

Access to Linguistic Inclusion (HB 2056)

Guidance and Explanation for Schools and Districts

The following document explains *Access to Linguistic Inclusion* (also known as HB 2056), which was passed in the 2021 legislative session. It provides a short overview of the law, explains its impact on specific academic content areas, and concludes with relevant questions and answers.

What is *Access to Linguistic Inclusion*?

Access to Linguistic Inclusion equips Oregon schools and districts with new tools to honor and recognize the achievements of Oregon’s multilingual and multicultural students. At least 160 different languages are spoken by students in Oregon. This law honors the linguistic heritage of Oregon’s students and communities and paves the way for a multilingual educational environment in Oregon’s schools. It also removes structural barriers to high school graduation for students in the process of learning English, and recognizes that content learning can and should occur in multiple languages.

Access to Linguistic Inclusion¹:

- Repeals the statute that mandated nearly all instruction in Oregon be conducted in English. This means that districts may offer courses (in any content area) in languages other than English.
- Expands two definitions.
 - Changes the name “English language arts” to “language arts” and revises the definition to: “includes reading, writing and other communications in any language, including English.”
 - Changes the definition of World Language: “World languages” includes sign language, heritage languages, and languages other than a student’s primary language.
- Expands the opportunities that schools and districts may offer to students, such as course credit options for multilingual students. It does not, however, impose new requirements as to which courses schools must teach or offer.

Bill History

In 2021, the Oregon Legislature passed [Access to Linguistic Inclusion](#), introduced as HB 2056. This law—one of multiple equity bills brought forward during the 2020-21 legislative session—increases the opportunity for, and recognition of, multilingual education in Oregon. *Access to Linguistic Inclusion* enjoyed a broad base of support from K-12 educators, postsecondary educators (including representatives from Oregon’s Public Universities), and community partners.

The legislative history and enrolled text of *Access to Linguistic Inclusion* can be found on the Oregon State Legislature [HB 2056](#) overview page.

Language Arts

Access to Linguistic Inclusion revises the definition of “Language Arts” to include reading, writing and other communications in any language, including English.²

¹ In addition to the changes below, *Access to Linguistic Inclusion* adds a definition for “holocaust and genocide studies.”

² The previous definition reads: “English” includes, but is not limited to, reading and writing.

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Oregon’s English Language Arts and Literacy standards were adopted prior to the passage of *Access to Linguistic Inclusion*; therefore, when evaluating whether Language Arts courses meet Oregon’s adopted English Language Arts and Literacy standards, use the following interpretations:

- Read references to “English” (such as “English grammar” or “standard English usage”) as referring to the language of study in the course.
- Translate geographically or culturally specific markers in the standards to markers appropriate for the language and culture of study in the course.

As a reminder, a district can only award high school Language Arts credit in Oregon if the course covers applicable grade-level content described in Oregon’s adopted [English Language Arts and Literacy standards](#).

World Language

Access to Linguistic Inclusion revises the definition of “World Languages” to include sign language, heritage languages³, and languages other than a student’s primary language.⁴ Under this definition, English may be a World Language for a student if it is not a student’s primary language.

As a reminder, districts in Oregon can only award high school World Language credit for a course if it covers content described in Oregon’s adopted [World Languages standards](#) that is appropriate to the targeted proficiency level of the course.

A student is eligible to receive high school World Language credit from courses identified according to the criteria above if the language and content of the course constitute a “world language” for that student, according to the definition above.

Both the *awarding* and *receiving* criteria above must apply for the district to award World Language credit to a student in a given course.

Course work completed in a student’s heritage language may count for World Language credit; it is not necessary to demonstrate that a student has greater or less proficiency in English than their heritage language. Students for whom English is a World Language (per the definition above), and who complete qualifying coursework in English, may meet eligibility criteria to receive World Language credit.

³ For the purposes of *Access to Linguistic Inclusion*, “heritage language” means a language that has cultural or familial significance to a student, going beyond personal preference. A student’s primary language cannot be a heritage language if it is also the language of the dominant culture in the student’s educational environment (definition adapted from Fishman 1999, [as cited by King and Enns-Kananen](#)).

