall develop a state English mastery standard to assess the linguistic and academic progress of students in programs of bilingual education” and that “on and after September 1, 2000, each local and regional board of education shall assess, annually, the progress made by each student toward meeting the standard.”

Regarding student exit from the bilingual education program, the statute states that “if a student meets the state standard based on the assessment, the student shall leave the program.” In any case, school districts “shall limit the time an eligible student spends in a program of bilingual education to thirty months.”

35. What is the state English mastery standard?

- For grades K-3, it is achievement of grade level on the Developmental Reading Assessment (DRA) and the proficiency standard on the Language Assessment Scales (LAS), Oral.
- For grades 3-12, it is scoring above the remedial level on all three subtests on the Connecticut Mastery Test (CMT) and meeting the proficiency standard on the Language Assessment Scales (LAS), Reading and Writing.

36. What are the Language Assessment Scales (LAS)?

The Language Assessment Scales are a battery of tests used to assess language proficiency in English and Spanish. They include measures of listening, speaking, reading and writing. Two tests will be used for the annual assessment: the LAS, Oral (LAS-O) and the LAS, Reading and Writing (LAS-R/W). The LAS-O includes measures of listening and speaking while the LAS-R/W measures only reading and writing. For purposes of the annual assessment, only the English version of the two tests will be administered.

According to its developers, the English version of the LAS-O “measures skills necessary to succeed in an American mainstream academic environment.” The oral language skills that it measures are not based on the course content, objectives or competencies “contained in any particular curriculum.” The LAS-O is, therefore, not an achievement test.

The English version of the LAS-R/W is a series of reading and writing tests that measures the English language proficiency of minority language students in grade 2 through high school. It focuses on the skills fundamental to a student’s success in an American mainstream academic environment. Like the LAS-O, the

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<sup>1</sup> A chart of the annual assessment appears on page 15.

LAS-R/W is not an achievement test and does not measure achievement in course content. The English version was designed for students who are at least “minimally proficient” in oral English, i.e., “who are at least able to produce a simple sentence orally.”

37. Which assessments are to be used annually to assess program students’ progress toward meeting the state English mastery standard?

- For grades K-3, the DRA and the LAS-Oral.
- For grades 3-12, the CMT and the LAS-R/W.

38. If a student meets the state English mastery standard prior to completion of the 30 months, may the student nevertheless remain in the program until the 30 months are completed?

- No, the student must exit the program. Of course, the student who exits should be provided with appropriate services to ensure a smooth transition to the mainstream program.

39. When should the tests that comprise the annual assessment be administered?

The CMT for grades 3-12 should be administered in the fall. The DRA and all forms of the LAS should be given in the spring.

40. Can the assessments be administered at any other time during the year to determine whether a student is ready to exit the bilingual education program?

The assessments should be administered at any time of the year when and if it is determined that a student can be successful in meeting the state English mastery standard.

41. If a student entering a bilingual education program for the first time has no English skills, must the student be given the annual assessment?

Based on language proficiency, the student may only need to take the LAS-O, during the first year in the program.

42. How will the CMTs be scored?

For students who are in grades 4, 6 and 8 who take the grade 4, 6, and 8 CMTs and have less than 30 months in a bilingual education program, the tests will be scored by Harcourt Brace. However, the scores will not be reported as part of the school or district results. They will be reported separately to the district. Districts will have to contract out for scoring for:

- bilingual program students taking the school secure version of the grades 3, 5 and 7 CMT;
- bilingual program students in grades 9, 10, 11 and 12 who are taking the school secure version of the 8<sup>th</sup> grade CMT;
- bilingual special education students who take an out-of-level CMT for their annual assessment of adequate progress toward meeting the state English mastery standard, based on their IEP.

43. Can districts themselves score the CMT used for the annual assessment of progress?

No. While there are multiple choice questions on the CMT which can be scored locally using an answer key, the scoring of open-ended questions and the writing sample must be done by proficient, trained scorers to ensure reliability of findings. The Department will provide districts with information on contractors who can provide scoring.

44. How should one handle the annual assessment in the case of students entering late in the school year (e.g. in September, in April)?

- All program students should be assessed at the same time annually regardless of when they enter. For example, students entering the program in September should be given the CMT in the fall and the DRA, the LAS, Oral or the LAS, Reading and Writing, as appropriate in the spring. Students entering in April in a given year will be tested on the DRA, the LAS, Oral or the LAS, Reading and Writing, as appropriate, in the spring.
- Nevertheless, please note question 29 which states that students entering a bilingual education program for the first time with no English skills may only need to take the LAS-O, during the first year in the program.
- Any student who has not demonstrated sufficient progress toward meeting the state standard based on the assessment is to be provided with language support services in consultation with the parent/guardian of the student to allow the student to meet the state standard ( see question 29 for a discussion of language support services).

45. Do eligible secondary students assigned to an ESL program (i.e., those with less than 30 months to graduation at enrollment) get assessed annually against the state English mastery standard?

Yes. The intent is to give them additional support if they do not meet the standard (see pages 8-9 for a discussion of the one instance in which high school students are to be assigned to a required ESL program).

46. For students who have completed 30 months in a bilingual education program but who have not met the state English mastery standard, do we have to continue to assess them annually and provide transitional services?

Yes, until they meet the English mastery standard. (Note: Language transition support services can be required only in a school with a required program of bilingual education. See question 29 for a discussion on language transition support services.)

