

## English Learners Connecticut Legislation Sec. 286-298 and 338-339

**Sec. 286.** Section 10-17f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) Annually, the board of education for each local and regional school district shall ascertain, in accordance with regulations adopted by the State Board of Education, the eligible students in such school district and shall classify such 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 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 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 such time period may be extended in accordance with this section and summer school and any two-way language programs established pursuant to subsection (i) of this section shall not be counted. An eligible student may spend up to an additional thirty months in a program of bilingual education if (1) the local or regional board of education responsible for educating such student requests an extension of such bilingual education for such student to the Department of Education, or (2) the Department of Education makes a determination that an extension of such bilingual education for such student is necessary. The department shall use the standards developed pursuant to section 290 of this act in determining whether to grant a request by a local or regional board of education for an extension of such bilingual education for an eligible student or whether an extension of a bilingual education program for an eligible student is necessary. If an eligible student does not meet the English mastery standard at the end of the initial thirty months or at the end of an extension of the bilingual education program for such student, the local or regional board of education shall provide language transition and academic 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, provided such services may not include a program of bilingual education] or other research-based language development programs. 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.

(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, and any native language accommodations that may be available for the mastery examination, administered pursuant to section 10-14n, as amended by this act. 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.

(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 the program.

(g) The State Board of Education shall adopt regulations, in accordance with the provisions of chapter 54, to establish requirements for: (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.

(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. 287.** Section 10-17g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

**[Annually]** For the fiscal years ending June 30, 2016, and June 30, 2017, the board of education for each local and regional school district that is required to provide a program of bilingual education, pursuant to section 10-17f, as amended by this act, may make application to the State Board of Education and shall **[thereafter]** annually receive a grant in an amount equal to the product obtained by multiplying **[the total appropriation available for such purpose]** one million nine hundred sixteen thousand one hundred thirty 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 educational opportunities for eligible 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 this act. For purposes of this section, measures of the effectiveness of bilingual education and English as a second language programs include, but need not be limited to, mastery examination results, under section 10-14n, as amended by this act, and graduation and school dropout rates. Any amount appropriated under this section in excess of one million nine hundred sixteen thousand one hundred thirty dollars shall be spent in accordance with the provisions of sections 290, 294 and 297 of this act. Any unexpended funds, as of November first, appropriated to the Department of Education for purposes of providing a grant to a local or regional board of education for the provision of a program of bilingual education, pursuant to section 10-17f, as amended by this act, shall be distributed on a pro rata basis to each local and regional board of education receiving a grant under this section. Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2009, to June 30, **[2015]** 2017, inclusive, the amount of grants payable to local or regional boards of education for the provision of a program of bilingual education under this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

**Sec. 288.** Section 10-17j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) If a local or regional board of education is not able to hire a sufficient number of certified bilingual education teachers for a school year, the board of education **[may]** shall 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. 289.** (*Effective July 1, 2015*) The Department of Education shall study the feasibility of using regional educational service centers to assist local and regional boards of education with a low enrollment of eligible students under subsection (b) of section 10-17f of the general statutes, as amended by this act, in the provision of programs of bilingual education and language transition and academic support services. Such programs and services may include, but need not be limited to, English as second language programs, sheltered English programs, English immersion programs or other research-based language development programs, as described in section 10-17f of the general statutes, as amended by this act. Not later than January 1, 2016, the department shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

**Sec. 290.** (NEW) (*Effective July 1, 2015*) Not later than July 1, 2016, the Department of Education, in consultation with public institutions of higher education, persons with expertise in bilingual education programming and bilingual education teachers, shall develop standards for determining whether an extension of a bilingual education program is necessary for an eligible student, as described in section 10-17f of the general statutes, as amended by this act, following thirty months in such bilingual education program, pursuant to subsection (d) of section 10-17f of the general statutes, as amended by this act.

**Sec. 291.** (NEW) (*Effective July 1, 2015*) Not later than July 1, 2016, the Department of Education shall provide information to local and regional boards of education about (1) research-based practices on how to involve parents and legal guardians of eligible students in the language acquisition process, and (2) native language accommodations for students on the state-wide mastery examination, administered pursuant to section 10-14n of the general statutes, as amended by this act.

