

Connecticut State Department of Education
Division of Teaching, Learning and Instructional Leadership
Bureau of Accountability and Improvement



THE BILINGUAL EDUCATION STATUTE

QUESTIONS AND ANSWERS

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Questions and Answers: The Bilingual Education Statute

This document reflects the bilingual education statute, Section 10-17a-j, inclusive, of the Connecticut General Statutes (C.G.S.). Educational programs for limited English proficient (LEP) students/English language learners (ELLs) are regulated by No Child Left Behind Act (NCLB), Title I and Title III.

Whenever it is ascertained that there are in any public school within a local or regional school district, 20 or more eligible students classified as dominant in any other 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" means students enrolled in public schools in kindergarten through Grade 12 whose dominant language is not English and whose proficiency in English is not sufficient to ensure equal educational opportunity in the general education program.

A. Bilingual Education Programming

Meetings with Parents and Guardians

Section 10-17f(e) of the C.G.S. requires school districts to meet and inform parents and guardians "of eligible students" to explain the benefits of the language programs available in the district.

1. Are districts required to meet with all parents and guardians of ELLs or only those of the 20 or more students who may be placed in a bilingual education program?

Districts are required to meet with parents who have students who qualify for bilingual education in schools with 20 or more eligible students. However, meeting with all parents of ELLs is strongly encouraged.

2. Must the school district hold this meeting annually with all parents and guardians of ELLs?

No. Before initial placement, the school district must meet only with parents and guardians of students who may be eligible for a bilingual education program "to explain the benefits of language program options available in the school district."

3. What kinds of meetings (large, small, individual) need to be held with parents and guardians to allow them to choose a language program? Must the district meet with the parents and guardians before the child is placed?

Whatever format is chosen for meeting with parents and guardians, the individuals must be able to make an educated choice of program for their child and select in writing from the educational options available in the district for their child. Such meetings shall be held *prior to placement* of the student in the program. Parents or legal guardians may bring an advisor or interpreter to the meeting.

4. May eligible high school students with fewer than 30 months to graduation at enrollment be placed in a bilingual education program if the parents so choose?

No. The statute states that such students must be placed in a mandated ESL program.

Program Placement and Options

5. If a parent or guardian opts for a language program other than a bilingual education program, what services shall be provided?

Any option should include the development of English language proficiency and assistance with content area learning in English. Section 10-17e(3) of the C.G.S. defines an ESL program as “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.”

6. What types of programs must a district offer to students who are eligible for a state-mandated bilingual education program in Connecticut?

The state statute requires only two types of programs for eligible students: a bilingual education program and, for eligible high school students with fewer than 30 months to graduation, a mandated ESL program. The bilingual education program is limited to 30 months. (Refer to Title VI of the 1964 Civil Rights Act regarding the types of programs that need to be offered to ELLs. The United States Office for Civil Rights (OCR) employs criteria regarding the adequacy of programs offered and the need for a formal program.)

7. What is the impact of the No Child Left Behind Act of 2001 on the educational services that are available to students who are eligible to participate in a bilingual education program?

The purpose of NCLB is to ensure that all ELLs, including students eligible to participate in a bilingual education program, attain English proficiency and achieve at high levels in academic subjects. (Refer to Title III Language Instruction for Limited English Proficient and Immigrant Students, Part A, Sections 3101, 3115 and 3302.)

8. If a school district is not able to hire a sufficient number of certified bilingual education teachers, is the district required to offer a program of bilingual education?

Yes. Section 10-17j(a) of the C.G.S. states that 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, the school district will have to find other ways of providing instructional support in the students’ native language.

Calculating Time in a Bilingual Education Program

9. How is a student’s 30-month program time limit in a bilingual education program calculated?

- Only time in a bilingual education program in a *Connecticut* public school is to be counted toward the 30-month time limit.
- The time continuum begins on the date the student enters a bilingual education program in Connecticut.
- For time spent in bilingual education programs in another district in Connecticut for which no records can be obtained, the 30-month time limit begins when the student enters the new district’s program.
- Time in summer school is not to be counted.
- Time in a two-way language program/dual language program is not to be counted.

10. How does a district calculate half-day kindergarten with respect to the 30 month limit?

It is counted as half a year (five months).

11. How long may eligible high school students who have 30 months or more to go until graduation remain in a bilingual education program?

They may remain up to 30 months in the program or until they meet the state English mastery standard.

12. If an individualized education program (IEP) directs that a bilingual student with disabilities 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 supersede it?

The IEP supersedes state law since it operates under a federal law. Therefore, bilingual students with disabilities may receive bilingual education services beyond the 30-month limit, if it is stated in their IEPs.

