

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 administrative regulations as*

1 necessary to implement the program, including but not limited to permitting
2 certified teachers to teach qualified English learners in courses outside
3 their certification area where appropriate based on the academic
4 performance level of the qualified 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 appropriate 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 in accordance with
2 KRS Chapter 13A as may be needed in the creation of standards for and the
3 administration of this section.