**Sec. 292.** Subsection (a) of section 10-220a of the general statutes, as amended by section 3 of public act 15-97, section 10 of public act 15-108 and section 1 of public act 15-232, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) Each local or regional board of education shall provide an in-service training program for its teachers, administrators and pupil personnel who hold the initial educator, provisional educator or professional educator certificate. Such program shall provide such teachers, administrators and pupil personnel with information on (1) the nature and the relationship of drugs, as defined in subdivision (17) of section 21a-240, and alcohol to health and personality development, and procedures for discouraging their abuse, (2) health and mental health risk reduction education that includes, but need not be limited to, the prevention of risk-taking behavior by children and the relationship of such behavior to substance abuse, pregnancy, sexually transmitted diseases, including HIV-infection and AIDS, as defined in section 19a-581, violence, teen dating violence, domestic violence, child abuse and youth suicide, (3) the growth and development of exceptional children, including handicapped and gifted and talented children and children who may require special education, including, but not limited to, children with attention-deficit hyperactivity disorder or learning disabilities, and methods for identifying, planning for and working effectively with special needs children in a regular classroom, including, but not limited to, implementation of student individualized education programs, (4) school violence prevention, conflict resolution, the prevention of and response to youth suicide and the identification and prevention of and response to bullying, as defined in subsection (a) of section 10-222d, except that those boards of education that implement any evidence-based model approach that is approved by the Department of Education and is consistent with subsection (d) of section 10-145a, sections 10-222d, 10-222g and 10-222h, subsection (g) of section 10-233c and sections 1 and 3 of public act 08-160, shall not be required to provide in-service training on the identification and prevention of and response to bullying, (5) cardiopulmonary resuscitation and other emergency life saving procedures, (6) computer and other information technology as applied to student learning and classroom instruction, communications and data management,

(7) the teaching of the language arts, reading and reading readiness for teachers in grades kindergarten to three, inclusive, (8) second language acquisition in districts required to provide a program of bilingual education pursuant to section 10-17f, as amended by this act, (9) the requirements and obligations of a mandated reporter, (10) the teacher evaluation and support program adopted pursuant to subsection (b) of section 10-151b, (11) the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia, as defined in section 1 of ~~[(this act)]~~ public act 15-97, and (12) cultural competency, consistent with the training in cultural competency described in subsection (i) of section 10-145a, as amended by ~~[(this act)]~~ public act 15-108. Each local and regional board of education may allow any paraprofessional or noncertified employee to participate, on a voluntary basis, in any in-service training program provided pursuant to this section. The State Board of Education, within available appropriations and utilizing available materials, shall assist and encourage local and regional boards of education to include: (A) Holocaust and genocide education and awareness; (B) the historical events surrounding the Great Famine in Ireland; (C) African-American history; (D) Puerto Rican history; (E) Native American history; (F) personal financial management; (G) domestic violence and teen dating violence; (H) mental health first aid training; (I) trauma-informed practices for the school setting to enable teachers, administrators and pupil personnel to more adequately respond to students with mental, emotional or behavioral health needs; (J) second language acquisition, including, but not limited to, language development and culturally responsive pedagogy; and ~~[(J)]~~ (K) topics approved by the state board upon the request of local or regional boards of education as part of in-service training programs pursuant to this subsection.