Use of Languages of Instruction

13. When does the instructional time in the native language begin to decrease and instruction in English increase?

Section 10-17e(2)(c) of the C.G.S. 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.”

Use of Grant Funds

14. For whom may bilingual education grant funds be used?

- For eligible students in the required program of bilingual education.
- For eligible high school students with fewer than 30 months to graduation at the time of their enrollment who have been placed in mandated ESL program.
- For eligible students who have completed 30 months in a bilingual education program without meeting the state English mastery standard, and who are receiving Language Transition Support Services (LTSS) until they meet the standard (see *Guidelines For Implementing Language Transition Support Services* document, Connecticut State Department of Education (CSDE), 2002. Available on the CSDE Web site).

High School Programs

15. Does the statute prohibit high school students with fewer than 30 months to go until graduation from receiving a program of bilingual instruction?

Yes. However, while the statute does not allow these students to receive a full and formal program of bilingual instruction, appropriate support services and necessary instruction should be given to ensure that the students achieve at high levels. This may include use of the native language to clarify and support academic instruction in English and sheltered content instruction, when and where appropriate.

16. Can a district be required to have both a bilingual education and a mandated ESL program at the high school level with small numbers of students in each?

Yes. The statute requires that if in a given school there are 20 or more bilingual eligible students on October 1 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. A mandated ESL program must also be provided if there are eligible students (see questions 4 and 6 for eligibility requirements).

17. Can high school students, eligible for a mandated ESL program who do not meet graduation requirements, continue to be classified as eligible and will they be counted for funding purposes?

Yes. These students will continue to be classified as eligible and will be counted for funding purposes.

Language Support and Language Transition Support Services (LTSS)

18. What is the difference between Language Support and Language Transition Support Services (LTSS)?

Language support services are to be provided to ELLs in a bilingual education program who do not make sufficient progress toward meeting the state's English mastery standard on annual assessments. Examples of support services include, but are not limited to, tutoring, after school assistance, homework assistance, assignment of a mentor and summer school. LTSS are to be provided to students who have completed 30 months in a bilingual education program and who have not met the state's English mastery standard. LTSS may include, but are not limited to, ESL, immersion with support, an aide; ESL teacher and sheltered English programs (see *Guidelines for Implementing Language Transition Support Services*, 2002, CSDE. Available on the CSDE Web site.)

19. Will eligible students receiving required LTSS who transfer to another school continue to be provided with these services?

Yes. LTSS will continue to be provided until students meet state mastery standards.

Dual Language/Two-Way Language Programs

A Dual Language/Two-Way Language Program is a form of bilingual education in which students are taught literacy and content in two languages and strives to develop bilingualism, biliteracy and biculturalism. This approach emphasizes equality of educational opportunity for both English and non-English speaking students through an educational process that validates and fully develops both languages and instills a mutual respect for both language learners.

20. How long will students in Dual Language/Two-Way Language Programs who are eligible under the Bilingual Education Statute continue to be counted for funding purposes and assessed annually for linguistic and academic progress?

Students who remain in a Dual Language/Two-way Language Programs will be counted for funding purposes and assessed annually until they meet the state English mastery standard.

B. Bilingual Education: Annual Assessment and Exit Criteria (State English Mastery Standard)

The State Board of Education developed a state English mastery standard to assess the linguistic and academic progress and proficiency of ELLs. Each local and regional board of education must annually assess the progress made by each student toward meeting the state standard stipulated by Section 10-17f(c) of the C.G.S. Regarding students exiting from the bilingual education program, the statute states, “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 30 months, except students in the Dual Language/Two-Way Bilingual Programs, who may continue after 30 months.

21. Which academic and linguistic assessments are to be used annually to measure students’ progress toward meeting the state English mastery standard?

- For kindergarten-Grade 2, the Developmental Reading Assessment 2 (DRA 2), and Language Assessment Systems (LAS) Links English Proficiency Assessment.
- For Grades 3-8, the Connecticut Mastery Test (CMT), and the LAS Links English Proficiency Test.
- For Grade 9, an academic measure as determined by the local board of education (for the purpose of exiting, the CMT [School Secure Grade 8] must be used), and the LAS Links English Proficiency Test.
- For Grades 10-11, the Connecticut Academic Performance Test (CAPT), and the LAS Links English Proficiency Assessment.
- For Grade 12, an academic measure as determined by the local board of education and the LAS Links English Proficiency Assessment.

22. What is the LAS Links?

The CSDE selected the LAS Links to annually assess English language progress and proficiency of ELLs from kindergarten through Grade 12. The LAS Links measures linguistic proficiency in listening, speaking, reading and writing in English. It is also used as one component of the exit criteria from ELL status.

