

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 3062  
**Version:** As introduced

**DATE:** March 13, 2014

**Authors:** Mariani and others

**Subject:** English learners' language development and academic needs

**Analyst:** Lisa Larson

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd/](http://www.house.mn/hrd/).

---

### Overview

Recognizes the native and English language development and academic needs of diverse English learners, from young children to adults.

#### Section

- 1 Early childhood literacy programs.** (a) Requires Head Start literacy program providers to: use a culturally relevant integrated approach to early literacy; and provide oral and written information to parents of English learners to enable them to monitor the program's impact on their children, know whether their children are progressing in developing their English proficiency and, where practicable their native language proficiency, and engage with their children in developing that language proficiency.  
  
(b) Requires Head Start literacy programs to collect and use literacy data to monitor the progress and provide reading instruction appropriate to the specific needs of English learners.
- 2 School district process for reviewing curriculum, instruction, and student achievement; striving for the world's best workforce.**
  - Subd. 1. Definitions.** (a) Amends the definition of "instruction" to include providing English learners with appropriate, full, and effective access to regular classroom instruction in core curriculum.  
  
(c) Amends the definition of "world's best workforce" to include ensuring that all English learners have the appropriate English learner instruction and content area support to achieve academic and oral academic language proficiency in English and are taught the same state and local academic standards as native English speakers.

## Section

(d) Defines “cultural competence,” “cultural competency,” or “culturally competent” to mean the ability and will to interact effectively with people of different cultures, native languages, and socioeconomic backgrounds.

**Subd. 1a. Performance measures.** (a) Amends the measures to determine district and site progress in striving to create the world’s best workforce to include the size of the gap in students’ access to rigorous coursework and enrichment experiences and the English language development and academic and oral academic progress of English learners and their native language development if the native language is used as a language of instruction.

(b) Requires schools to ensure that formative and summative assessments administered to English learners are accessible and the students have the modifications and supports they need to sufficiently understand the assessments.

**Subd. 2. Adopting plans and budgets.** Requires a school district’s long-term strategic plan to include strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners.

**Subd. 3. District advisory committee.** Directs the district advisory committee to: provide translation to the extent appropriate and practicable; and pursue community support to accelerate the academic and native literacy and achievement of English learners with varied needs, from young children to adults.

**Subd. 4. Site team.** Allows a school to establish a site team to develop and implement practices and strategies to improve cultural competencies, including cultural awareness and cross-cultural communication at the school.

**Subd. 5. Report.** Directs a school board to hold an annual public meeting to review and revise strategies and practices for improving curriculum and instruction and cultural responsiveness, including cultural awareness and cross-cultural communication.

**Subd. 7. Periodic report.** Directs school districts to periodically survey affected constituencies in their native language where appropriate.

**Subd. 9. Annual evaluation.** (b) Directs the education commissioner to identify those school districts in any consecutive three-year period not making sufficient progress toward improving teaching and learning for all students, including English learners with varied needs.

**3 Regional centers of excellence.** (a) Directs the regional centers to assist districts and schools with: supporting culturally responsive teaching and learning aligning the development of academic English proficiency, state and local academic standards, and career and college readiness benchmarks; engaging parents, families, youth, and the community in programs and activities that foster collaboration and shared accountability for the achievement of all students; and translating district forms and other information such as a multi-lingual glossary

## **Section**

of commonly used education terms. Directs centers to work with site leadership teams to provide effective and differentiated programs and instruction for different types of English learners, including English learners with limited or interrupted formal schooling and long-term English learners.

### **4 Reading proficiently no later than the end of third grade.**

**Subd. 1. Literacy goal.** Defines the legislature's literacy goal as having every child read at or above grade level no later than the end of grade 3, including English learners.

**Subd. 2. Identification; report.** Requires reading assessments in English and, where practicable in the predominant native languages of district students, to identify and evaluate students' areas of academic need related to literacy. Requires school districts to monitor the progress and provide reading instruction appropriate to the specific needs of English learners. Directs school districts to use a locally adopted, developmentally appropriate, and culturally responsive assessment.

**Subd. 2a. Parent notification and involvement.** Requires schools annually to give parents of children not reading at grade level timely information about strategies the parents may use at home to help their children succeed in becoming proficient in reading in English and in their native language.