**Sec. 293.** (NEW) (*Effective July 1, 2015*) The Department of Education shall annually collect and disaggregate student data on the mastery examination, conducted pursuant to section 10-14n of the general statutes, as amended by this act, for students in bilingual education programs for the purposes of monitoring (1) the academic progress of students in bilingual education programs, and (2) the quality of bilingual education programs offered by local and regional boards of education. Not later than July 1, 2016, and annually thereafter, the Department of Education shall submit a report on its findings regarding such student data to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

**Sec. 294.** (*Effective July 1, 2015*) (a) For the school years commencing July 1, 2015, and July 1, 2016, the Department of Education, in consultation with public institutions of higher education and persons with expertise in language acquisition, shall administer an English language learner pilot program. The department shall select the following participants for inclusion in the pilot program: (1) The three school districts with the highest total number of English language learner students, and (2) the school district with the highest percentage of English language learner students to total student population. Participants in the pilot program shall develop language acquisition plans for English language learner students that (A) are research-based, (B) are developed in consultation with the department, public institutions of higher education or persons with expertise in language acquisition, and (C) take into consideration such things as the size of the school district or region, the characteristics of the English language learner student population, the geography and demography of the school district or region, the number of bilingual education teachers and the native languages of the student population. The regional educational service center that serves the region in which each participant is located shall provide administrative support to such participant in the implementation of the pilot program.

(b) The Department of Education shall contract with an independent evaluator from an institution of higher education or a professional evaluator with expertise in language acquisition to evaluate the English language learner pilot program. Not later than October 1, 2017, such evaluation shall be submitted to the Department of Education and the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

**Sec. 295.** Section 10-14n of the general statutes, as amended by section 3 of public act 15-238, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) As used in this section, "mastery examination" means (1) for students enrolled in grades three to eight, inclusive, an examination or examinations, approved by the State Board of Education, that measures essential and grade-appropriate skills in reading, writing or mathematics, (2) for students enrolled in grades five, eight and ten, an examination, approved by the State Board of Education, that measures essential and grade-appropriate skills in science, and (3) for students enrolled in grade eleven, a nationally recognized college readiness assessment, approved by the State Board of Education, that measures essential and grade-appropriate skills in reading, writing and mathematics.

(b) (1) For the school year commencing July 1, 2015, and each school year thereafter, each student enrolled in grades three to eight, inclusive, and grade eleven in any public school shall, annually, take a mastery examination in reading, writing and mathematics during the regular school day.

(2) For the school year commencing July 1, 2013, and each school year thereafter, each student enrolled in grades five, eight and ten in any public school shall, annually, in March or April, take a state-wide mastery examination in science during the regular school day.

(c) (1) Mastery examinations, as defined in subdivision (1) of subsection (a) of this section, given to students enrolled in grades three to eight, inclusive, pursuant to subdivision (1) of subsection (b) of this section, shall be provided by and administered under the supervision of the State Board of Education.

(2) Mastery examinations, as defined in subdivision (2) of subsection (a) of this section, given to students enrolled in grades five, eight and ten, pursuant to subdivision (2) of subsection (b) of this section, shall be provided by and administered under the supervision of the State Board of Education.

(3) Mastery examinations, as defined in subdivision (3) of subsection (a) of this section, given to students enrolled in grade eleven, pursuant to subdivision (1) of subsection (b) of this section, shall be paid for by the State Board of Education and administered by the provider of such nationally recognized college readiness assessment in accordance with the provisions of the agreement between the state board and such provider, pursuant to section 2 of **[this act]** public act 15-238.

(d) The scores on each component of the mastery examination, as defined in subdivision (3) of subsection (a) of this section, for each eleventh grade student may be included on the permanent record and transcript of each such student who takes such examination. For each eleventh grade student who meets or exceeds the state-wide mastery goal level on any component of the mastery examination, a certification of having met or exceeded such goal level shall be made on the permanent record and the transcript of each such student and such student shall be issued a certificate of mastery for such component.

(e) No public school may require achievement of a satisfactory score on a mastery examination, or any subsequent retest on a component of such examination as the sole criterion of promotion or graduation.

(f) (1) For the school year commencing July 1, 2015, and each school year thereafter, the scores on each component of the mastery examination for students who are English language learners, as defined in section 10-76kk, and who have been enrolled in a school in this state or another state for fewer than twenty school months, shall not be used for purposes of calculating the school performance index, pursuant to section 10-223e, or the district performance index, pursuant to section 10-262u, as amended by this act.