47. Is additional funding available for implementing the annual assessment of student progress, language support services and transitional support services?

At the present time, no additional funding is available. The Department intends to request such funding during the 2001-2002 legislative session.

48. In the case of students who enter a bilingual education program late in the year (e.g., November, May), are they then to be exited from the program during the school year (e.g., November, May) when their 30 months are up regardless of when in the school year that occurs?

- Yes, however, students whose 30 months will be up near the beginning of the school year may be exited from the program the previous June, based on the district's determination of student need and ability. Bear in mind that counting for the 30 months should be "within the month" and need not be to the day (see the third bullet in question 18 on page 7).

- The statute presently does not allow for extending a student’s participation in a required program of bilingual education beyond 30 months. Of course, students who exit should be provided with appropriate services to ensure a smooth transition to the mainstream program.

49. Does this mean that we will need to assess such students (i.e., exiting after 30 months) with respect to the state English mastery standard regardless of when this occurs during the school year?

Yes. The statute is specific on this.

**Bilingual Education Program Evaluation**

50. For how long must ED 230 data (i.e., data required as part of the statewide bilingual program evaluation) be collected for students in a required program of bilingual education, for eligible secondary school students with less than 30 months assigned to an ESL program and for eligible students in a two-way language program?

Until they meet the standard. Thereafter, the data that result from the participation of such students in the statewide CMT and CAPT student assessment programs will be collected for the longitudinal study that is part of the statewide bilingual program evaluation.

## Annual Assessment of Bilingual Students' Progress Toward Meeting the English Mastery Standard

(The annual assessment ceases upon a student meeting the English Mastery Standard)

Academic *Achievement	DRA, Spring	DRA, Spring	DRA, Spring	DRA, Spring, 3 <sup>rd</sup> Grade CMT, Fall	4 <sup>th</sup> Grade CMT, Fall	5 <sup>th</sup> Grade CMT, Fall	6 <sup>th</sup> Grade CMT, Fall	7 <sup>th</sup> Grade CMT, Fall	8 <sup>th</sup> Grade CMT, Fall				
Linguistic Achievement	LAS, Oral, Spring	LAS, Oral, Spring	LAS, Oral, Spring	LAS, Oral, Reading & Writing, Spring	LAS, Reading & Writing, Spring								
Grades	K	1	2	3	4	5	6	7	8	9	10	11	12

\*First year bilingual students may be assessed using on the LAS, Oral, based on their language proficiency.

6/00

We encourage district personnel officers to share **certification information** with their teachers and have their teachers put any questions in writing and address them to:

Hilary E. Freedman, Chief  
Bureau of Certification and Professional Development  
P.O. Box 150471  
Hartford, CT 06115-0471

Or, questions may be sent by email to: [teacher.cert@po.state.ct.us](mailto:teacher.cert@po.state.ct.us)

We will ensure that the certification representatives who are responsible for bilingual education certification questions respond promptly.

If you have questions concerning the **establishment and implementation of bilingual education, ESL, sheltered content and two-way language programs**, please address them to:

George P. De George  
Bilingual/ESL Education Consultant  
Bureau of Curriculum and Teacher Standards  
Connecticut State Department of Education  
165 Capitol Avenue  
Hartford, CT 06106

Telephone: (860) 566-2169  
Fax: (860) 566-5623  
E-mail: [george.degeorge@po.state.ct.us](mailto:george.degeorge@po.state.ct.us)

If you have questions concerning the **state English mastery standard** and the **annual assessment**, please address them to:

Patricia Brandt  
Consultant for School Accountability and Support  
Bureau of Student Assessment and Research  
Connecticut State Department of Education  
165 Capitol Avenue  
Hartford, CT 06106

Telephone: (860) 566-4001  
Fax: (860) 566-1625  
Email: [patricia.brandt@po.state.ct.us](mailto:patricia.brandt@po.state.ct.us)

If you have questions concerning **program evaluation**, please contact:

Norma Sinclair  
Program Evaluation Consultant  
Bureau of Program and Teacher Evaluation  
Connecticut State Department of Education  
165 Capitol Avenue  
Hartford, CT 06106

Telephone: (860) 566-3577  
Fax: (860) 566-2693  
Email: [norma.sinclair@po.state.ct.us](mailto:norma.sinclair@po.state.ct.us)

## Appendix A

### PROGRAMMATIC REQUIREMENTS FOR PA 99-211 GOOD PRACTICE RECOMMENDATIONS FOR THEIR IMPLEMENTATION

#### **Student Identification**

The statute does not prescribe specific steps. The current procedures are expected to remain in place. Therefore, carry out the following steps in identifying eligible students:

- preliminary assessment of dominant language (home language survey)
- final determination of dominant language
- determination of English proficiency
- see section 1 (1) of PA 99-211 for definition of eligible students

#### **Meetings with Parents and Program Choice**

School districts must hold meetings with parents and legal guardians of eligible students enrolling for the first time and adhere to the following:

- explain the benefits of the language program options available in the district, including an English immersion program (i.e., the mainstream program) so that parents can make an informed choice;
- parents and legal guardians may bring an interpreter or advisor;
- if the parent or legal guardian opts to have the student placed in the bilingual education program, the district will so place the student;
- if the parent or legal guardian notifies the district in writing that the student is to be exempt from the bilingual education program, the district will so exempt the student.