**Subd. 3. Intervention.** Makes technical changes. Adds programs that strengthen students' cultural connections to the list of suggested intervention methods.

**Subd. 4. Staff development.** Directs school districts to use data to provide staff development opportunities for elementary teachers to: provide reading and oral language instruction that meets students' developmental, linguistic, and literacy needs, including writing; maximize the oral language and linguistic strengths of English learners in their native language in order to cultivate the students' English language development, including oral academic language, and build academic literacy; provide training in culturally responsive pedagogy that enables students to master content, develop skills to access content; and build relationships.

**Subd. 4a. Local literacy plan.** Directs school districts to adopt a local literacy plan to have every child reading at or above grade level by the end of grade 3, including English learners.

### **5 Planning for students' successful transition to postsecondary education and employment; involuntary career tracking prohibited.** (a) Requires student plans to be designed to help students and their families identify collaborative partnerships of pre-kindergarten through grade 12 schools, postsecondary institutions, economic development agencies, and employers. Requires student plans to be premised on developing 21<sup>st</sup> century skills including creativity, communication, and critical thinking.

(c) Requires educators to possess the knowledge and skills to effectively teach all English learners in their classroom. Requires school districts to provide appropriate curriculum,

## Section

targeted materials, professional development opportunities for educators, and sufficient resources to enable English learners to become career and college ready.

- 6 State growth target; other state measures.** (a) Adds experts in culturally responsive teaching to the group of assessment and evaluation experts consulting with the commissioner on the state's educational assessment system.

(f) Directs the commissioner, in consultation with experts in assessing the language proficiency and academic performance of English learners, to identify and report appropriate and effective measures to improve current categories of language difficulty and assessments, monitor and report data on students' English proficiency levels, program placement, and academic language development, including oral academic language.

- 7 School performance reports.** Adds the acquisition of English and, where practicable, native language academic literacy, including oral academic language, and the academic progress of English learners to the list of school performance measures the education commissioner and school districts must publicly report.

- 8 Comprehensive, scientifically based reading instruction.** (a) Requires reading instruction to include interventions so that students can read, comprehend text, write, and apply higher level thinking skills. For English learners developing literacy skills, encourages school districts to use strategies that teach reading and writing in students' native language and English at the same time.

- 9 License and rules.** (g) Requires all teacher candidates to be prepared in English language development and content instruction for English learners in order to be able to effectively instruct English learners in their classroom. Directs the board of teaching to recognize the importance of cultural and linguistic competencies, including the ability to teach and communicate in culturally competent and aware ways.

(i) Directs the board of teaching to require licensed teachers who are renewing their continuing license to include in their renewal requirements further preparation in English language development and specially designed content instruction in English for English learners.

Makes this section effective August 1, 2015, and applicable to individuals entering a teacher preparation program after that date.

- 10 Preparation programs.** Requires school administrator preparation programs to include instruction on meeting the varied needs of English learners, from young children to adults, in English and, where practicable, in students' native language.

Makes this section effective August 1, 2015, and applicable to individuals entering a school administrator program after that date.

- 11 Rules for continuing education requirements.** Requires continuing education programs for school administrators to provide information and training about building coherent and effective English learners strategies that include relevant professional development,

## Section

accountability for student progress, students' access to the general education curriculum, and sufficient staff capacity to effect these strategies.

Makes this section effective August 1, 2015, and applicable to school administrators renewing their administrator's license after that date.

- 12 Teacher and support personnel qualifications.** (d) Requires teacher candidates to demonstrate the knowledge and skills needed to provide appropriate instruction to English learners to support and accelerate their academic literacy, including oral academic language, and achievement in content areas in the regular classroom.

Makes this section effective August 1, 2015, and applicable to individuals entering a teacher preparation program after that date.

- 13 Reading strategies.** Requires teacher candidates to be instructed in using students' native languages as a resource in creating effective differentiated instructional strategies for English learners developing literacy skills.

Makes this section effective August 1, 2015, and applicable to individuals entering a teacher preparation program after that date.

- 14 Expiration and renewal.** Requires licensed teachers, as a condition of renewing their teaching license, to demonstrate professional reflection and growth in best teaching practices including, among other things, practices in meeting the varied needs of English learners, from young children to adults.

