

SENATE No. 2557

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**
—

SENATE, July 24, 2025.

The committee on Education to whom was referred the petition (accompanied by bill, Senate, No. 436) of Pavel M. Payano, Sal N. DiDomenico, Jason M. Lewis, Vanna Howard and others for legislation to affirm and maintain equal access to public education for English learners, report the accompanying bill (Senate, No. 2557).

For the committee,
Jason M. Lewis

SENATE No. 2557

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**In the One Hundred and Ninety-Fourth General Court
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An Act relative to affirming and maintaining equal access to public education for all children.

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. Chapter 69 of the General Laws is hereby amended by inserting after
2 section 37 the following section:-

3 Section 38. Standards for Interpretation and Translation Services

4 The department shall promulgate regulations establishing standards for the provision of
5 interpretation and translation services, including standards for the qualification of interpreters
6 and translators, to limited English proficient parents and legal guardians of all public school
7 students. Such regulations shall include, but not be limited to, the following qualification
8 requirements: (i) bilingualism; (ii) knowledge in both languages of specialized terms or concepts;
9 (iii) training for interpreters and translators; (iv) ethics of interpreting and translating; and (v) the
10 need to maintain confidentiality.

11 Said regulations may authorize the department to waive requirements at the request of a
12 school or district, or a school committee, board, or other appropriate governing body, provided
13 that all waivers shall be in writing and state the reasons for such waivers.

14 SECTION 2. Section 4 of chapter 71A of the General Laws, as appearing in the 2022
15 Official Edition, is hereby amended by inserting after the word “component”, in line 13, the
16 following words:--and shall be designed so that English learners can gain proficiency in English
17 and also acquire grade-level skills, competencies, and knowledge consistent with the academic
18 standards required by section 1D of chapter 69 of the general laws.

19 SECTION 3. Section 5 of said chapter 71A, as so appearing, is hereby amended by
20 adding after the words “explanation of the denial” the following paragraph:-

21 (c) School districts shall not recommend that parents decline all or some services within
22 an English learner program for any reason, including facilitating scheduling of special education
23 services or other scheduling reasons.

24 SECTION 4. Section 3 of chapter 71B of the General Laws, as so appearing, is hereby
25 amended by inserting in the sixth paragraph after the words “emotional development”, in line
26 145, the following sentences:-

27 When conducting an evaluation for a child who is an English learner as defined pursuant
28 to MGL Chapter 71A Section 3, school committees shall consider the English language
29 proficiency of the student. Assessments and other evaluation materials used to evaluate said child
30 shall be provided and administered in the child’s primary language and in the form most likely to
31 yield accurate information on what the child knows and can do academically, developmentally,
32 and functionally, unless it is clearly not feasible to so provide or administer. In order to ensure
33 that the Individualized Education program includes English language and special education
34 services necessary to receive a free and appropriate education, the Individualized Education
35 Program (IEP) team must consider the language needs of a child who is an English learner as

36 those needs relate to the IEP with the participation of 1 or more individuals with the following:
37 (i) requisite knowledge of the student’s language needs; (ii) training and expertise in second
38 language acquisition; and (iii) an understanding of how to differentiate between the student’s
39 limited English proficiency and the student’s disability. To satisfy this participation requirement,
40 such individual(s) may participate in the IEP meeting by either attending the IEP team meeting
41 or by submitting, in writing to IEP team and parent or legal guardian, input into the development
42 of the IEP prior to the meeting.

43 SECTION 5. Said section 3 of said chapter 71B, as so appearing, is hereby further
44 amended by inserting in the ninth paragraph after the word “available”, in line 171, the following
45 sentence:-

46 The department shall promulgate regulations to continue in effect and enforce the
47 provisions of 20 USC sec.1415(k) in effect on January 1, 2025.

48 SECTION 6. Section 5 of chapter 76 of the General Laws, as so appearing, is hereby
49 amended by inserting after the word “national origin” the following words:- , immigration or
50 citizenship status, disability,