

1           A RESOLUTION urging the Kentucky Department of Education to implement  
2 flexibilities permitted by the Every Student Succeeds Act of 2015 to improve the  
3 assessment and accountability system as it applies to recently arrived English learners  
4 and the schools that teach them.

5           WHEREAS, English learners have been among the fastest-growing populations in  
6 our schools over the last several decades; and

7           WHEREAS, English learners bring with them valuable cultural diversity and  
8 provide immense benefits to their communities; and

9           WHEREAS, English learners also present complex challenges in education, as they  
10 may arrive with limited formal education and little to no English proficiency; and

11           WHEREAS, it is anticipated that this student population will continue to grow and  
12 impact schools across the Commonwealth; and

13           WHEREAS, the Every Student Succeeds Act of 2015 attempted to set parameters  
14 for a system to raise achievement for disadvantaged children, including recently arrived  
15 English learners; and

16           WHEREAS, the high-stakes nature of state assessments and accountability systems  
17 combined with the difficulties of ensuring the success of English learners has created an  
18 unsustainable situation that causes undue hardships for recently arrived English learners  
19 and their school systems; and

20           WHEREAS, recently arrived English learners and Kentucky schools deserve a fair  
21 opportunity to work towards English proficiency and content area proficiency in a  
22 manner that is grounded in second language acquisition research and respects their  
23 unique situation that is not addressed by current state accountability systems; and

24           WHEREAS, it has been determined that there are unutilized flexibilities and  
25 modifications available to the Kentucky Department of Education in its implementation  
26 of the assessment and accountability system required by the Every Student Succeeds Act  
27 of 2015 that would demur to the benefit of schools and English learners alike; and

1           WHEREAS, the Kentucky Department of Education has expressed some  
2 willingness to explore and implement different opportunities to improve the situation  
3 faced by this student population and their educators;

4           NOW, THEREFORE,

5 *Be it resolved by the House of Representatives of the General Assembly of the*  
6 *Commonwealth of Kentucky:*

7           ➔Section 1. The House of Representatives respectfully urges the Kentucky  
8 Department of Education to explore and implement flexibilities permitted by the Every  
9 Student Succeeds Act of 2015 to improve the assessment and accountability system as it  
10 applies to recently arrived English learners and the schools that teach them. These  
11 flexibilities include but are not limited to:

12           (1) Permitting inclusion of the results of students who were previously identified  
13 as English learners and have exited English learner status on the statewide reading or  
14 language arts and mathematics assessments in the English learner subgroup for the full  
15 four-year period after achieving English language proficiency, as permitted in 20 U.S.C.  
16 sec. 6311(b)(3)(B);

17           (2) Revising the English learner growth table to reflect and recognize when  
18 English learners meet or exceed expected progress markers grounded in general  
19 principles and research indicating that learning an additional language is more difficult  
20 when students are older and that English learners progress quickly through beginning  
21 proficiency levels and progress slows in the middle and upper proficiency levels; and

22           (3) Any other flexibilities or permitted modifications that would serve to improve  
23 the application of the assessment and accountability to recently arrived English learners  
24 and the schools that teach them.

25           ➔Section 2. The Clerk of the House of Representatives is directed to transmit a  
26 copy of this Resolution to Representative Kevin Jackson; Governor Andy Beshear, State  
27 Capitol, Room 100, Frankfort, Kentucky 40601; and Interim Commissioner of the

- 1 Department of Education, Robin Kinney, 300 Sower Boulevard, Fifth Floor, Frankfort,
- 2 Kentucky, 40601.