Makes this section effective August 1, 2015, and applicable to licensed teachers renewing their teaching license after that date.

- 15 Bilingual and English as a second language teachers; licenses.**

**Subd. 1. Bilingual and English as a second language licenses.** Makes the study and training requirements for bilingual and English as a second language licensure applicants consistent with subdivision 4.

**Subd. 2. Persons holding general teaching licenses.** Makes technical changes

**Subd. 3. Employment of teachers.** Repeals this subdivision prohibiting teachers employed in a bilingual education or English as a second language program from being employed to replace any presently employed teacher who otherwise would not be replaced.

**Subd. 4. Teacher preparation programs.** Requires teacher preparation programs to provide instruction in implementing research-based practices designed specifically for English learners. Requires programs to focus on developing English learners' academic language proficiency in English, including oral academic language, giving English learners meaningful access to the full school curriculum, developing culturally relevant teaching practices appropriate for immigrant students, and providing more intensive instruction and resources to English learners with lower levels of academic

## Section

English proficiency and varied needs.

**Subd. 6. Affirmative efforts in hiring.** In hiring for bilingual education program positions, directs districts to give preference to native speakers who share a native language with the majority of their students.

Makes subdivision 3 effective immediately. Makes subdivision 4 effective August 1, 2015, and applicable to individuals entering a teacher preparation program after that date.

- 16 Development, evaluation, and peer coaching for continuing contract teachers. (b)** Requires teachers' annual evaluation process to include longitudinal data on the academic literacy, including oral academic language, and achievement of content areas of English learners.
- 17 Development, evaluation, and peer coaching for continuing contract teachers. (b)** Requires teachers' annual evaluation process to include longitudinal data on the academic literacy, including oral academic language, and achievement of content areas of English learners.
- 18 Plan components.** Requires the Q-Comp educational improvement plan to: include assessment and evaluation tools to measure student performance and progress, including the academic literacy, oral academic language, and achievement of English learners, among other measures; and be based on national and state standards of effective teaching practice applicable to all students including English learners with varied needs.
- Makes this section applicable to educational improvement plans approved after August 1, 2014.
- 19 Alternative teacher professional pay system.** Requires the Q-Comp alternative teacher professional pay system agreement to use measures of student achievement including the academic literacy, oral academic language, and achievement of English learners, among other measures, to evaluate teachers' performance and calculate any compensation increases.
- Makes this section applicable to alternative teacher professional pay system agreements approved after August 1, 2014.
- 20 Effective staff development activities. (a)** Requires staff development activities to provide teachers of English learners, including English as a second language and content teachers, with differentiated instructional strategies needed to ensure students' long-term academic success, the means to effectively use assessment data on academic literacy, oral academic language, English language development of English learners, and skills to support native and English language development across the curriculum.
- 21 Contents of plans.** Requires a staff development plan to address issues related to teaching English learners and students with special needs by focusing on long-term systemic efforts to improve educational services and opportunities and raise student achievement.

## Section

- 22 Staff development outcomes.** Requires staff development activities to use research-based best practices, meet the needs of a diverse student population including English learners, and provide an inclusive curriculum for a linguistically diverse student population.
- 23 Program components.** Requires a school district's teacher residency program to include differentiated instructional strategies, effective use of student achievement data, and support for native and English language development across curriculum and grades, among other things.
- 24 Principals' leadership institute.** Requires the principals' leadership institute to provide professional development to school principals by providing training to analyze data using culturally competent tools.
- 25 People to be served.** Requires state-approved alternative program centers, when serving English learners and their families, to take into account the variations in students' backgrounds and needs and the amount of time and the staff resources needed for students to overcome gaps in their education and to develop English proficiency and work-related skills.
- 26 Achievement contract.** Allows site-based achievement contracts to include site-based strategies for English language instruction targeting teachers of English learners and all teachers and school administrators.
- 27 Duties; evaluation.** Makes principals responsible for supporting and improving teaching practices, school performance, and student achievement for diverse student populations, including at-risk students, children with disabilities, English learners, and gifted students, among others.
- 28 Program requirements.** Encourages early childhood family education (ECFE) programs to provide parents of English learners with translated oral and written information to monitor the program's impact on their children's English language development, to know whether their children are progressing in developing their English and native language proficiency, and to actively engage with and support their children in developing their English and native language proficiency. Requires ECFE programs to include learning experiences that promote children's early literacy and, where practicable, their native language skills.
- 29 Program requirements.** Requires school readiness program providers to: assess children's language skills to improve program planning and implementation, communicate with parents, and promote kindergarten readiness; and have teachers knowledgeable in native and English language development programs.
- 30 Local education and employment transitions systems.** Requires a local education and employment transitions systems plan to: increase instruction in English language proficiency; provide staff training in methods of instruction that incorporate English language proficiency; identify current and emerging native and English language development needs of the area or region; and make continuing to work with learners who need English language development part of the program warranty.