23. What are the state English mastery standards for ELLs exiting the bilingual education programs?

Outlined below are the performance standards that must be achieved in order for ELLs to exit a bilingual education program.

English mastery standard by grade

Grade	LAS Links English Proficiency Test	Academic Mastery Test
K – 2	Overall Proficiency or better (Levels 4 or 5)	Second Edition DRA2: Grade Level Performance K – Level 4 Grade 1 – Level 18 Grade 2 – Level 28 (non fiction) If using the First Edition of the DRA, these same levels indicate academic mastery.
3 – 8	Overall Proficiency or better (Levels 4 or 5)	CMT: Proficient or better on the Math and Reading subtests (Levels 3 to 5) and Basic or better on the Writing subtest (Levels 2 to 5).
9	Overall Proficiency or better (Levels 4 or 5)	School Secure CMT: Proficient or better on the Math and Reading subtests (Levels 3 to 5) and Basic or better on the Writing subtest (Levels 2 to 5).
10 - 12	Overall Proficiency or better (Levels 4 or 5)	CAPT: Basic Level or better on Math, Reading and Writing Subtests (Levels 2 to 5).

The DRA 2 is used for the performance standards that must be achieved in order for ELLs in Grades K-2 to exit from ELL status. To obtain the most current information, refer to the CSDE Web site for the DRA 2 Question and Answer Document.

Below are the scores required in **partial fulfillment** for exit from English language services for special education students who are also identified as ELLs assessed with the Connecticut Mastery Test Modified Assessment System (CMT MAS) or the Connecticut Academic Performance Test Modified Assessment System (CAPT MAS). The CMT MAS and the CAPT MAS are available in the subjects of reading and math only. Therefore, the scores below refer to any assessments taken in the Modified Assessment System (MAS) form. These scores will be combined with the standard writing scores and the standard scores for reading or math when taken in the standard form. In addition, there are only three performance levels in CMT MAS and CAPT MAS, as opposed to the five performance levels for the standard CMT or CAPT. These levels are Basic, Proficient and Goal.

Grade	Academic Mastery Test
3-8	(CMT MAS) Math – Proficient (Level 2) or above; Reading – Proficient (Level 2) or above
9	(CMT MAS) Math – Proficient (Level 2) or above; Reading – Proficient (Level 2) or above
10-12	(CAPT MAS) Math – Proficient (Level 2) or above; Reading – Proficient (Level 2) or above

24. Is a student's score on one or more subject areas of the CMT Grades 3-8, Grade 9 test (secure version of Grade 8 CMT), and CAPT allowed to be carried over to the next school year so that the student does not need to retest in all three areas?

CMT Grades 3-8:

No. The scores must be proficient or above in mathematics and reading, and basic or above in writing in the same school year. Scores on one grade level test cannot be carried over into the next grade level.

CMT Grade 9 (secure version of Grade 8 CMT):

No. The scores must be proficient or above in mathematics and reading, and basic or above in writing in the same school year. Scores on one grade level test cannot be carried over into the next grade level.

CAPT:

Yes. The scores must be basic level or better on math, reading and writing subtests. (Levels 2 to 5. Scores on the CAPT can be carried over into the next grade level.)

25. If a student in a bilingual education program meets the state English mastery standard before completion of the 30 months, may the student remain in the program until the 30 months are completed?

No. The student must exit the bilingual education program and enter the general education program.

Exception: A student in a Dual Language program may remain in such program but is no longer categorized as a bilingual education student if he/she has *met the state mastery standards*.

26. When should the tests that compose the annual assessment be administered?

The DRA 2, CMT and CAPT should be administered during the state established testing windows. The LAS Links must be administered anytime after January but in time to meet the state reporting deadline.

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

No. The assessments may only be administered during the time period identified in question 26 above.

28. What are the exceptions for administering the annual assessments to students in bilingual education programs?

Exemption Guidelines for CMT or CAPT for Students in Bilingual Education Programs:

If students who have enrolled for the first time in a United States school and attended for fewer than 12 calendar months, they may be exempt from the reading and writing sections of the CMT or CAPT. He/She must take the mathematics and science sections of the CMT or CAPT. (For example, the March 2009 testing window began on March 2, 2009. For the ELLs' exemption, the student must have entered the United States school after March 2, 2008.)

- The student must have been identified as an ELL before the administration of the CMT or CAPT.
- 12 calendar months = 10 school months.

