

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 6, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 124**

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**Introduced by Assembly Member Fuentes  
(Coauthors: Assembly Members Brownley and Solorio)**

January 10, 2011

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An act to amend Section 60811 of, and to add Section 60811.3 to, the Education Code, relating to academic content standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 124, as amended, Fuentes. Academic content standards: English Language Development Standards Advisory Committee.

Existing law requires each school district that has one or more pupils who are English learners to assess the English language development of each of those pupils upon initial enrollment in order to determine the level of proficiency of those pupils, and thereafter to assess each of those pupils annually until the pupil is redesignated as English proficient.

Existing law requires the State Board of Education to approve standards for English language development for pupils whose primary language is a language other than English. Existing law further requires that these standards be comparable in rigor and specificity to the statewide academically rigorous content standards for English language arts.

This bill would make a clarifying change to the provisions relating to the standards for English language development.

This bill would establish a 13-member English Language Development Standards Advisory Committee for the purpose of ensuring

high-quality instruction for English-language learners as the state implements the academic content standards in English language arts. The bill would specify the appointing authorities and qualifications of the members of the advisory committee.

The bill would require the advisory committee to update, revise, and align the English language development standards adopted pursuant to existing law to the state board-approved academic content standards for English language arts. The bill would also require the advisory committee to present its revised and aligned English language development standards to the state board on or before August 31, 2012. The bill would further require the state board to either adopt or reject the standards presented by the advisory committee on or before September 30, 2012.

The bill would require the Superintendent of Public Instruction and the state board to present to the Governor and the appropriate policy and fiscal committees of the Legislature a schedule and implementation plan for integrating the English language development standards adopted pursuant to this bill into the state public education system. *The bill would also express the intent of the Legislature that the State Department of Education use certain federal funds to support the advisory committee's work.*

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 60811 of the Education Code is amended  
2 to read:  
3 60811. The state board shall approve standards for English  
4 language development for pupils whose primary language is a  
5 language other than English. The standards shall be comparable  
6 in rigor and specificity to the standards for English language arts  
7 adopted pursuant to Section 60605 or Section 60605.8.  
8 SEC. 2. Section 60811.3 is added to the Education Code, to  
9 read:  
10 60811.3. (a) The English Language Development Standards  
11 Advisory Committee is hereby established for the purpose of  
12 ensuring high-quality instruction for English-language learners as  
13 the state implements the academic content standards in English

1 language arts adopted pursuant to Section 60605.8. The advisory  
2 committee shall consist of 13 members, to be appointed as follows:

3 (1) Four members appointed by the Governor.

4 (2) Three members appointed by the Senate Committee on  
5 Rules.

6 (3) Three members appointed by the Speaker of the Assembly.

7 (4) Three members appointed by the Superintendent.

8 (b) The members of the advisory committee shall serve at the  
9 pleasure of the appointing authority.

10 (c) At least seven of the members appointed pursuant to  
11 subdivision (a) shall be credentialed public elementary or secondary  
12 classroom teachers possessing authorized certificates for the  
13 instruction of English learners and who have a minimum of three  
14 years of demonstrated experience instructing English learners in  
15 the classroom. At least four of these credentialed teachers shall  
16 represent elementary schools. The remaining members of the  
17 advisory committee shall include representatives who are schoolsite  
18 principals, school district or county office of education  
19 administrators overseeing programs and support for English  
20 learners, personnel of teacher training schools at institutions of  
21 higher education, or curriculum and instructional specialists with  
22 English learner expertise.

23 (d) The advisory committee shall update, revise, and align the  
24 English language development standards adopted pursuant to  
25 Section 60811 to the state board-approved academic content  
26 standards for English language arts adopted pursuant to Section  
27 60605.8. The English language development standards shall be  
28 aligned by grade level, and shall be comparable to, and as rigorous  
29 and specific as, the academic content standards for English  
30 language arts adopted by the state board pursuant to Section  
31 60605.8.

32 (e) Pursuant to the Bagley-Keene Open Meeting Act (Article 9  
33 commencing with Section 11120) of Chapter 1 of Part 1 of  
34 Division 3 of Title 2 of the Government Code), each meeting or  
35 hearing of the advisory committee shall be open and available to  
36 the public.

37 (f) On or before August 31, 2012, the advisory committee shall  
38 present its revised and aligned English language development  
39 standards to the state board.

- 1 (g) On or before September 30, 2012, the state board shall do  
2 either of the following:
- 3 (1) Adopt the English language development standards presented  
4 by the advisory committee.
- 5 (2) Reject the English language development standards presented  
6 by the advisory committee. If the state board rejects the standards  
7 pursuant to this paragraph, the state board shall transmit to the  
8 Superintendent, the Governor, and the appropriate policy and fiscal  
9 committees of the Legislature a specific written explanation of the  
10 reasons why the standards presented by the advisory committee  
11 were rejected.
- 12 (h) The Superintendent and the state board shall present to the  
13 Governor and the appropriate policy and fiscal committees of the  
14 Legislature a schedule and implementation plan for integrating the  
15 English language development standards adopted pursuant to this  
16 section into the state public education system, including, but not  
17 limited to, incorporating the standards into the English language  
18 development test.
- 19 (i) *It is the intent of the Legislature that the department use*  
20 *federal funds received pursuant to Title III of the federal No Child*  
21 *Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) to support*  
22 *the work of the advisory committee.*