## Section

### **31 Adult basic education.**

**Subd. 1. Program requirements.** (a) Requires an adult basic education program to offer English language instruction.

(e) Requires an adult basic education program to include measures of student progress toward work-based competency and, where appropriate, English language proficiency requirements established by the commissioner and posted on the department Web site in a readily accessible location and format.

**Subd. 2. Program approval.** (a) Requires the education commissioner to approve an adult basic education program based on how English language proficiency will be met.

(b) Requires the education commissioner to approve an adult basic education program for up to five years that demonstrates capacity to: offer learning opportunities and support the service choices of adults at all basic skill and English language levels of need; and address the needs adults have for English language learning support services.

**Subd. 3. Accounts; revenue; aid.** Makes technical changes.

**Subd. 5. Basic service level.** Requires the basic service level for a program to describe minimum levels of academic and English language instruction and support services provided at each site.

**Subd. 7. Performance tracking system.** Requires the tracking system for an adult basic education program to collect data on core outcomes for learners, including English learners.

**Subd. Standard high school diploma for adults.** (b) Requires individuals participating in an adult basic education program of instruction, where appropriate, to demonstrate English language proficiency.

**32 Adult basic education supplemental service grants.** Allows the commissioner to make supplemental adult basic education service grants for initiatives to accelerate English language acquisition and the achievement of career and college ready skills among English learners.

**33 English learner.** (a) Defines an English learner as a pupil who is determined to lack the necessary English skills to fully participate in academic classes taught in English based on a valid assessment measuring the pupil's English language proficiency and by developmentally appropriate measures.

(b) Declares that a pupil enrolled in any grade 4 through 12 who in the previous school year took a commissioner-provided assessment measuring the pupil's emerging academic English shall be counted as an English learner in calculating English learner pupil units and generate English learner aid if the pupil scored below the state cut-off score or is otherwise counted as



## **Section**

a nonproficient participant on the assessment measuring the pupil's emerging academic English and, in the judgment of the pupil's classroom teachers, the pupil is unable to demonstrate academic language proficiency in English, including oral academic language, sufficient to successfully and fully participate in the general core curriculum in the regular classroom.

### **34 Parental involvement programs.**

**Subd. 1. Program goals.** Requires parental involvement programs to help parents recognize and meet the native and English language development needs of their children. Makes technical changes.

**Subd. 2. Plan contents.** Requires model parental involvement program plans to include procedures for coordinating the program with the World's Best Work Force.

**Subd. 3. Plan activities.** Requires activities included in a model parental involvement program plan to include: engaging liaison workers to foster linguistic and culturally competent communications; and multilingual programs and opportunities for parents. Makes technical changes.

### **35 Parent and family involvement policy.** (a) Encourages local school boards to adopt and implement a parent and family involvement policy that promotes and supports oral and written communication in families' native language and welcomes parents in the school using networks that support families' cultural connections.

(c) requires school boards to consider research-based best practices when implementing the parent and family involvement policy.

### **36 Powers and duties; report.** Requires the Statewide Longitudinal Education Data System (SLEDS) to: report educational outcomes for diverse student populations including at-risk students, children with disabilities, English learners, and gifted students, among others, and include formative and summative evaluations based on multiple measures of student progress toward career and college readiness; and evaluate the relationship between education and workforce outcomes, consistent with the section governing education and employment transition partnerships (Minn. Stat., section 124D.49).

### **37 Repealer.** Repeals Minnesota Statutes, section 122A.19, subdivision 3, prohibiting teachers employed in a bilingual education or English as a second language program from being employed to replace any presently employed teacher who otherwise would not be replaced, effective immediately.