29. Can the school districts score in-house the Grade 8 CMT used for the exit assessment for students in Grade 9?

Yes. The school district can score in-house the Grade 8 CMT used for the exit assessment for students in Grade 9.

30. If a student enters the district after the district has completed the LAS Links annual assessment, does the district have to administer the LAS Links to that student?

Yes. The district must administer the LAS Links to all students who enter the district before the test scores are due to the CSDE. In this case, the LAS Links scores can also be used for identification purposes.

31. If a student enters the district after the LAS Links test scores are due to the CSDE, must the district administer the LAS Links to that student?

No. However, the district's assessment procedures should be used to identify the student as ELL.

32. Do bilingual, eligible secondary students enrolled in a mandated ESL program (i.e., those with fewer than 30 months to graduation at enrollment) get assessed annually to measure progress toward the state English mastery standard?

Yes. Bilingual eligible secondary students enrolled in a mandated ESL program must be assessed annually to measure progress toward the state English mastery standard.

33. For students who have completed 30 months in a bilingual education program but who have not met the state English mastery standard, do the districts need to continue to assess them annually and provide LTSS?

Yes. These students must be assessed annually and LTSS must be provided until they meet the state English mastery standard.

34. Must a student leave the bilingual education program upon completion of 30 months in the program, regardless of what month this occurs?

Districts should use sound education practice to decide, as close as possible to the 30-month limit, when to transition a student out of the bilingual education program.

35. Must eligible students whose parents have opted them out of a bilingual education program or opted them out after entry into a program, participate in the state annual assessment of linguistic and academic progress?

Yes. They must participate in the state annual assessment until they meet the state English mastery standard.

Bilingual Education Program Evaluation

36. Must bilingual education programs, including state mandated high school ESL programs, be evaluated annually?

Yes. Bilingual education programs, including state mandated high school ESL programs, must be evaluated annually through the CSDE Bilingual Education Program Annual Evaluation Report.

Questions and Answers: The Bilingual Education Statute

Glossary

bilingual education: An educational program in which two languages are used to provide content matter instruction. Over time, the use of the native language is decreased and the use of English is increased until only English is used.

dominant language: The language with which a bilingual or multilingual speaker has greatest proficiency and/or uses more often.

dual language program/two-way language program: The goal of these bilingual programs is for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that usually comprises half native English speakers and half native speakers of the other language.

English language learners (ELLs): Students whose first language is not English and who are in the process of learning English. This term is often preferred over limited English proficient (LEP) as it highlights accomplishments rather than deficits.

English as a Second Language (ESL): 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, to meet appropriate grade promotion and graduation requirements. These program models may be pull-out or push-in of the regular classroom. Sometimes this program is also referred to as English to Speakers of Other Languages (ESOL).

entry criteria: A set of guidelines that designate students as ELLs and help place them.

ESL teacher: English as a second language teacher who develops the ELL students' social and academic English language skills (listening, speaking, reading and writing) using state standards while supporting content area knowledge.

exit criteria: A set of guidelines for ending particular services for ELLs and placing them in regular education, English-only classes as fluent English speakers. This is usually based on a combination of performance on English language and academic proficiency tests.

home language: Language(s) spoken in the home by significant others (e.g., family members, caregivers) who reside in the child's home; sometimes used as a synonym for first language, primary language or native language.

language proficiency: The ability to use language accurately and appropriately in its oral and written forms in a variety of settings. Proficiency varies as a function of the context, purpose and content of communication.

Language Transition Support Services (LTSS): Instructional services required for students who have exited a program of bilingual education after 30 months in Connecticut without

having met the English mastery standard on the state annual assessments. The purpose of LTSS is to enable these students to achieve the mastery standard and to function successfully in the regular education classroom. Services consist primarily of continued ESL and literacy development, as well as content-area instruction, with modifications and support that facilitate ELL student learning.

limited English proficient (LEP): The term used by the federal government, most states, and local school districts to identify those students who have insufficient English to succeed in English-only classrooms. Increasingly, ELLs or English learner (EL) are used in place of LEP.

native language: Primary or first language spoken by an individual. It is also referred to as home language. The first language a person acquires in life, or identifies with as a member of an ethnic group (Baker, 2000).

No Child Left Behind (NCLB) Act: The most recent reauthorization of the Elementary and Secondary Education Act of 1965. The act contains four basic education reform principles: stronger accountability for results, increased flexibility and local control, expanded options for parents, and an emphasis on teaching methods based on scientifically based research.

Title I, This program provides financial assistance to LEAs and schools with high numbers or high percentages of poor children to help ensure that all children meet challenging state academic standards.