- **Example:** A student from Bolivia learned Spanish first and English after immigrating to the United States. Spanish is a heritage language for this student.
- **Example:** A student has a cultural or familial connection to the Siuslaw people. Siuslaw is a heritage language for this student, even if the student is a monolingual English speaker.
- **Example:** A student comes from a household that primarily speaks English but studies other languages as a culturally enriching experience. The student’s primary language is English. Since English is also the primary language of the dominant culture in Oregon schools, English is *not* a heritage language for this student.

⁴ The previous definition reads: “World languages” means American Sign Language, and languages other than English.

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Applying *Access to Linguistic Inclusion*

As part of Oregon’s graduation requirements, which predate *Access to Linguistic Inclusion*, each student shall develop an [Education Plan and Profile](#), which includes planning course taking and planning for post-secondary transitions. Schools must consider this Education Plan and Profile when making decisions regarding whether and how *Access to Linguistic Inclusion* might be applied to help individual students meet graduation requirements and attain their post-secondary goals. While the intent of *Access to Linguistic Inclusion* is to remove structural barriers to high school graduation, it is also important that schools support students and families in understanding that the course requirements that post-secondary institutions apply during the admissions process may continue to emphasize course completion in the English language.

For example, some university admissions require four years of “English.” Additionally, students who are found to be insufficiently prepared for university-level English (in terms of language or in terms of academic composition) may be required to take remedial English courses. If the student is considering college-level athletics, they will also want to consider National Collegiate Athletic Association (NCAA) rules to ensure the transcript aligns with the course requirements of NCAA. Therefore, in considering when and where to apply flexibilities available under *Access to Linguistic Inclusion*, districts should take care not to close off opportunities while opening others.

Common Applications

The following list is not exhaustive.

Course	Credit option	Requirements and Notes
Advanced English Language Development	Language Arts	<ul style="list-style-type: none">● Course covers English Language Arts and Literacy standards● Student demonstrates proficiency● Course planning/delivery involves appropriately endorsed teacher(s)● Language Arts credit is awarded <i>instead of</i> elective credit
English Language Development	World Language	<ul style="list-style-type: none">● Course covers World Languages standards● Student demonstrates proficiency● Course planning/delivery involves appropriately endorsed teacher(s)● World Language credit is awarded <i>instead of</i> elective credit
Spanish Literature and Language	Language Arts	<ul style="list-style-type: none">● Course covers English Language Arts and Literacy standards● Student demonstrates proficiency● Course planning/delivery involves appropriately endorsed teacher(s)
Literature Course on an International Transcript	Language Arts	<ul style="list-style-type: none">● Course is an international equivalent to Oregon Language Arts courses

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Remember that the student’s education plan and profile should always be considered when awarding credit through *Access to Linguistic Inclusion*.

Multiple Credit Applications

Interactions between the new definition of Language Arts and the new definition of World Language make it possible for some students to earn two credits for a single course: one in Language Arts, and one in World Language. This is only possible if all **awarding** and **receiving** criteria are met for a particular student in a particular course. The grade level for the two credits may not match (e.g. a 12th grade course may be found to cover English Language Arts standards at the 9th grade level), or a course may only offer partial credit for one of its content areas.

As a reminder, the **awarding** criterion means the course covers applicable, grade-level content as described in Oregon’s adopted academic standards for the content area in question. The **receiving** criterion means the language and the content of the course count as a World Language for the student who will be receiving that credit (and *only* that student; other students receive only the course’s “base” credit).

The table below lists all allowable interactions that would result in earning both a Language Arts and a World Language credit for a single course. All of the situations described below are rare and require careful district review to establish both **awarding** and **receiving** criteria. Any situation not listed in the table below *does not* qualify to award multiple credits under the new definitions in *Access to Linguistic Inclusion*.

