

AMENDED IN ASSEMBLY JUNE 19, 2012

AMENDED IN ASSEMBLY FEBRUARY 21, 2012

AMENDED IN ASSEMBLY JULY 13, 2011

AMENDED IN SENATE APRIL 6, 2011

SENATE BILL

No. 754

Introduced by Senator Padilla

February 18, 2011

~~An act to amend Section 435 of the Education Code, relating to pupils.~~
An act to add Section 54029 to the Education Code, relating to school funding.

LEGISLATIVE COUNSEL'S DIGEST

SB 754, as amended, Padilla. *Pupils: English learners. School funding: economic impact aid.*

Existing law provides economic impact aid funding to school districts based on the number of economically disadvantaged pupils and English learners enrolled in the school district. Existing law requires the Superintendent of Public Instruction to perform specified calculations to determine the amount of economic impact aid a school district receives for a fiscal year and further requires each school district to expend these funds for specified programs and activities.

This bill would require a school district, as a condition upon the receipt of economic impact aid funds, to post online and in an easily accessible location, its economic impact aid budget, as specified. The bill also would require the State Department of Education to determine, by July 1, 2017, whether each school district receiving economic impact aid funds is using proven methods of teaching English learners.

The English Learner and Immigrant Pupil Federal Conformity Act requires a local educational agency to provide instructional services to limited English proficient pupils and immigrant pupils in conformity with specified provisions of federal law. Existing law defines the term “English learner” for purposes of these provisions.

This bill would additionally define the terms “long-term English learner” and “reclassified English proficient” and would declare the intent of the Legislature to enact legislation that would require the State Department of Education to provide information regarding long-term English learners and reclassified English-proficient pupils.

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

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

1 SECTION 1. Section 54029 is added to the Education Code,
2 to read:

3 54029. (a) As a condition upon the receipt of economic impact
4 aid funds, a school district shall post online and in an easily
5 accessible location the economic impact aid budget for the school
6 district and each school within the school district.

7 (b) By July 1, 2017, the department shall determine whether
8 each school district receiving economic impact aid funds is using
9 proven methods of teaching English learners.

10 SECTION 1. Section 435 of the Education Code is amended
11 to read:

12 435. For purposes of this chapter, the following terms have the
13 following meanings:

14 (a) “English learner” or “pupil of limited English proficiency”
15 means a pupil who was not born in the United States or whose
16 native language is a language other than English or who comes
17 from an environment where a language other than English is
18 dominant; and whose difficulties in speaking, reading, writing, or
19 understanding the English language may be sufficient to deny the
20 individual the ability to meet the state’s proficient level of
21 achievement on state assessments, the ability to successfully
22 achieve in classrooms where the language of instruction is English,
23 or the opportunity to participate fully in society.

24 (b) “Federal No Child Left Behind Act of 2001” means Public
25 Law 107-110 (20 U.S.C. See. 6801 et seq.).

1 (e) “Immigrant pupil” means a pupil who was born in a country
2 other than the United States and who has attended a kindergarten
3 class or any of grades 1 to 12, inclusive, in a school in the United
4 States for three or fewer years.

5 (d) “Long-term English learner” means a pupil in any of grades
6 6 to 12, inclusive, who has been an English learner for five or more
7 years.

8 (e) “Reclassified English proficient” means an English learner
9 who has been redesignated as English proficient pursuant to Section
10 313.

11 SEC. 2. It is the intent of the Legislature to enact legislation
12 that would require the State Department of Education to provide
13 information regarding long-term English learners and
14 reclassified English proficient pupils.