(2) For the school year commencing July 1, 2015, and each school year thereafter, mastery examinations pursuant to subsection (b) of this section shall be offered in the most common native language of students who are English language learners taking such mastery examinations and any additional native languages of such students when mastery examinations in such native languages are developed and have been approved by the United States Department of Education.

**Sec. 296.** Subsection (d) of section 10-262u of the general statutes, as amended by section 8 of public act 15-108, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(d) The local or regional board of education for a town designated as an alliance district may apply to the Commissioner of Education, at such time and in such manner as the commissioner prescribes, to receive any increase in funds received over the amount the town received for the prior fiscal year pursuant to subsection (a) of section 10-262i. Applications pursuant to this subsection shall include objectives and performance targets and a plan that may include, but not be limited to, the following: (1) A tiered system of interventions for the schools under the jurisdiction of such board based on the needs of such schools, (2) ways to strengthen the foundational programs in reading, through the intensive reading instruction program pursuant to section 10-14u, to ensure reading mastery in kindergarten to grade three, inclusive, with a focus on standards and instruction, proper use of data, intervention strategies, current information for teachers, parental engagement, and teacher professional development, (3) additional learning time, including extended school day or school year programming administered by school personnel or external partners, (4) a talent strategy that includes, but is not limited to, teacher and school leader recruitment and assignment, career ladder policies that draw upon guidelines for a model teacher evaluation program adopted by the State Board of Education, pursuant to section 10-151b, as amended by this act, and adopted by each local or regional board of education. Such talent strategy may include provisions that demonstrate increased ability to attract, retain, promote and bolster the performance of staff in accordance with performance evaluation findings and, in the case of new personnel, other indicators of effectiveness, (5) training for school leaders and other staff on new teacher evaluation models, (6) provisions for the cooperation and coordination with early childhood education providers to ensure alignment with district expectations for student entry into kindergarten, including funding for an existing local Head Start program, (7) provisions for the cooperation and coordination with other governmental and community programs to ensure that students receive adequate support and wraparound services, including community school models, (8) provisions for implementing and furthering state-wide education standards adopted by the State Board of Education and all activities and initiatives associated with such standards, (9) strategies for attracting and recruiting minority teachers and administrators, (10) provisions for the enhancement of bilingual education programs, pursuant to section 10-17f, as amended by this act, or other language acquisition services to English language learners, including, but not limited to, participation in the English language learner pilot program, established pursuant to section 294 of this act, and [(10)] (11) any additional categories or goals as determined by the commissioner. Such plan shall demonstrate collaboration with key stakeholders, as identified by the commissioner, with the goal of achieving efficiencies and the alignment of intent and practice of current programs with conditional programs identified in this subsection. The commissioner may (A) require changes in any plan submitted by a local or regional board of education before the commissioner approves an application under this subsection, and (B) permit a local or regional board of education, as part of such plan, to use a portion of any funds received under this section for the purposes of paying tuition charged to such board pursuant to subdivision (1) of subsection (k) of section 10-264l or subsection (b) of section 10-264o.

**Sec. 297.** (NEW) (*Effective July 1, 2015*) Not later than July 1, 2016, each regional educational service center shall conduct a survey of English language learner services and bilingual education programs provided in the region serviced by the regional educational service center for the purpose of identifying the need for enhanced or new English language learner services and bilingual education programs provided by the regional educational service center. Such survey shall include, but need not be limited to, (1) an inventory of English language learner services and bilingual education programs provided by local and regional boards of education to public school students, (2) the number of students receiving English language learner services or enrolled in bilingual education programs provided by a local or regional board of education, and (3) the total cost incurred by each school district for all such English language learner services and bilingual education programs and the cost incurred by each school district for each such English language learner service and bilingual education program. Each regional educational service center shall develop and maintain its own survey procedure and may conduct subsequent surveys as necessary.