#### **Program of Bilingual Education Redefined; Instructional Programming**

Districts must establish bilingual education programs which adhere to the following definition:

- makes instructional use of both English and the student's native language;
- enables eligible students to achieve English proficiency and academic mastery of subject matter content and higher order skills, including critical thinking, so as to meet appropriate grade promotion and graduation requirements;
- provides for the continuous increase in the use of English and corresponding decrease in the use of the native language for the purpose of instruction within each year and from year to year and provides for the use of English for more than half of the instructional time by the end of the first year;
- may develop the native language skills of eligible students;
- may include the participation of English-proficient students if the program is designed to enable all enrolled students to become proficient in English and a second language (this, in effect, allows districts to set up two-way bilingual education programs).

## Good Practice Recommendations

- Determine student language and academic learning needs.
- Offer students orientation to the school and school system.
- Make maximal use of native language for teaching academic content in first and succeeding years to prepare foundation for academic studies in English.
- Develop native language literacy to support academic content learning and to build foundation for development of English literacy. Provide support for parents to foster native language and literacy development in the home.
- Conduct a rigorous English language development program, with double periods in the first year. Assist students in developing speaking proficiency and literacy through a content-based ESL approach, i.e., develop English language and literacy around content area topics in addition to “survival” topics.
- As students gain in English proficiency, employ “sheltered” content area instruction in English. Have bilingual and monolingual English teachers trained in sheltered content teaching strategies. Have staff trained in teaching students the use of learning strategies, higher order and critical thinking skills, and in the teaching of English academic language and literacy through content area instruction.
- Make full use of all supplementary services as appropriate, e.g., Title 1, special education, gifted and talented programs, school and public libraries, information systems and technology, etc.
- Integrate program instruction with district initiatives, e.g., K-3 reading program.
- As students achieve higher levels of English proficiency and demonstrate greater mastery of content through English, use partial mainstreaming on a subject by subject basis.
- Establish joint instructional planning and monitoring of student progress by bilingual, ESL and monolingual English speaking teachers. Provide teachers with training and support in collaborative approaches.
- Allow for flexible and creative scheduling; integrate bilingual program and English speaking students in appropriate ways to promote positive cultural attitudes, cross-cultural communication and opportunities for language development.
- Provide all teachers serving program students with opportunities for developing effective strategies for promoting the linguistic and academic achievement of students.
- Orient students in use of library resources (text, software, classics and high interest books on tape and in alternative formats, other media resources for academic achievement, resources for using information systems and conducting research, etc.).

## **30 Month Limit; Language Transition Support Services**

Students are limited to 30 months in the program, not counting summer school or two-way language programs, and must meet the state English mastery standard by the time of exit from the program. Students who complete the 30 months but do not meet the standard must leave the program. However, districts are to provide them with language transition support services and have them take the annual assessment until they meet the standard. Please note that language transition support services for such students are required only in schools, which have a required program of bilingual education. Depending on student learning needs, these services may include English as a second language (ESL) and literacy development, “sheltered” content teaching programs, English immersion, tutoring and homework assistance. Families may receive guidance in helping their children progress in their native language.

### Good Practice Recommendations

- Determine student needs for language transition support services (e.g., consult with teachers, examine student work and test data for language development and content mastery, review academic history, etc.).
- Plan language transition support services such as ESL and content-based ESL and literacy development. ESL and content area teachers may consult on developing English academic language in both classrooms.
- Assist students in mastering content in English through sheltered content instruction.
- Utilize such approaches as partial mainstreaming, resource room help, and tutoring with written/reading assignments and tests.
- Assist students with learning strategies, higher order and critical thinking skills.
- Orient students in use of library resources (text, software, classics and high interest books on tape and in alternative formats, other media resources for academic achievement, resources for using information systems and conducting research, etc.).
- Provide families with guidance in supporting their children's learning and in fostering native language communication skills and literacy in the home.

### **English as a Second Language (ESL) Program Defined**

A program that uses only English as the instructional language for eligible students and enables them to achieve English proficiency and academic mastery of subject matter content and higher order skills, including thinking, so as to meet appropriate grade promotion and graduation requirements.

### Good Practice Recommendations

- Determine student language and academic learning needs.
- Offer students orientation to the school and school system.
- Conduct a rigorous English language development program, with double periods in the first year. Assist students in developing speaking proficiency and literacy through a content-based ESL approach, i.e., develop English language and literacy around content area topics in addition to "survival" topics.
- As students gain in English proficiency, employ "sheltered" content area instruction in English. Have monolingual English teachers trained in sheltered content teaching strategies. Have staff trained in teaching students the use of learning strategies, higher order and critical thinking skills, and in the teaching of English academic language and literacy through content area instruction. Organize resource room help and tutoring with written/reading assignments and tests as needed.
- Make full use of all supplementary services as appropriate, e.g., Title 1, special education, gifted and talented programs, school and public libraries, information systems and technology, etc.
- Integrate program instruction with district initiatives, e.g., K-3 reading program.
- As students achieve higher levels of English proficiency and demonstrate greater mastery of content through English, use partial mainstreaming on a subject by subject basis.
- Establish joint instructional planning and monitoring of student progress by ESL and monolingual English speaking teachers. Provide teachers with training and support in collaborative approaches.

