

Assembly Bill No. 124

Passed the Assembly September 6, 2011

Chief Clerk of the Assembly

Passed the Senate August 31, 2011

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2011, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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

LEGISLATIVE COUNSEL'S DIGEST

AB 124, Fuentes. Academic content standards: English language development standards.

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 require the Superintendent of Public Instruction, in consultation with the state board, 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 require the Superintendent to convene a group of experts in English language instruction, curriculum, and assessment to assist the Superintendent in updating, revising, and aligning the English language development standards. The bill would also require the Superintendent to present the updated, 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 adopt, reject, or revise the standards presented by the Superintendent on or before September 30, 2012.

The bill would require the Superintendent 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 consider the work of the group of experts when developing any new English language acquisition assessments. The bill would require the department to use certain federal funds to implement these provisions of the bill. The bill would repeal these provisions on July 1, 2013.

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

SECTION 1. Section 60811 of the Education Code is amended to read:

60811. The state board shall approve standards for English language development for pupils whose primary language is a language other than English. The standards shall be comparable in rigor and specificity to the standards for English language arts adopted pursuant to Section 60605.8.

SEC. 2. Section 60811.3 is added to the Education Code, to read:

60811.3. (a) The Superintendent, in consultation with the state board, shall update, revise, and align the English language development standards adopted pursuant to Section 60811 to the state board-approved academic content standards for English language arts adopted pursuant to Section 60605.8. The English language development standards shall be aligned by grade level, and shall be comparable to, and as rigorous and specific as, the academic content standards for English language arts adopted by the state board pursuant to Section 60605.8.

(b) In meeting the requirements of subdivision (a), the Superintendent, in consultation with the state board, shall convene a group of experts in English language instruction, curriculum, and assessment, including individuals who have a minimum of three years of demonstrated experience instructing English learners in the classroom at the elementary or secondary level. The Superintendent shall ensure that members of the group include, but are not limited to, individuals who are schoolsite principals,

school district or county office of education administrators overseeing programs and support for English learners, personnel of teacher training schools at institutions of higher education, or curriculum and instructional specialists with English learner experience.

(c) On or before August 31, 2012, the Superintendent shall present the updated, revised, and aligned English language development standards, based on the work of the group of experts convened pursuant to subdivision (b), to the state board. Before the presentation to the state board, the Superintendent shall hold a minimum of two public meetings pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) in order for the public to provide input regarding the work of the group of experts to update, revise, and align the English language development standards.

(d) On or before September 30, 2012, the state board shall adopt, reject, or revise the English language development standards presented by the Superintendent.

(1) If the state board revises the English language development standards presented by the Superintendent, the state board shall, in a public meeting held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code), provide written reasons for its revisions. The state board shall not adopt the revised English language development standards at the same meeting it provides its written reasons, but, instead, shall adopt these revisions at a subsequent meeting or no later than November 15, 2012.

(2) If the state board rejects the English language development standards presented by the Superintendent pursuant to subdivision (c), the state board shall transmit to the Superintendent, the Governor, and the appropriate policy and fiscal committees of the Legislature a specific written explanation of the reasons why the standards presented by the Superintendent were rejected.

(e) The Superintendent and the state board shall 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 section into the state public education system, including, but not

limited to, incorporating the standards into the English language development test.

(f) It is the intent of the Legislature that the department consider the work of the group of experts convened pursuant to subdivision (b) when developing any new English language acquisition assessments.

(g) The department shall use federal carryover funds received pursuant to Title I of the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) to implement this section.

(h) This section shall remain in effect only until July 1, 2013, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2013, deletes or extends that date.

Approved _____, 2011

Governor