**Sec. 298.** (*Effective July 1, 2015*) Each regional educational service center shall study the feasibility of such regional educational service center providing and administering new English language learner services and bilingual education programs that are of equal or greater quality than those currently provided by local or regional boards of education in the region serviced by such regional educational service center. The feasibility study shall (1) identify new and current English language learner services and bilingual education programs provided by the regional educational service center, (2) take into account the areas of need identified in the survey conducted pursuant to section 297 of this act, (3) include a consideration of the infrastructure, planning, personnel, funding and additional needs required to initiate and maintain English language learner services and bilingual education programs provided by the regional educational service center, and (4) include recommendations for sites for future English language learner services and bilingual education programs provided by the regional education service center and a timeline for the implementation of such English language learner services and bilingual education programs. Not later than October 1, 2016, each regional educational service center shall submit such feasibility study to the State Board of Education and the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

## Sections 338-339

**Sec. 338.** Subsection (c) of section 10-145f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(c) Notwithstanding the provisions of this section and section 10-145b, the following persons shall be eligible for a nonrenewable temporary certificate: (1) A person who has resided in a state other than Connecticut during the year immediately preceding application for certification in Connecticut and meets the requirements for certification, excluding successful completion of the competency examination and subject matter assessment, if such person holds current teacher certification in a state other than Connecticut and has completed at least one year of successful teaching in another state in a public school or a nonpublic school approved by the appropriate state board of education, (2) a person who has graduated from a teacher preparation program at a college or university outside of the state and regionally accredited, and meets the requirements for certification, excluding successful completion of the competency examination and subject matter assessment, and (3) a person hired by a charter school after July first in any school year for a teaching position that school year, provided the person hired after said date could reasonably be expected to complete the requirements prescribed in subparagraphs (B) and (C) of subdivision (1) of subsection (c) of section 10-145b. The nonrenewable temporary certificate shall be valid for one year from the date it is issued, except the State Board of Education may extend a temporary certificate in the certification endorsement area of bilingual education issued under this subsection for an additional two years to a person who is employed by a local or regional board of education and providing instruction as part of a program of bilingual instruction, as defined in section 10-17e.

**Sec. 339.** Section 10-145h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) On and after July 1, [1999] 2015, the State Board of Education shall require an applicant for certification as a bilingual education teacher to demonstrate written competency in English and written and oral competency in the other language of instruction as a condition of certification. [Competency] Written competency in English shall be demonstrated by successful passage of the essential skills test approved by the State Board of Education. [Competency] Written 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. Oral competency in the other language shall be demonstrated by an appropriate method specified by the Department of Education.

(b) On and after July 1, [2003] 2015, the State Board of Education shall require persons seeking to become (1) elementary level bilingual education teachers to [be certified] meet coursework requirements in elementary education and bilingual education, and (2) secondary level bilingual education teachers to [be certified] meet coursework requirements 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. ] The State Board of Education may issue an endorsement in bilingual education to an applicant who has (A) completed coursework requirements in (i) elementary education and bilingual education, or (ii) the subject area they will teach and bilingual education, and (B) successful passage of examination requirements for bilingual education, as approved by the State Board of Education.

(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.

[(d) (1) Notwithstanding subsection (a) of this section, for the period from July 1, 2005, to June 30, 2010, inclusive, 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 oral proficiency test in English and an essential skills test approved by the State Board of Education. Oral and written competency in the other language shall be demonstrated by passage of 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.

(2) Notwithstanding subsection (b) of this section, for the period from July 1, 2005, to June 30, 2010, inclusive, the State Board of Education shall require persons seeking to become (A) elementary level bilingual education teachers to be certified in (i) bilingual education and achieve a satisfactory evaluation on the appropriate State Board of Education approved assessment for elementary education, or (ii) elementary education and have completed six semester hours of credit in English as a second language course work as approved by the State Board of Education, and (B) secondary level bilingual education teachers to be certified in (i) bilingual education and achieve a satisfactory evaluation on the appropriate State Board of Education approved subject area assessment, or (ii) the subject area they will teach and have completed six semester hours of credit in English as a second language course work as approved by the State Board of Education. Such certificates shall be valid for subject-specific bilingual education. Certification in elementary bilingual education shall be valid for grades kindergarten to eight, inclusive, and certification in secondary subject-specific bilingual education shall be valid for grades seven to twelve, inclusive. ]