

1 AN ACT relating to support systems for English language learners in common
2 schools.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
5 READ AS FOLLOWS:

6 (1) As used in this section:

7 (a) "Enhanced support program" means a dedicated program with the express
8 purpose of and targeted approaches toward assisting qualified English
9 learners to reach grade-level proficiency within three (3) years of
10 enrollment in a qualified local district;

11 (b) "Qualified English learner" means a limited English proficiency student,
12 as provided in KRS 158.6455, who has been identified by the local school
13 district as having limited or interrupted formal education prior to the
14 student's enrollment at the local district; and

15 (c) "Qualified local district" means a local school district which provides an
16 enhanced support program to qualified English learners.

17 (2) The English learner enhanced support program is hereby established to provide
18 qualified English learners with targeted, results-based educational support and
19 teaching to improve grade-level proficiency. The program shall:

20 (a) Operate under the oversight of the department;

21 (b) Identify eligible schools or districts with heightened populations of students
22 with limited English proficiency for the program and select schools or
23 districts for participation in the program based upon available funds;

24 (c) Require local districts to seek out and utilize available federal funds prior to
25 being designated a qualified local district and being eligible for program
26 funds;

27 (d) Have a process for seeking waiver of necessary regulations to implement the

1 program, including but not limited to permitting certified teachers to teach
2 qualified English learners in courses outside their certification area where
3 appropriate based on the academic performance level of the qualified
4 English learner;

5 (e) Provide enrolled qualified English learners with access to a structured
6 support system and innovative approaches offering educational services
7 that:

8 1. Provide teachers that can deliver personalized instruction matching
9 the student's academic performance level;

10 2. Offer a holistic and culturally responsive program with respect to the
11 specific cohort of enrolled students;

12 3. Implement systems to guide enrolled students with academic level
13 placement, promotion, and individualized goal setting; and

14 4. Achieve measurable academic growth for enrolled students based on
15 existing assessment mechanisms; and

16 (f) Designate qualified local districts who have otherwise met the criteria in
17 paragraph (c) of this subsection.

18 (3) The department shall select a provider to implement the program under the
19 department's oversight. In evaluating provider applicants, the department shall
20 require an applicant provider to have:

21 (a) At least three (3) years of experience in implementing similar services;

22 (b) Demonstrated success in providing structured support systems and
23 innovative approaches towards offering educational services for students
24 with limited English proficiency who have limited or interrupted formal
25 education; and

26 (c) Capabilities to:

27 1. Partner with qualified local school districts to serve qualified English

- 1 learners;
- 2 2. Communicate with parents and other education professionals involved
- 3 in the program;
- 4 3. Update the curriculum and support services, as needed;
- 5 4. Collect necessary enrollment data of qualified English learners within
- 6 each qualified local district;
- 7 5. Collect necessary data to track progress towards grade level
- 8 proficiency;
- 9 6. Produce reports for parents, qualified local districts, schools, and the
- 10 department; and
- 11 7. Comply with state and federal education laws.

12 (4) The selected provider shall:

- 13 (a) Develop a recruitment plan to solicit qualified English learners for
- 14 enrollment in the enhanced support program in qualified local districts;
- 15 (b) Implement the program in compliance with subsection (3) of this section;
- 16 (c) Provide administrative and technical support to qualified local districts,
- 17 students, families, and any other involved education professionals for the
- 18 implementation of the enhanced support program;
- 19 (d) Seek the advice and expertise of local stakeholders, such as public and
- 20 private education professionals, the department, local school board
- 21 members, teachers, and parents, on the implementation of the program in
- 22 areas such as:
- 23 1. Soliciting qualified English learners to participate in the enhanced
- 24 support program in qualified local districts;
- 25 2. Providing holistic support services for qualified English learners and
- 26 education professionals in qualified local districts; and
- 27 3. Motivating enrolled students and their families to persist with the

- 1 enhanced support program for at least three (3) years; and
- 2 (e) At the conclusion of each school year, report any data required by the
- 3 department to conduct an evaluation of the program's effectiveness in
- 4 attaining its purpose.
- 5 (5) Subject to subsection (6) of this section, by December 1, 2026, the department
- 6 shall submit a report to the Legislative Research Commission for referral to the
- 7 Interim Joint Committee on Education, that contains the following:
- 8 (a) The extent to which the program is accomplishing its objective of improving
- 9 grade-level proficiency among qualified English learners;
- 10 (b) The number of qualified English learners:
- 11 1. Enrolled in the program; and
- 12 2. Not enrolled in the program where the program has been made
- 13 available at a school in a qualified local district.
- 14 (c) The number of private and public educational entities the provider has
- 15 partnered with during the program, by qualified local district;
- 16 (d) The innovative techniques that have been implemented through the
- 17 program;
- 18 (e) Obstacles encountered with enrollment, implementation, or achieving
- 19 successful outcomes from the program; and
- 20 (f) Student performance on any assessments conducted by school districts or
- 21 public charter schools that measure student progress toward achieving
- 22 grade-level proficiency, including comparisons between qualified English
- 23 learners within the program, qualified English learners not enrolled in the
- 24 program, students with limited English proficiency, and the general student
- 25 population.
- 26 (6) The department shall implement this section to the extent that funds are
- 27 available.

- 1 (7) The department shall promulgate administrative regulations pursuant to KRS
2 Chapter 13A as may be needed in the creation of standards for and the
3 administration of this section.