

**ASSEMBLY BILL**

**No. 70**

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**Introduced by Assembly Member Duvall**

December 12, 2008

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An act to add Section 313.5 to the Education Code, relating to English learners.

LEGISLATIVE COUNSEL'S DIGEST

AB 70, as introduced, Duvall. English learners.

Existing law requires a school district that has one or more pupils who are English learners to assess the English language development of each pupil in order to determine the level of English proficiency of the pupil. The State Department of Education, with approval of the State Board of Education, is required to establish procedures for conducting the assessment and for the reclassification of a pupil from English learner to proficient in English. These reclassification procedures are required to use multiple criteria, including the English language development test, teacher evaluation, parental opinion and consultation, and comparison of the performance in basic skills of the pupil against a range of performance in basic skills of English proficient pupils.

This bill would require the department, as part of its duties in administering the English language development test, to gather from each school district that has one or more English learners the criteria that the district uses for the reclassification of a pupil from English learner to proficient in English and to summarize and report the criteria it receives from school districts on the Internet Web site of the department in a manner that makes the criteria easily accessible to members of the public.

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

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

- 1 SECTION 1. Section 313.5 is added to the Education Code,
- 2 to read:
- 3 313.5. (a) As part of its duties in administering the English
- 4 language development test, the department shall gather from each
- 5 school district that has one or more English learners the criteria
- 6 that the district uses for the reclassification of a pupil from English
- 7 learner to proficient in English. The department shall summarize
- 8 and report the criteria it receives from school districts on the
- 9 Internet Web site of the department in a manner that makes the
- 10 criteria easily accessible to members of the public.
- 11 (b) For purposes of this section, “school district” includes a
- 12 county office of education and a charter school.