Courses eligible for multiple credit	Notes and reminders
English Language Arts	<ul style="list-style-type: none">Only students for whom English is a World Language would receive World Language credit in an English Language Arts course.
Language Arts in a language other than English	<ul style="list-style-type: none">Examples: Spanish Language Arts, Russian Language Arts.This category includes Heritage Language courses of sufficient rigor to award Language Arts credit.
Advanced English Language Development	<ul style="list-style-type: none">Because these courses are offered exclusively to students with English Learner status, English is a World Language for these students.See Question 8 in the Questions and Answers below.
Advanced World Language courses	<ul style="list-style-type: none">A traditional fourth year language course does not cover standards sufficiently to award Language Arts credit. This may be possible in very advanced courses, such as 7+ year programs which begin in middle or elementary school.

International Transcripts

The following factors are recommended for handling international transcripts:

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- Every effort should be made to obtain missing transcripts, working in close collaboration with families.
- Staff who are responsible for transcript evaluation should have appropriate training and professional development.
- Ideally, the same group of trained staff will handle all transcript evaluation, to ensure consistency across schools and years.
- Courses taken outside the United States should be judged solely on their academic merits:
 - Course credit equivalencies and credit transfer should be in the same content area/subject, regardless of the language of instruction.
 - Courses should transfer in, whenever possible, with an equivalent letter grade.
 - Students' levels of English proficiency should have no bearing on how their transcripts are evaluated.
- Districts should have a clear policy and process in place for international transcript evaluation.
- District policy should be reviewed regularly to meet the needs of newly-arrived students.
- Language Arts and World Language courses may appear on transcripts from any country. ELD courses or their equivalents are most likely to appear on transcripts from English speaking countries.

Questions and Answers

- 1. Will schools and districts be required to offer instruction in languages other than English?**
 - a. No. *Access to Linguistic Inclusion* expands the opportunities that schools and districts may offer to students, but it does not impose new instructional requirements.
- 2. Will districts be required to rename or restructure high school courses, course categories, or departments based on this law?**
 - a. No. *Access to Linguistic Inclusion* does not require renaming of courses or course categories. In fact, doing so could in some cases be detrimental to students' post-secondary planning (for example, if the student is applying to a university that requires four years of "English"). See "Applying *Access to Linguistic Inclusion*" above.
 - b. *Access to Linguistic Inclusion* does not require a wholesale removal of the word "English" from school or district course offerings. Because the law increases the range and variety of courses a school or district can offer, however, districts may wish to reexamine some course titles for accuracy and clarity (regarding the principal content of study and credit awarded).
- 3. Will districts need to pursue additional instructional materials adoptions as a result of *Access to Linguistic Inclusion*? For example, does the new law require districts to adopt sets of Spanish Language Arts materials?**
 - a. Districts are not required to offer Language Arts courses in languages other than English as a result of *Access to Linguistic Inclusion*, nor does *Access to Linguistic Inclusion* require adoption of instructional materials in languages other than English.
- 4. Under *Access to Linguistic Inclusion*, is it possible for a student to earn a high school diploma without studying English composition and literature during their high school career?**
 - a. Oregon's adopted English Language Arts and Literacy standards, as well as Oregon's English Language Arts summative assessment, remain in place.
- 5. Under *Access to Linguistic Inclusion*, can two credits be awarded for one course?**