- Allow for flexible and creative scheduling; integrate ESL program students with their English-speaking peers in appropriate ways to promote positive cultural attitudes, cross-cultural communication and opportunities for English language development.
- Provide all teachers serving program students with opportunities for developing effective strategies for promoting the linguistic and academic achievement of students.
- Orient students in use of library resources (text, software, classics and high interest books on tape and in alternative formats, other media resources for academic achievement, resources for using information systems and conducting research, etc.).
- Provide families with guidance in supporting their children’s learning and in fostering native language communication skills and literacy in the home.

### **Services for Secondary Students Enrolling with Less than 30 Months to Graduation**

If an eligible student enrolls in a secondary school with fewer than thirty months before graduation, assign the student to an ESL program (see definition of ESL program). The district may provide intensive services to enable the student to speak, write and comprehend English by the time of graduation and to meet course requirements for graduation.

#### **Good Practice Recommendations**

See same section for ESL program above.

### **Annual Assessment of Student Progress and Language Support Services**

The State Department of Education has developed a state English mastery standard to assess the linguistic and academic progress of students. School districts are to begin implementing the annual assessment of student progress toward meeting the standard during the 2000-2001 school year. They are to provide language support services for students, in consultation with parents, who are not making **sufficient progress** toward meeting the standard. These may include summer school, after-school help and tutoring. Students who meet the standard shall leave the program. Districts are to record the date of entry into the bilingual program and the date and results of the assessment on the students’ permanent records.

#### **Good Practice Recommendations for language support services**

- Assess student learning needs.
- Employ as appropriate any of the good practice recommendations suggested under “Program of Bilingual Education Redefined; Instructional Programming” and “English as a Second Language (ESL) Program Defined.”
- Provide summer school, after-school help and tutoring as needed.
- Prepare for parent consultations. These can include guidance on how to support students’ learning, language development and literacy in the home. They can also include relevant activity packets for use by parents and students in the home.

### **Professional Development, Coordination and Collaboration**

- Assess the training needs of all staff involved in the education of program students for strategies in promoting students’ linguistic and academic achievement in bilingual and ESL programs and in the context of language support and language transition support services.

- Train current staff in effective instructional practices including: experiential and discovery learning; first and second language acquisition, teaching strategies and literacy development; sheltered content area instruction; learning strategies, higher order and critical thinking skill development; using technology as a teaching tool and to access information systems; use of print and media resources; parent consultations; joint planning, collaboration and team teaching.
- Provide administrative leadership, direction and support at the classroom level and for staff collaboration.
- Hire and train additional certified and qualified bilingual education, ESL and sheltered content area teachers, bilingual guidance personnel, specialists, home/school liaisons and paraprofessionals as needed.
- Encourage bilingual high school graduates to enter the teaching profession as bilingual education, ESL, sheltered content and regular classroom teachers and as specialists.

### **Encouraging Two-Way Language Programs and Second Language Instruction**

School districts providing a required program of bilingual education must investigate the feasibility of establishing two-way language programs starting in kindergarten. The Department will assist and encourage districts to institute two-way language programs and provide early second language instruction for English-speaking students.

#### **Good Practice Recommendations**

Two-way language programs integrate target (non-English) language students and English proficient student to enable both groups to become proficient and literate in two languages, undertake academic studies in both languages at or above grade level, and develop positive cross-cultural attitudes and behaviors. Districts investigating the feasibility of two-way language programs should consider the following factors prior to any decision to organize such a program. Those intending to establish early second language instruction for English-speaking students should also consider similar factors.

- Ascertain whether there will be a critical mass for both groups of students over a four to six year period—critical mass would minimally at least twenty students from both language groups at each grade level.
- Determine whether there is widespread support for the program on the part of parents and the community, students, teachers and school administrative staff, school board, and central office personnel.
- Determine whether the school district is willing to commit the necessary financial and human resources to the program for a period of four to six years.
- Ascertain whether there is a willingness to take at least a year to plan for the program.

### **Encouraging Teacher Exchange Programs**

The Department will promote and encourage teacher exchange programs and provide information to districts on such programs in order to increase foreign language proficiency and cultural understanding.

### **CMT/CAPT Exemption Modified**

The requirement to take the CMT and CAPT will not apply to any student enrolled for thirty months or less in a bilingual program or in an ESL program.

## **Annual Reporting Requirements Modified**

Districts receiving state bilingual education funds, annually, on or before September 1, must submit to the Department a progress report that includes: a) measures of increased educational opportunities including language support services and language transition support services provided; b) program evaluation and measures of effectiveness of bilingual and ESL programs, which include CMT/CAPT results and graduation and school dropout rates. Forms on which to report such data are sent out yearly to school districts with required programs of bilingual from the Bureau of Evaluation and Research.

If you have questions about programmatic changes, please contact George P. De George, bilingual education consultant, Bureau of Curriculum and Instruction, at 860 566-2169 or by email at [george.degeorge@po.state.ct.us](mailto:george.degeorge@po.state.ct.us).

For questions on program evaluation, contact Norma Sinclair, program evaluation consultant, Bureau of Evaluation and Research, at 860 566-3577 or by email at [norma.sinclair@po.state.ct.us](mailto:norma.sinclair@po.state.ct.us).

For questions on teacher certification, contact Hilary Freedman, Chief, Bureau of Certification and Professional Development, P.O. Box 150471, Hartford, CT 06115-0471. Questions may be sent by email to: [teacher.cert@po.state.ct.us](mailto:teacher.cert@po.state.ct.us).

