

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.