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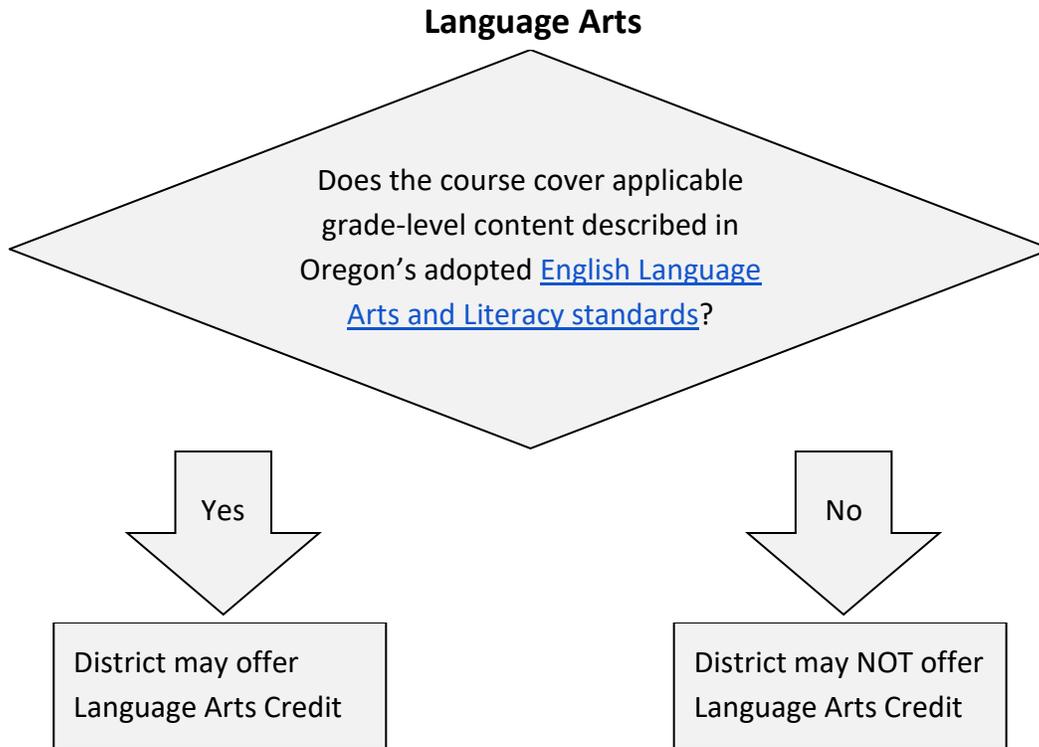
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- a. Due to the interaction of the new definitions for Language Arts and World Language, this is possible in specific circumstances. All such interactions are listed in the “Multiple Credit Applications” section above. Criteria for eligibility both to **award** and to **receive** credit must be met.
- 6. Is *Access to Linguistic Inclusion* retroactive? For example, can credit be awarded for courses that were completed prior to the effective date of the law?**
 - a. *Access to Linguistic Inclusion* is not explicitly retroactive, so it is not necessary for districts to update the historic transcripts for all students who have ever attended the institution. However, it is within the equity focus of the law to award credits for *current* or *recent* students who may benefit from the expanded recognition afforded by the law, even if awarded credits come from courses that were completed prior to the effective date of *Access to Linguistic Inclusion*. (These courses would still need to be eligible to award credit, as described earlier in this guidance.)
- 7. Who decides whether a course meets the expanded definition of Language Arts or World Language?**
 - a. These determinations are made by the district. The course must meet appropriate Language Arts or World Language standards, as described earlier in this communication.
- 8. Under *Access to Linguistic Inclusion*, can districts award English Language Arts credit for English Language Development courses?**
 - a. This is possible. However, be aware that English Language Development (ELD) and Language Arts are different disciplines, with different goals and different academic standards. OAR [581-022-2025](#) explicitly links course credit to content standards. For a course to award Language Arts credit, it must address appropriate grade-level English Language Arts standards.
 - b. When considering whether to award Language Arts credit for completed ELD coursework, consider existing Language Arts courses as a standard of comparison. Is a student who completes a given ELD course receiving the same content and academic preparation as students in a Grade X (9, 10, 11, or 12) Language Arts course? Do they learn the same knowledge and skills? After completing this course, will this student be ready for the reading, writing, research, and compositional demands of the next stage of their education?
- 9. When awarding credit under *Access to Linguistic Inclusion*, what requirements need to be met regarding teacher credentialing and licensure?**
 - a. *Access to Linguistic Inclusion* makes no changes to existing rules about teacher licensure. The following resources relate to teacher licensure and credentialing:
 - i. ODE’s [Teacher Licensure](#) page
 - ii. OAR [584-210-0020](#) Scope and Responsibilities of Teachers of Record
 - iii. OAR [584-210-0160](#) License for Conditional Assignment (Section 2 of this OAR addresses teaching out of field)
 - iv. OAR [584-210-0170](#) Atypical Assignments

Contact Information

Please contact both [Tina Roberts and Ben Wolcott](#) with questions about *Access to Linguistic Inclusion*.