For questions about the state English master standard and the annual assessment, contact Patricia Brandt, consultant for school accountability and support, Bureau of Student Assessment and Research, at 860 566-4001 or by email at [patricia.brandt@po.state.ct.us](mailto:patricia.brandt@po.state.ct.us).

## Appendix B

Effective July 1, 1999, certification requirements changed as a result of the passage of Public Act 99-211. Significant changes occurred in the following areas:

### **Assessment Requirements:**

Candidates are required to successfully demonstrate competence in two languages prior to obtaining Connecticut certification endorsed for bilingual education:

- PRAXIS I – Computer Based Test (CBT);
- PRAXIS I (CBT) reading and writing sub-tests (demonstrate proficiency in English);
- ACTFL-OPI (demonstrate proficiency in the non-English language of the bilingual program).

### **Routes to Certification:**

Candidates may obtain an endorsement in bilingual education by meeting any of the following requirements:

- Complete an approved planned program in bilingual education;
- Complete an additional 18 semester hours of credit in specific bilingual education course work (provided the candidate is already certified in a teaching area);
- Complete the Alternate Route to Certification II program in bilingual education;
- The employing school district may provide documentation of a shortage in bilingual education and submit to the Bureau of Certification and Professional Development a request to have a bilingual certificate issued through the deferral route. The deferral route option will no longer be offered after July 1, 2003.

### **Course work requirements to move bilingual endorsement from the provisional educator certificate to the professional educator certificate:**

- Elementary\* bilingual teachers are required to complete 15 semester hours of credit in bilingual education course work and 15 semester hours of credit in language arts, reading and mathematics;
- Middle\* school and/or secondary\* bilingual teachers are required to complete 15 semester hours of credit in bilingual education and 15 semester hours of credit in the subject matter they teach;

\*Candidates obtaining a professional educator certificate will be issued a new bilingual endorsement either at the elementary, middle or secondary level based on their teaching assignments. The bilingual middle and secondary endorsements will also be subject specific.

### **CEU requirements for professional educator certificate holders:**

- Elementary bilingual teachers (who do not hold an elementary endorsement) are required to complete all CEUs in language arts, reading and mathematics;
- Middle school and/or secondary bilingual teachers (who do not hold a subject-specific endorsement) are required to complete all CEUs in the subject area they teach.

**CONNECTICUT STATE DEPARTMENT OF EDUCATION**  
**Bureau of Certification and Professional Development**  
**CEU Requirements**

<b>Holds a Professional Educator Certificate and is employed in a position requiring any of these endorsements</b>	<b>Expiration Date of the Professional Educator Certificate</b>	<b>CEU Requirement</b>
<ul style="list-style-type: none"> <li>• Early Childhood (N-3)</li> <li>• Elementary</li> <li>• Middle Grades</li> </ul>	July 1, 1999 <b>TO</b> June 30, 2002	90 (9.0 CEUs) hours of continuing education.
<ul style="list-style-type: none"> <li>• Early Childhood (N-3)</li> </ul>	After July 1, 2002	90 (9.0 CEUs) hours of continuing education including: <ul style="list-style-type: none"> <li>• 15 (1.5 CEUs) hours of training in the teaching of reading and reading readiness and assessment of reading performance, including methods of teaching language skills necessary for reading, reading comprehension skills, phonics and the structure of the English language during the five year period.</li> </ul>
<ul style="list-style-type: none"> <li>• Elementary</li> </ul>	After July 1, 2002	90 (9.0 CEUs) hours of continuing education including: <ul style="list-style-type: none"> <li>• 15 (1.5 CEUs) hours of training in the teaching of reading and reading readiness and assessment of reading performance, including methods of teaching language skills necessary for reading, reading comprehension skills, phonics and the structure of the English language; <b>AND</b></li> <li>• 15 (1.5 CEUs) hours of training in the use of computers in the classroom during each five year period.</li> </ul>
<ul style="list-style-type: none"> <li>• Middle Grades</li> </ul>	After July 1, 2002	90 (9.0 CEUs) hours of continuing education including: <ul style="list-style-type: none"> <li>• 15 (1.5 CEUs) hours of training in the use of computers in the classroom during each five year period.</li> </ul>
<ul style="list-style-type: none"> <li>• Bilingual</li> <li>➤ Employed in an elementary setting <u>and</u> serving under bilingual certification <u>and</u> does not hold an elementary endorsement.</li> </ul>	After July 1, 1999	<ul style="list-style-type: none"> <li>• 90 (9.0 CEUs) hours of continuing education in language arts, reading and mathematics during each five year period.</li> </ul>

<ul style="list-style-type: none"> <li>• Bilingual</li> <li>➤ Employed in a middle school or high school setting <u>and</u> serving under bilingual certification <u>and</u> does not hold an endorsement in the subject area taught.</li> </ul>	<p>After July 1, 1999</p>	<ul style="list-style-type: none"> <li>• 90 (9.0 CEUs) hours of continuing education in the subject area taught.</li> </ul>
<ul style="list-style-type: none"> <li>• Intermediate Administration or Supervision</li> </ul>	<p>After July 1, 1995</p> <p style="text-align: right;">5</p>	<ul style="list-style-type: none"> <li>• 90 (9.0 CEUs) hours of continuing education including: 15 (1.5 CEUs) hours of training in the evaluation of teachers.</li> </ul>

