

AMENDED IN SENATE JULY 10, 2008

AMENDED IN SENATE JUNE 23, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2214

Introduced by Assembly Member Nakanishi

February 20, 2008

An act to amend Section 48985 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 2214, as amended, Nakanishi. Pupils: notices sent to parents.

Existing law requires that, when 15% or more of the pupils enrolled in a public school speak a single primary language other than English, all notices, reports, statements, or records sent to the parent or guardian of those pupils by the school or school district be written in the primary language, in addition to English, and provides that they may be responded to either in English or the primary language.

This bill would provide that if a parent or guardian requests that the notices, reports, statements, or records be sent to him or her in English only, the school or school district is not required to comply with that request.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 48985 of the Education Code is amended
- 2 to read:

1 48985. (a) (1) If 15 percent or more of the pupils enrolled in
2 a public school that provides instruction in kindergarten or any of
3 grades 1 to 12, inclusive, speak a single primary language other
4 than English, as determined from the census data submitted to the
5 department pursuant to Section 52164 in the preceding year, all
6 notices, reports, statements, or records sent to the parent or
7 guardian of any such pupil by the school or school district, in
8 addition to being written in English, shall be written in the primary
9 language, and may be responded to either in English or the primary
10 language.

11 (2) *The parent or guardian of a pupil may waive the requirement*
12 *in paragraph (1) as it relates to his or her receipt of materials in*
13 *a primary language and request that these materials be sent in*
14 *English.*

15 ~~(2)~~

16 (3) If the parent or guardian of a pupil requests that materials
17 sent to him or her by the school or school district be written in
18 English only *pursuant to paragraph (2)*, the school or school
19 district is not required to comply with that request.

20 (b) Pursuant to subdivision (b) of Section 64001, the department
21 shall monitor adherence to the requirements of subdivision (a) as
22 part of its regular monitoring and review of public schools and
23 school districts, commonly known as the Categorical Program
24 Monitoring process, and shall determine the types of documents
25 and languages a school district translates to a primary language
26 other than English, the availability of these documents to parents
27 or guardians who speak a primary language other than English,
28 and the gaps in translations of these documents.

29 (c) Based on census data submitted to the department pursuant
30 to Section 52164 in the preceding fiscal year, the department shall
31 notify a school district, by August 1 of each year, of the schools
32 within the school district, and the primary language other than
33 English, for which the translation of documents is required pursuant
34 to subdivision (a). The department shall make that notification
35 using electronic methods.

36 (d) The department shall use existing resources to comply with
37 subdivisions (b) and (c).

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