

AMENDED IN SENATE MAY 8, 2013
AMENDED IN SENATE APRIL 17, 2013

SENATE BILL

No. 344

Introduced by Senator Padilla

February 20, 2013

An act to amend Section 52852 of, and to add Section 41976.3 to, the Education Code, relating to English learners.

LEGISLATIVE COUNSEL'S DIGEST

SB 344, as amended, Padilla. English learners: supplemental funding: school district master plans.

(1) Existing law, an initiative measure, requires that all children in public schools, with certain exceptions, be taught English by being taught in English, requires that all children be placed in English language classrooms, and requires that children who are English learners be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year.

Existing federal law, the Limited English Proficient Student Program, provides supplemental funding to state educational agencies to provide grants to eligible local educational agencies for English learners.

This bill, commencing with the 2014–15 fiscal year, would require, as a condition for receiving supplemental funds for English learners under the Limited English Proficient Student Program, a school district that applies to the State Department of Education for these funds to adopt a master plan for how those supplemental funds will be spent. The bill would require the master plan to cover expenditures of these supplemental funds by the school district and at each affected school within the district. The bill would specify the information to be included in the master plans. The bill would require school districts, in developing

or renewing master plans under the bill, to seek input from teachers, principals, administrators, English learner advisory committees, schoolsite councils, and parents, both districtwide and from each school.

The bill, commencing with the 2014–15 school year, would require schools and school districts receiving supplemental funding from the Limited English Proficient Student Program to establish advisory committees, with prescribed membership, to which proposed master plans would be submitted for review and approval.

(2) Existing law, the School-Based Program Coordination Act, among other things, implements legislative intent to provide flexibility for schools and school districts to coordinate the categorical funds they receive. The act requires that a schoolsite council be established at each school that participates in school-based program coordination.

This bill, commencing with the 2014–15 school year, would require a school that is required to establish a schoolsite council, and that receives supplemental funds for English learners under the Limited English Proficient Student Program, to include parents and teachers of English learners on its schoolsite council.

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 41976.3 is added to the Education Code,
2 to read:
3 41976.3. (a) Commencing with the 2014–15 fiscal year, as a
4 condition for receiving supplemental funds for English learners,
5 *including, but not limited to, economic impact aid pursuant to*
6 *Article 2 (commencing with Section 54020) of Chapter 1 of Part*
7 *29 of Division 4,* under the Limited English Proficient Student
8 Program, a school district that applies to the department for these
9 funds shall adopt a master plan for how those supplemental funds
10 will be spent. The master plan shall cover expenditures from these
11 supplemental funds by the school district at each affected school
12 within the district. The master plan shall include, but not
13 necessarily be limited to, all of the following:
14 (1) A requirement that the information described in Section
15 54029 be posted on the school district’s Internet Web site.

- 1 (2) A listing of the services provided for English learners and
2 for a program of compensatory education within the meaning of
3 ~~Section 54403~~, *learners*, categorized by proficiency level.
- 4 (3) A listing of the instructional materials provided for English
5 learners and for a program of compensatory education within the
6 ~~meaning of Section 54403~~, *learners*, categorized by proficiency
7 level.
- 8 (4) ~~Names, positions,~~ *Positions*, credentials, and authorizations
9 for each member of the school district or schoolsite staff assigned
10 to English learners or to programs of compensatory education
11 ~~within the meaning of Section 54403~~. *learners*.
- 12 (5) A professional development plan for school district and
13 schoolsite staff, including principals, administrators, teachers, and
14 volunteers.
- 15 (6) A description of how the school district and each school
16 within the school district will engage and involve parents in the
17 education of English learner pupils.
- 18 (7) A calendar for the release of pupil data. The release of pupil
19 data shall allow parents to make informed decisions in a timely
20 manner.
- 21 (8) A plan for the monitoring of reclassified English learners
22 and long-term English learners.
- 23 (9) ~~Benchmarks for progress for English learners and state~~
24 ~~compensatory education~~. *learners*.
- 25 (10) A plan for the collection and publication of relevant data
26 relating to English learners and state compensatory education.
27 *learners*.
- 28 (b) A master plan developed and adopted under this section
29 shall be renewed annually. In developing or renewing its master
30 plan under this section, a school district shall seek input from
31 teachers, principals, administrators, English learner advisory
32 committees, schoolsite councils, and parents, both districtwide and
33 from each school.
- 34 (c) A master plan developed and adopted under this section
35 shall be easily available to, and accessible by, the public.
- 36 (d) Commencing with the 2014–15 school year:
- 37 (1) Each school that receives supplemental funds for English
38 learners under the Limited English Proficient Student Program
39 shall establish a school English learner advisory committee

1 composed of parents of English learners, English learner pupils,
2 and staff working on English learner education.

3 (2) Each school district that receives supplemental funds for
4 English learners under the Limited English Proficient Student
5 Program shall establish a district English learner advisory
6 committee composed of members from the school English learner
7 advisory committees established under paragraph (1).

8 (e) Each school's contribution to the master plan shall be
9 submitted to, and reviewed and approved by, the school English
10 learner advisory committee established under paragraph (1) of
11 subdivision (d). A proposed school district master plan shall be
12 submitted to, and reviewed and approved by, the district English
13 learner advisory committee established under paragraph (2) of
14 subdivision (d).

15 SEC. 2. Section 52852 of the Education Code is amended to
16 read:

17 52852. (a) A schoolsite council shall be established at each
18 school that participates in school-based program coordination. The
19 council shall be composed of the principal and representatives of:
20 teachers selected by teachers at the school; other school personnel
21 selected by other school personnel at the school; parents of pupils
22 attending the school selected by such parents; and, in secondary
23 schools, pupils selected by pupils attending the school.
24 Commencing with the 2014–15 school year, a school to which this
25 section applies that receives supplemental funds for English
26 learners, *including, but not limited to, economic impact aid*
27 *pursuant to Article 2 (commencing with Section 54020) of Chapter*
28 *1 of Part 29*, under the Limited English Proficient Student Program
29 shall include parents and teachers of English learners on its
30 schoolsite council.

31 (b) (1) At the elementary level, the council shall be constituted
32 to ensure parity between (A) the principal, classroom teachers,
33 and other school personnel; and (B) parents or other community
34 members selected by parents.

35 (2) At the secondary level the council shall be constituted to
36 ensure parity between (A) the principal, classroom teachers, and
37 other school personnel; and (B) equal numbers of parents, or other
38 community members selected by parents, and pupils.

39 (3) At both the elementary and secondary levels, classroom
40 teachers shall comprise the majority of persons represented under

1 subparagraph (A) of paragraph (1) and subparagraph (A) of
2 paragraph (2).

3 (c) Existing schoolwide advisory groups or school support
4 groups may be utilized as the schoolsite council if those groups
5 conform to this section.

6 (d) The Superintendent shall provide several examples of
7 selection and replacement procedures that may be considered by
8 schoolsite councils.

9 (e) An employee of a school who is also a parent or guardian
10 of a pupil who attends a school other than the school of the parent's
11 or guardian's employment is not disqualified by virtue of this
12 employment from serving as a parent representative on the
13 schoolsite council established for the school that his or her child
14 or ward attends.

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