**NOTE: If you hold a Professional Educator Certificate for an area not listed above, the CEU requirement is 90 (9.0 CEUs) hours of continuing education.**

July 1999

## Appendix C

### DATE CHART, P.A. 99-211

DATE	STATUTORY REQUIREMENT
July 1, 1999	PA 99-211, An Act Improving Bilingual Education, takes effect.
July 1, 1999, on or after	Applicants for bilingual teacher certification must demonstrate competency in English and the other language of instruction.
July 1, 1999, on or after	Continuing education units of bilingual education teachers at the elementary level who hold a bilingual education endorsement but not an elementary endorsement will count toward the 90 hour requirement only if taken in language arts, reading and mathematics.  The continuing education units of middle and secondary bilingual education teachers who hold a bilingual education endorsement but not an endorsement in the subject area(s) they teach will count toward the 90 hour requirement only if taken in the subject area(s) they teach.
July 1, 1999, on or after	Statutory requirements for taking the CMT and CAPT examinations will not apply to students enrolled for thirty school months or less in a bilingual education or an English as a second language (ESL) program.
July 1, 1999 to July 1, 2000	Department develops state English mastery standard.
July 1, 2000, on and after	To qualify for a professional certificate: a) elementary bilingual teachers with a provisional certificate must take 15 credits in language arts, reading and mathematics; b) middle or secondary level bilingual teachers will have to take 15 credits in the subject area they teach.
September 1, 2000, on and after, annually thereafter	Districts must assess the progress of students toward meeting the state English mastery standard.
July 1, 2001, on and after	Newly employed bilingual education teachers must meet all certification requirements, including completion of a teacher preparation program approved by the State Board of Education, or are to be certified through an alternate route to certification.
July 1, 2003, on and after	Prospective elementary bilingual teachers must be certified in elementary and bilingual education. Prospective secondary bilingual education teachers must be certified in the subject they will teach and in bilingual education.
September 1, annually, on or before	Districts receiving state bilingual education funds will submit annual progress report which contains: <ul style="list-style-type: none"> <li>• measures of increased educational opportunities for students including language support services and language transition support services provided;</li> <li>• program evaluation and measures of effectiveness of its bilingual education and ESL programs;</li> <li>• such program evaluation is to be annual and measures of effectiveness include CMT/CAPT results and graduation and school dropout rates.</li> </ul>

**Substitute Senate Bill No. 1083**  
**Public Act No. 99-211**

**An Act Improving Bilingual Education.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-17e of the general statutes is repealed and the following is substituted in lieu thereof:

Whenever used in sections 10-17 and 10-17d to 10-17g, inclusive, as amended by this act:

(1) "Eligible [children] students" means [children] students enrolled in public schools in grades kindergarten to twelve, inclusive, whose dominant language is other than English and whose proficiency in English is not sufficient to assure equal educational opportunity in the regular school program;

(2) "Program of bilingual education" means a program [of instruction in which eligible children are placed until such time as such children attain a level of proficiency in English which is sufficient to assure equal educational opportunity in the regular school program, including, but not limited to, educational experiences to enable eligible children to become proficient in English, subject matter instruction in the dominant language of eligible children, and provision of opportunities for eligible children to participate with and learn from children from other linguistic and cultural backgrounds] that: (A) Makes instructional use of both English and an eligible student's native language; (B) enables eligible students to achieve English proficiency and academic mastery of subject matter content and higher order skills, including critical thinking, so as to meet appropriate grade promotion and graduation requirements; (C) provides for the continuous increase in the use of English and corresponding decrease in the use of the native language for the purpose of instruction within each year and from year to year and provides for the use of English for more than half of the instructional time by the end of the first year; (D) may develop the native language skills of eligible students; and (E) may include the participation of English-proficient students if the program is designed to enable all enrolled students to become more proficient in English and a second language.

(3) "English as a second language program" means a program that uses only English as the instructional language for eligible students and enables such students to achieve English proficiency and academic mastery of subject matter content and higher order skills, including critical thinking, so as to meet appropriate grade promotion and graduation requirements.

Sec. 2. Section 10-17f of the general statutes is repealed and the following is substituted in lieu thereof:

(a) [On or before November 1, 1978, and annually thereafter] Annually, the board of education for each local and regional school district shall ascertain, in accordance with regulations [established] adopted, by the State Board of Education, the eligible [children] students in such school district and shall classify such [children] students according to their dominant language.

(b) Whenever it is ascertained that there are in any public school within a local or regional school district twenty or more eligible [children] students classified as dominant in any one language other than English, the board of education of such district shall provide a program of bilingual education for such eligible [children] students for the school year next following. Eligible students shall be placed in such program in accordance with subsection (e) of this section.

(c) On or before July 1, 2000, the State Board of Education, within available appropriations, shall develop a state English mastery standard to assess the linguistic and academic progress of students in programs of bilingual education. On and after September 1, 2000, each local and regional board of education shall assess, annually, the progress made by each student toward meeting the state standard. If a student is not making sufficient progress toward meeting the state standard based on the assessment, the local or regional board of education shall provide language support services to the student in consultation with the parent or guardian of the student to allow the student to meet the state standard. Such services may include, but need not be limited to, summer school, after-school assistance and tutoring. If a student meets the state standard based on the assessment, the student shall leave the program. Each local and regional board of education shall document on a student's permanent record the date the student begins in a program of bilingual education and the date and results of the assessments required pursuant to this subsection.

