

AMENDED IN ASSEMBLY APRIL 25, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 899**

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**Introduced by Assembly Member Weber**

February 22, 2013

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An act to add ~~and repeal Section 60811.3~~ *Section 60811.4* of the Education Code, relating to academic content standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 899, as amended, Weber. English language development standards: English learners: *mathematics: science*.

Existing law requires each school district that has one or more pupils who are English learners and, to the extent required by federal law, each county office of education and each charter school, 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.

Existing law, which is to be repealed on July 1, 2013, requires the Superintendent of Public Instruction, in consultation with the state board, to update, revise, and align the English language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, *as provided*.

~~These provisions 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. These provisions 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. These provisions further require the state board to adopt, reject, or revise the standards presented by the Superintendent on or before September 30, 2012.~~

~~These provisions also 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 the above provisions into the state public education system. These provisions 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. These provisions require the department to use certain federal funds to implement these provisions.~~

~~This bill would reenact the provisions described above that are to be repealed on July 1, 2013.~~

~~The~~

~~This bill would also require the Superintendent, on or before January 1, 2015, to present to the state board the English language development standards aligned to academic content standards for mathematics and literacy in science adopted based on the work of the group of experts referenced above: *recommend modifications to the English language development standards to align with the state board-approved academic content standards for mathematics, and would authorize the Superintendent to recommend modifications to the English language development standards to align with the state board-approved science content standards, for adoption to the state board.* The bill would require the Superintendent *and state board, before the presentation to the state board,* to hold a minimum of 2 public meetings in order for the public to provide input regarding the work of the group of experts to update, revise, and align *any modifications to the English language development standards.*~~

~~The bill would also require the state board, on or before August 1, 2015, to adopt or reject the Superintendent's recommendations for the alignment of the English language development standards with the state~~

board-approved academic content standards for mathematics and literacy in science, as specified.

~~This bill would make these provisions inoperative on July 1, 2016, and would repeal these provisions as of January 1, 2017.~~

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 60811.4 is added to the Education Code,  
2     to read:  
3     60811.4. (a) On or before January 1, 2015, the Superintendent  
4     shall recommend to the state board modifications to the English  
5     language development standards, adopted pursuant to Section  
6     60811, to align with the academic content standards for  
7     mathematics adopted by the state board pursuant to Section  
8     60605.8. If the state board modifies the English language  
9     development standards to align with the academic content  
10    standards for mathematics, it shall explain, in writing, to the  
11    Governor and the Legislature the reasons for the modification.  
12    The Superintendent’s recommendations and the state board’s  
13    actions shall assist schools in the implementation and application  
14    of English language development standards in the mathematics  
15    subject area.  
16    (b) On or before January 1, 2015, the Superintendent may  
17    recommend to the state board modifications to the English  
18    language development standards, adopted pursuant to Section  
19    60811, to align with the science content standards adopted by the  
20    state board pursuant to Section 60605.85. If the state board  
21    modifies the English language development standards to align  
22    with the science content standards, it shall explain, in writing, to  
23    the Governor and the Legislature the reasons for the modification.  
24    The Superintendent’s recommendations and the state board’s  
25    actions shall assist schools in the implementation and application  
26    of English language development standards in the science subject  
27    area.  
28    (c) In carrying out subdivisions (a) and (b), the Superintendent  
29    and the state board shall hold a minimum of two public meetings  
30    pursuant to the Bagley-Keene Open Meeting Act (Article 9  
31    (commencing with Section 11120) of Chapter 1 of Part 1 of

1 *Division 3 of Title 2 of the Government Code) in order for the*  
2 *public to provide input regarding any modifications recommended*  
3 *pursuant to this section.*

4 *(d) On or before August 1, 2015, the state board shall do both*  
5 *of the following:*

6 *(1) Adopt or reject the Superintendent's recommendations for*  
7 *the alignment of the English language development standards*  
8 *adopted pursuant to Section 60811 with the state board-approved*  
9 *academic content standards for mathematics adopted pursuant to*  
10 *Section 60605.8.*

