

State Requirements for Bilingual Education Programs

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Issue

Provide a summary of Connecticut's bilingual education law for public schools.

Summary

Under state law, whenever there are 20 or more students in any public school who are classified as dominant in any one language other than English and not sufficiently proficient in English, that school district must provide them with bilingual education. Generally, students can be in bilingual education for 30 months (three school years), but the law also allows districts to ask for an extension of an additional 30 months ([CGS § 10-17f\(b & d\)](#)).

The law defines bilingual education as instruction in both English and the student's native language with a continuously increasing use of English and the goal of reaching English proficiency.

The law lays out several other steps related to bilingual education programs. For example, once the student has been identified as being eligible for bilingual education, the district must hold a meeting with a student's parents or guardian to inform them of the bilingual education option and offer them the choice of entering their child in the program. The law also includes (1) a state grant for school districts to help support bilingual education programs, (2) reporting requirements for districts, (3) a program evaluation from the State Board of Education (SBE), and (4) program staffing requirements. Further, it also required SBE to issue related regulations.

Bilingual Education Defined

The law defines bilingual education as a program that (1) provides instruction in both English and the students' native language, (2) enables students to achieve English proficiency and academic mastery of subject matter content and higher order skills, including critical thinking, so as to meet grade promotion and graduation requirements; and (3) provides for the continuous increase in the use of English and a corresponding decrease in the use of the native language, including using English for more than half of the instruction by the end of the first year. The definition also provides that districts may (1) develop the students' native language skills and (2) include English-proficient students if the program is designed to enable all enrolled students to become more proficient in English and the other language (i.e., dual language program) ([CGS § 10-17e](#)).

Eligibility and Parent Meeting

School districts must annually determine if any students are eligible for bilingual education and classify each such student by his or her dominant language ([CGS § 10-17f\(a\)](#)). To be eligible, a student must have a dominant language other than English and not be sufficiently proficient in English to assure equal educational opportunity in the regular school program ([CGS § 10-17e](#)). When there are 20 or more such students at a school with the same non-English dominant language, the district must provide bilingual education (starting in the next school year) ([CGS § 10-17f\(b\)](#)).

Once a student is determined to be eligible, the district must hold a meeting with the student's parents or guardians to explain the benefits of the language program options in the school district, including English-language immersion and any native-language accommodations available for the state's mastery tests. The parent (or guardian) can choose whether to place the student in bilingual education and if they decide to, the district must place the student in bilingual education. The parents may bring an interpreter or an advisor to the meeting ([CGS § 10-17f\(e\)](#)).

State regulations require that all oral communication with the student's parents or guardians be conducted in their dominant language and all written communication be in English and the dominant language ([Conn. Agencies Regs. § 10-17h-13](#)).

Determining a Student's Dominant Language

State regulations detail how a school district should make a preliminary determination of a student's dominant language. For those in grades kindergarten to grade three, the district must use either personal contacts with, or questionnaires in English and the presumed dominant language to be filled out by, people the child lives with who are fluent in the presumed dominant language. As

an alternative to these methods, for students in grades four through 12, a district may interview the student.

If the district is unable to make the preliminary assessment using one of these methods, it may use the student's school records as a basis instead ([Conn. Agencies Regs. § 10-17h-3](#)).

Each school district must use the following three criteria to determine the dominant language of each child:

1. the language the child learned to speak first;
2. the primary language spoken by the child's parents, guardians, or other persons where the child lives; and
3. the primary language the child speaks at home.

The child's dominant language must meet at least two of these criteria ([Conn. Agencies Regs. § 10-17h-3](#)).

Assessment, Additional Services, and Program Duration

Each school district with a bilingual program must annually assess the linguistic and academic progress of each student in the program using an SBE-developed English mastery standard ([CGS § 10-17f\(c\)](#)).

If the assessment indicates a student is not making sufficient progress toward meeting the state standard, the district must provide language support services in consultation with the student's parents or guardian. The services may include, among other things, summer school, after-school programming, or tutoring. If the assessment shows the student has met the standard, the student must leave the program.

Generally, students are in bilingual education for 30 months, but the law also allows an extension of an additional 30 months in some circumstances. Summer school and any two-way language programs do not count toward this 30-month limit.

A student may be granted up to an additional 30 months if (1) the school district requests an extension from the State Department of Education (SDE) or (2) SDE makes a determination that an extension is necessary ([CGS § 10-17f\(d\)](#)). By law, SDE was required, in consultation with certain stakeholders, to develop standards for determining whether an extension should be granted ([CGS § 10-17k](#)).

When a student does not meet the English mastery standard at the end of 30 months, or at the end of an additional 30 month extension, the school district must provide language transition and academic support services, such as English as a second language, sheltered English, or English-immersion programs.

If an eligible student enrolls in a secondary school when the student has fewer than 30 months remaining before graduation, the school district must assign the student to an English-as-a-second-language program and may provide intensive services to enable the student to meet graduation requirements and speak, write, and comprehend English by graduation ([CGS § 10-17f\(d\)](#)).

Each district that provides bilingual education must also investigate the feasibility of establishing a two-way language program that begins in kindergarten ([CGS § 10-17f\(i\)](#)).

Bilingual State Grants, District Progress Reports, and State Program Evaluation

Each district with a bilingual education program is entitled to a state grant to support the program. The grant amount is based on the district's percentage of the statewide bilingual population. The state grant amount is \$1.9 million and each participating district gets a proportionate share. Each district receiving the grant must annually submit a progress report to SBE that includes items spelled out in statute. The required items include:

1. measures of increased educational opportunities for eligible students, including language support services;
2. program evaluation and measures of effectiveness of their bilingual education and English-as-a-second-language programs, including data on students in each type of program (the measures can include state mastery test scores, graduation rates, and dropout rates); and
3. local board of education certification that the grant funds have been used only for the purposes specified in the law.

SBE must annually evaluate the local bilingual programs ([CGS § 10-17g](#), as amended by [PA 21-2](#), June Special Session, § 366).

First-Time Plan

In situations where a district is preparing for the first time to have a bilingual education program, it must submit a plan detailing the program to SDE for review ([CGS § 10-17f\(h\)](#)).

Staffing

The law requires SBE to issue regulations establishing requirements for bilingual education programs, including that all bilingual education teachers must hold the proper teacher certification ([CGS § 10-17f\(g\)](#)). But another statutory provision allows districts that are unable to hire a sufficient number of certified bilingual teachers to apply to the education commissioner for permission to use teachers who hold an English-as-a-second-language certification to fill the need. The commissioner may grant the request for good cause ([CGS § 10-17j](#)). There is frequently a shortage of certified bilingual teachers. They have been on SDE's teacher shortage area [list](#) for at least the last five years.

The bilingual education law defines English as a second language as a program that uses only English as the instructional language and enables students to achieve English proficiency and academic mastery of subject matter content and higher order skills, including critical thinking, so as to meet grade promotion and graduation requirements ([CGS § 10-17e](#)).

Regulations

The SBE regulations required by the law provide additional requirements and guidance, including the following:

1. final determination of dominant language ([Conn. Agencies Regs., § 10-17h-4](#)),
2. determining English language proficiency ([Conn. Agencies Reg., § 10-17h-5](#)),
3. additional characteristics of bilingual programs ([Conn. Agencies Reg., § 10-17h-11](#)), and
4. parents' right to review and to a hearing ([Conn. Agencies Reg., § 10-17h-14](#)).

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