(d) Each local and regional board of education shall limit the time an eligible student spends in a program of bilingual education to thirty months, whether or not such months are consecutive, except that summer school and two-way language programs pursuant to subsection (i) of this section shall not be counted. If an eligible student does not meet the English mastery standard at the end of thirty months, the local or regional board of education shall provide language transition support services to such student. Such services may include, but need not be limited to, English as a second language programs, sheltered English programs, English immersion programs, tutoring and homework assistance. Families may also receive guidance from school professionals to help their children make progress in their native language. If an eligible student enrolls in a secondary school when the student has fewer than thirty months remaining before graduation, the local or regional board of education shall assign the student to an English as a second language program and may provide intensive services to the student to enable the student to speak, write and comprehend English by the time the student graduates and to meet the course requirements for graduation.

[(c) If the parent or legal guardian of an eligible child notifies the local or regional board of education, in writing, that such parent or guardian wishes the child to be exempt from the program of bilingual education, the local or regional board of education shall so exempt the child.]

(e) Each local and regional board of education shall hold a meeting with the parents and legal guardians of eligible students to explain the benefits of the language program options available in the school district, including an English language immersion program. The parents and legal guardians may bring an interpreter or an advisor to the meeting. If the parent or legal guardian of an eligible student opts to have such student placed in a program of bilingual education, the local or regional board of education shall place the child in such program.

[(d)] (f) The board of education for each local and regional school district which is required to provide a program of bilingual education shall initially endeavor to implement the provisions of subsection (b) of this section through in-service training for existing certified professional employees, and thereafter, shall give preference in hiring to such certified professional employees as are required to maintain [said] the program.

[(e)] (g) The State Board of Education shall adopt [and enforce regulations concerning] regulations, in accordance with the provisions of chapter 54, to establish requirements for: [such] (1) Such programs, which may be modeled after policy established by the Department of Education for bilingual education programs; (2) local and regional boards of education to integrate bilingual and English as a second language program faculty in all staff, planning and curriculum development activities; and (3) all bilingual education teachers employed by a local or regional board of education, on and after July 1, 2001, to meet all certification requirements, including completion of a teacher preparation program approved by the State Board of Education, or to be certified through an alternate route to certification program.

[(f)] (h) Each board of education for a local and regional school district which is required to provide for the first time a program of bilingual education shall prepare and submit to the Commissioner of Education for review a plan to implement such program, in accordance with regulations adopted by the State Board of Education.

(i) Each local and regional board of education that is required to provide a program of bilingual education pursuant to this section shall investigate the feasibility of establishing two-way language programs starting in kindergarten.

Sec. 3. (NEW) (a) The Department of Education shall assist and encourage local and regional boards of education to institute two-way language programs and provide early second language instruction for English-speaking students.

(b) The department shall encourage local and regional boards of education to recognize students' proficiency in languages other than their native languages on their permanent records.

Sec. 4. (NEW) (a) On and after July 1, 1999, the State Board of Education shall require an applicant for certification as a bilingual education teacher to demonstrate competency in English and the other language of instruction as a condition of certification. Competency in English shall be demonstrated by successful passage of the essential skills test approved by the State Board of Education. Competency in the other language shall be demonstrated on an examination, if available, of comparable difficulty as

specified by the Department of Education. If such an examination is not available, competency shall be demonstrated by an appropriate alternative method as specified by the department.

(b) On and after July 1, 2003, the State Board of Education shall require persons seeking to become (1) elementary level bilingual education teachers to be certified in elementary education and bilingual education and (2) secondary level bilingual education teachers to be certified in both the subject area they will teach and in bilingual education. Such dual certification requirement may be met by earning a bachelor's degree in one field and meeting the requirements for an endorsement in the other field.

(c) On and after July 1, 2000, the State Board of Education shall require bilingual education teachers holding provisional educator certificates to meet the requirements of this subsection in order to qualify for a professional educator certificate to teach bilingual education. (1) Such bilingual education teachers who teach on the elementary level shall take fifteen credit hours in bilingual education and fifteen credit hours in language arts, reading and mathematics. (2) Such bilingual education teachers who teach on the middle or secondary level shall take fifteen credit hours in bilingual education and fifteen credit hours in the subject matter that they teach. Such professional educator certificate shall be valid for bilingual education and the grade level and content area of preparation.

Sec. 5. (NEW) The Board of Governors of Higher Education shall develop, within available appropriations, an alternate route to certification for persons seeking certification as bilingual education teachers and teachers of English as a second language.

Sec. 6. (NEW) (a) If a local or regional board of education is not able to hire a sufficient number of certified bilingual education teachers, the board of education may apply to the Commissioner of Education for permission to use a certified teacher of English as a second language to fill its need and the commissioner may grant such request for good cause shown.

(b) The Department of Education shall promote and encourage teacher exchange programs and provide information to local and regional boards of education on such programs in order to increase foreign language proficiency and cultural understanding.

Sec. 7. Section 10-14q of the general statutes is repealed and the following is substituted in lieu thereof: The provisions of this chapter shall apply to any student requiring special education pursuant to section 10-76a, except when the planning and placement team of such student determines that it would be inappropriate to allow the student to take the examinations. The provisions of this chapter shall not apply to any student enrolled for ~~[three years]~~ thirty school months or less in a bilingual program pursuant to ~~[section]~~ sections 10-17e and 10-17f, as amended by this act, or [,] to any student enrolled for ~~[three years]~~ thirty school months or less in an English as a second language program.