11 *(2) Adopt or reject the Superintendent's recommendations for*  
12 *the alignment of the English language development standards*  
13 *adopted pursuant to Section 60811 with the state board-approved*  
14 *academic content standards for science adopted pursuant to*  
15 *Section 60605.85.*

16 **SECTION 1.** ~~Section 60811.3 is added to the Education Code,~~  
17 ~~to read:~~

18 ~~60811.3.—(a) The Superintendent, in consultation with the state~~  
19 ~~board, shall update, revise, and align the English language~~  
20 ~~development standards adopted pursuant to Section 60811 to the~~  
21 ~~state board-approved academic content standards for English~~  
22 ~~language arts adopted pursuant to Section 60605.8. The English~~  
23 ~~language development standards shall be aligned by grade level,~~  
24 ~~and shall be comparable to, and as rigorous and specific as, the~~  
25 ~~academic content standards for English language arts adopted by~~  
26 ~~the state board pursuant to Section 60605.8.~~

27 ~~(b) In meeting the requirements of subdivision (a), the~~  
28 ~~Superintendent, in consultation with the state board, shall convene~~  
29 ~~a group of experts in English language instruction, curriculum,~~  
30 ~~and assessment, including individuals who have a minimum of~~  
31 ~~three years of demonstrated experience instructing English learners~~  
32 ~~in the classroom at the elementary or secondary level. The~~  
33 ~~Superintendent shall ensure that members of the group include,~~  
34 ~~but are not limited to, individuals who are schoolsite principals,~~  
35 ~~school district or county office of education administrators~~  
36 ~~overseeing programs and support for English learners, personnel~~  
37 ~~of teacher training schools at institutions of higher education, or~~  
38 ~~curriculum and instructional specialists with English learner~~  
39 ~~experience.~~

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

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

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

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

31 ~~(e) On or before January 1, 2015, the Superintendent shall~~  
32 ~~present the English language development standards aligned to~~  
33 ~~academic content standards for mathematics and literacy in science~~  
34 ~~adopted pursuant to Section 60605.8, based on the work of the~~  
35 ~~group of experts convened pursuant to subdivision (b), to the state~~  
36 ~~board. Before the presentation to the state board, the Superintendent~~  
37 ~~shall hold a minimum of two public meetings pursuant to the~~  
38 ~~Bagley-Keene Open Meeting Act (Article 9 (commencing with~~  
39 ~~Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of~~  
40 ~~the Government Code) in order for the public to provide input~~

- 1 regarding the work of the group of experts to update, revise, and  
2 align the English language development standards.
- 3 ~~(f) On or before August 1, 2015, the state board shall adopt or~~  
4 ~~reject the Superintendent’s recommendations for the alignment of~~  
5 ~~the English language development standards adopted pursuant to~~  
6 ~~Section 60811 with the state board-approved academic content~~  
7 ~~standards for mathematics and literacy in science adopted pursuant~~  
8 ~~to Section 60605.8.~~
- 9 ~~(g) The Superintendent and the state board shall present to the~~  
10 ~~Governor and the appropriate policy and fiscal committees of the~~  
11 ~~Legislature a schedule and implementation plan for integrating the~~  
12 ~~English language development standards adopted pursuant to this~~  
13 ~~section into the state public education system, including, but not~~  
14 ~~limited to, incorporating the standards into the English language~~  
15 ~~development test.~~
- 16 ~~(h) It is the intent of the Legislature that the department consider~~  
17 ~~the work of the group of experts convened pursuant to subdivision~~  
18 ~~(b) when developing any new English language proficiency~~  
19 ~~assessments.~~
- 20 ~~(i) The department shall use federal carryover funds received~~  
21 ~~pursuant to Title I of the federal No Child Left Behind Act of 2001~~  
22 ~~(20 U.S.C. Sec. 6301 et seq.) to implement this section.~~
- 23 ~~(j) This section shall become inoperative on July 1, 2016, and,~~  
24 ~~as of January 1, 2017, is repealed, unless a later enacted statute,~~  
25 ~~that becomes operative on or before January 1, 2017, deletes or~~  
26 ~~extends the dates on which it becomes inoperative and is repealed.~~