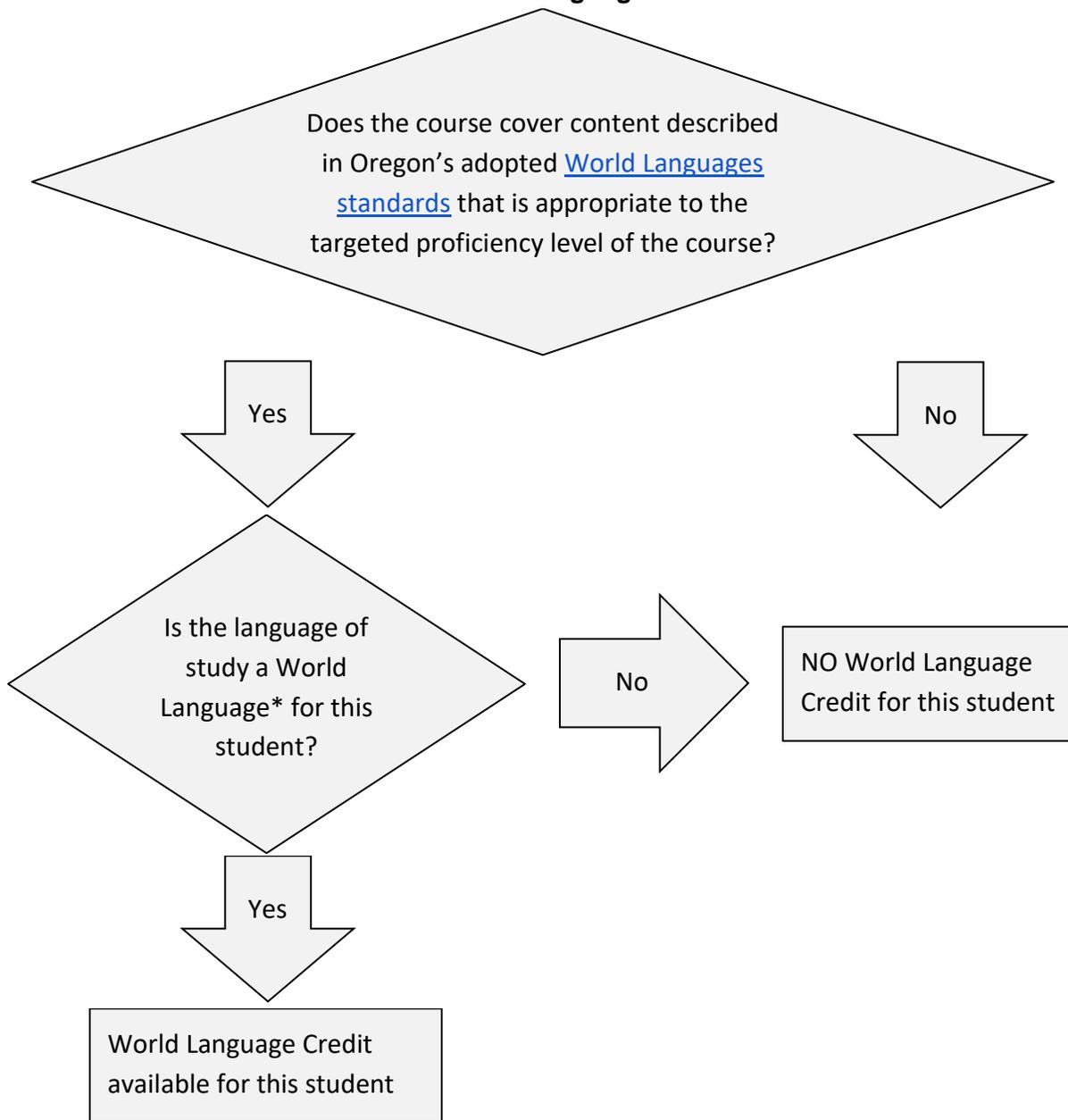
Appendix: Credit Decision Trees



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*Sign language, heritage languages, and languages other than a student's primary language.