Sec. 8. Section 10-17g of the general statutes is repealed and the following is substituted in lieu thereof: For the fiscal year ending June 30, 1979, and annually thereafter, the board of education for each local and regional school district ~~[which]~~ that is required to provide a program of bilingual education, pursuant to section 10-17f, as amended by section 2 of this act, may make application to the State Board of Education and shall thereafter receive a grant in an amount equal to the product obtained by multiplying the total appropriation available for such purpose by the ratio which the number of eligible children in the school district bears to the total number of such eligible children state-wide. The board of education for each local and regional school district receiving funds pursuant to this section shall annually, on or before September first, submit to the State Board of Education a progress report which shall include (1) measures of increased [education] educational opportunities for eligible [children] students, including language support services and language transition support services provided to such students, (2) program evaluation and measures of the effectiveness of its bilingual education and English as a second language programs, including data on students in bilingual education programs and students educated exclusively in English as a second language programs, and (3) certification by the board of education submitting the report that any funds received pursuant to this section have been used for the purposes specified. The State Board of Education shall annually evaluate programs conducted pursuant to section 10-17f, as amended by section 2 of this act. For purposes of this section, measures of the effectiveness of bilingual education and English as a second language programs include state-wide mastery examination results and graduation and school dropout rates.

Sec. 9. Subdivision (1) of subsection (l) of section 10-145b of the general statutes is repealed and the following is substituted in lieu thereof:

(l) (1) For certified employees of local and regional boards of education, except as provided in this subdivision, each professional educator certificate shall be valid for five years and continued every five years thereafter upon the successful completion of professional development activities which shall consist of not less than ninety hours of continuing education, as determined by the local or regional board of education in accordance with this section, during each successive five-year period. (A) Such continuing education completed by certified employees with an early childhood nursery through grade three or an elementary endorsement who hold a position requiring such an endorsement shall include at least fifteen hours of training in the teaching of reading and reading readiness and assessment of reading performance, including methods of teaching language skills necessary for reading, reading comprehension skills, phonics and the structure of the English language during each five-year period. ~~(B)~~ Such continuing education requirement completed by certified employees with elementary or middle grades endorsements who hold a position requiring such an endorsement shall include at least fifteen hours of training in the use of computers in the classroom during each five-year period. ~~[(B)]~~ (C) Such continuing education completed by (i) the superintendent of schools, and (ii) employees employed in positions requiring an intermediate administrator or supervisory certificate, or the equivalent thereof, and whose administrative or supervisory duties equal at least fifty per cent of the assigned time of such employee, shall include at least fifteen hours of training in the evaluation of teachers pursuant to section 10-151b during each five-year period. (D) In the case of certified employees with a bilingual education endorsement who hold positions requiring such an endorsement (i) in an elementary school and who do not hold an endorsement in elementary education, such continuing education taken on or after July 1, 1999, shall only count toward the ninety hour requirement if it is in language arts, reading and mathematics, and (ii) in a middle or secondary school and who do not hold an endorsement in the subject area they teach, such continuing education taken on or after July 1, 1999, shall only count toward the ninety hour requirement if it is in such subject area or areas. During each five-year period in which a professional educator certificate is valid, a holder of such certificate who has not completed the ninety hours of continuing education required pursuant to this subdivision, and who has not been employed while holding such certificate by a local or regional board of education for all or part of the five-year period, shall, upon application, be reissued such certificate for five years minus any period of time such holder was employed while holding such certificate by a local or regional board of education, provided there shall be only one such reissuance during each five-year period in which such certificate is valid. A certified employee of a local or regional board of education who is a member of the General Assembly and who has not completed the ninety hours of continuing education required pursuant to this subdivision for continuation of his certificate, upon application, shall be reissued a professional educator certificate for a period of time equal to six months for each year he served in the General Assembly during the previous five years. Continuing education hours completed during the previous five years shall be applied toward such ninety-hour requirement which shall be completed during the reissuance period in order for such employee to be eligible to have his certificate continued. The cost of the professional development activities required under this subsection for certified employees of local or regional boards of education shall be shared by the state and local or regional boards of education, except for those activities identified by the State Board of Education as the responsibility of the certificate holder. Each local and regional board of education shall make available, annually, at no cost to its certified employees not fewer than eighteen hours of professional development activities for continuing education credit. Such activities may be made available by a board of education directly, through a regional educational service center or cooperative arrangement with another board of education or through arrangements with any continuing education provider approved by the State Board of Education. Local and regional boards of education shall grant continuing education credit for professional development activities which the certified employees of the board of education are required to attend, professional development activities offered in accordance with the plan developed pursuant to subsection (b) of section 10-220a, or professional development activities which the board may approve for any individual certified employee. Each board of education shall determine the specific professional development

activities to be made available with the advice and assistance of the teachers employed by such board, including representatives of the exclusive bargaining unit for such teachers pursuant to section 10-153b. The time and location for the provision of such activities shall be in accordance with either an agreement between the board of education and the exclusive bargaining unit pursuant to said section 10-153b or, in the absence of such agreement or to the extent such agreement does not provide for the time and location of all such activities, in accordance with a determination by the board of education.

Sec. 10. This act shall take effect July 1, 1999.

Approved June 29, 1999