

**HOUSE . . . . . No. 3659**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Tom Sannicandro**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Establishing English as a second language classrooms for high school English Learners.

PETITION OF:

NAME:

Tom Sannicandro

DISTRICT/ADDRESS:

7th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 552 OF 2007-2008.]

## The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

### AN ACT ESTABLISHING ENGLISH AS A SECOND LANGUAGE CLASSROOMS FOR HIGH SCHOOL ENGLISH LEARNERS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 2 of chapter 71A, as so appearing, is hereby amended by striking out the second  
2 paragraph and inserting in place thereof the following paragraph:-

3 (b) "English language classroom" means a classroom in which teachers instruct overwhelmingly in English, and in  
4 which such teachers are fluent and literate in English. English language classrooms encompass English language  
5 mainstream classrooms, sheltered English immersion classrooms, and English as a second language classrooms.

6 SECTION 2. Section 2 of chapter 71A, as so appearing, is hereby amended by inserting after the fifth paragraph the  
7 following paragraph:-

8 (f) "English as a second language classroom" means a classroom in which teachers instruct primarily in English and  
9 focus on acquisition of English listening, speaking, reading, and writing skills of English learners. Local schools  
10 shall group by proficiency level English learners within English as a second language classrooms..

11 SECTION 3. Section 3 of chapter 71A, as so appearing, is hereby amended by inserting after the first and only  
12 sentence the following sentence:-

13 Local school committees shall additionally ascertain the proficiency level of English learners in grades nine through  
14 twelve, based on the English as a second language classroom that the English learner attends.

15 SECTION 4. Chapter 71A is hereby amended by striking out section 4, as appearing in the 2006 Official Edition,  
16 and inserting in place thereof the following section: -

17 Section 4. English language education.

18 (a) Subject to the exceptions provided in Section 5 of this chapter, all children in Massachusetts shall be taught  
19 English by being taught in English and local schools shall place all children in English language classrooms. Local  
20 schools may place in the same classroom English learners of different ages but whose degree of English proficiency

21 is similar. Local schools shall be encouraged to mix together in the same classroom English learners from different  
22 native-language groups but with the same degree of English fluency.

23 (b) Local schools shall place English learners in sheltered English immersion classrooms during a temporary  
24 transition period not normally intended to exceed one school year. Kindergarten English learners shall be educated  
25 either in sheltered English immersion classrooms or in English language mainstream classrooms with assistance in  
26 English language acquisition, including, but not limited to, English as a second language.

27 (c) Local schools shall place English learners in grades nine through twelve in English as a second language  
28 classrooms for 3 hours per full school day. Local schools shall place English learners in classrooms according to  
29 their proficiency level. Teachers of English as a second language classrooms must hold an ESL license.

30 (d) Once English learners acquire a good working knowledge of English and are able to do regular school work in  
31 English, local schools shall transfer them to English mainstream classrooms and no longer classify them as English  
32 learners.

33 (e) This section shall not affect foreign language classes for children who already know English, 2-way bilingual  
34 programs, and special education programs for physically and mentally impaired students.