Title III, The Language Instruction for Limited English Proficient and Immigrant Students Program assists school districts in building limited English proficient students' language skills and in helping them meet the same challenging state standards required of all students. Within Title III of NCLB Act, each state is required to determine Annual Measurable Achievement Objectives (AMAO).

Office for Civil Rights (OCR): A branch of the U.S. Department of Education that investigates allegations of civil rights violations in schools. It also initiates investigations of compliance with federal civil rights laws in schools that serve special student populations, including language-minority students.

second Language: The language that is used by individuals in addition to the primary language.

sheltered content instruction: An instructional approach used to make academic instruction in English understandable to ELL students to help them acquire proficiency in English while at the same time achieve in content areas. In the sheltered classroom, teachers use physical activities, visual aids, and the environment to teach vocabulary for concept development in mathematics, science, social studies and other subjects. ELLs receive core curriculum instruction through the use of modified English and scaffold learning activities to ensure that material is comprehensible and students have an opportunity to achieve standards at grade level.

Title VI of the Civil Rights Act of 1964: Title VI prohibits discrimination on the grounds of race, color, or national origin by recipients of federal financial assistance. The Title VI regulatory requirements have been interpreted to prohibit denial of equal access to education because of a language minority student's limited proficiency in English.

References

Bilingual Education Statute: Section 10-17e-j, inclusive, of the *Connecticut General Statutes*,
<http://www.sde.ct.gov/sde/cwp/view.asp?a=2618&q=321156>

Guidelines for Implementing Language Transition Support Services (LTSS) - 2002,
<http://www.sde.ct.gov/sde/cwp/view.asp?a=2618&q=321092>

Developmental Reading Assessment (DRA) Q&A [DOC, 118KB]
<http://www.sde.ct.gov/sde/cwp/view.asp?a=2618&q=320866>

English Language Learner Framework - State Board Approved 11/05 [DOC]
<http://www.sde.ct.gov/sde/cwp/view.asp?a=2618&q=320848>

English Language Learner (ELL) CMT and CAPT Exemption Guidelines
January 2009 <http://www.csde.state.ct.us/public/cedar/assessment/ell/index.htm>

Performance Standards Necessary to Exit Programs of Eng. Lang. Instruction
November 2007 <http://www.csde.state.ct.us/public/cedar/assessment/ell/index.htm>

Appendix I

Copy of the Bilingual Education Statute From Connecticut Education Laws Connecticut State Board of Education, 2009

Sec. 10-17e. Definitions. Whenever used in Sections 10-17 and 10-17d to 10-17g, inclusive:

(1) “Eligible students” means 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 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. 10-17f. Duties of boards of education regarding bilingual education programs.

Development of state English mastery standard. Regulations. (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 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, provided such services may not include a program of bilingual education. 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. 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. 10-17g. Application for grant. Annual evaluation report. Annually, 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, 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 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. 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. Notwithstanding the provisions of this section, for the fiscal year ending June 30, 2009, the amount of grants payable to local or regional boards of education under this section shall be reduced proportionately if the total of such grants in such years exceeds the amount appropriated for such grants for such year.

Sec. 10-17h. Planning, development or operation of initially required bilingual program. Section 10-17h is repealed.

Sec. 10-17i. Encouragement of increased language instruction. Proficiency in language recognized on permanent record. (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. 10-17j. Request to commissioner to use certified English as a second language teacher in place of bilingual education teacher in cases of teacher shortage. Teacher exchange programs. (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.

Appendix II

Connecticut State Department of Education Contacts

We encourage district personnel officers to share **certification information** with their teachers and have their teachers put any questions in writing and send by e-mail to: 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, English as a second language (ESL), sheltered content and Dual Language Two-Way Language Programs, or the Bilingual Grant Annual Evaluation Report**, please contact the ELL/Bilingual Education consultant:

Marie Salazar Glowski
ELL/Bilingual Education Consultant
Bureau of Accountability and Improvement
Connecticut State Department of Education
165 Capitol Avenue, Room 222
Hartford, CT 06106

Telephone: 860-713-6750
Fax: 860-713-7023
E-Mail: marie.salazar.glowski@ct.gov

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

Michael Sabados
Bureau of Data Collection, Research and Evaluation
Connecticut State Department of Education
165 Capitol Avenue, Room 350
Hartford, CT 06106

Telephone: 860-713-6856
Fax: 860-713-7030
E-Mail: michael.sabados@ct.gov

Appendix III

Questions and Answers: The Bilingual Education Statute

The revision of this document was the result of the work of the Connecticut Administrators of Programs of ELLs (CAPELL) Bilingual Education Committee members and the State Department of Education's Bureau of Accountability and Improvement.

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