

AMENDED IN SENATE MAY 24, 2013

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. *The bill would also require a school district that receives this supplemental funding to post certain contact information on its Internet Web site, as specified.*

(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~~

1 ~~necessarily be limited to~~, *include the requirements specified in*
2 *subdivision (b) of Section 443 and all of the following:*

3 (1) A requirement that the information described in Section
4 54029 be posted on the school district's Internet Web site.

5 ~~(2) A listing of the services provided for English learners,~~
6 ~~categorized by proficiency level.~~

7 ~~(3)~~

8 (2) A listing of the instructional materials provided for English
9 learners, categorized by proficiency level.

10 ~~(4) Positions, credentials, and authorizations for each member~~
11 ~~of the school district or schoolsite staff assigned to English 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 (3) *A description of how teacher induction programs and*
19 *professional development programs will assist in meeting the*
20 *annual measurable achievement objectives specified in paragraph*
21 (7).

22 ~~(7)~~

23 (4) A calendar for the release of pupil data. The release of pupil
24 data shall allow parents to make informed decisions in a timely
25 manner.

26 ~~(8) A plan for~~

27 (5) *A description of the monitoring of reclassified English*
28 *learners and long-term English learners.*

29 ~~(9) Benchmarks for progress for English learners.~~

30 ~~(10) A plan for the collection and publication of relevant data~~
31 ~~relating to English learners.~~

32 (6) *The process and criteria for reclassification.*

33 (7) *Annual measurable achievement objectives, including, but*
34 *not limited to:*

35 (A) *Academic Performance Index.*

36 (B) *High school graduation rate.*

37 (C) *Access to classes necessary for college admission.*

38 (D) *Academic content standards.*

39 (8) *A description of how the school district will meet the annual*
40 *measurable achievement objectives specified in paragraph (7).*

1 (9) *The collection and publishing of relevant data relating to*
2 *English learners. The data shall be disaggregated by “English*
3 *learner,” “long-term English learner,” “English learner at risk*
4 *of becoming a long-term English learner,” and “reclassified*
5 *English learner” status.*

6 (b) A master plan developed and adopted under this section
7 shall be renewed ~~annually~~ *every three years*. In developing or
8 renewing its master plan under this section, a school district shall
9 seek input from teachers, principals, administrators, English learner
10 advisory committees, schoolsite councils, and parents, both
11 districtwide and from each school.

12 (c) A master plan developed and adopted under this section
13 shall be easily available to, and accessible by, the public.

14 (d) Commencing with the 2014–15 school year:

15 (1) Each school that receives supplemental funds for English
16 learners under the Limited English Proficient Student Program
17 shall establish a school English learner advisory committee
18 composed of parents of English learners, English learner pupils,
19 and staff working on English learner education.

20 (2) Each school district that receives supplemental funds for
21 English learners under the Limited English Proficient Student
22 Program shall establish a district English learner advisory
23 committee composed of members from the school English learner
24 advisory committees established under paragraph (1).

25 (e) Each school’s contribution to the master plan shall be
26 submitted to, and reviewed and approved by, the school English
27 learner advisory committee established under paragraph (1) of
28 subdivision (d). A proposed school district master plan shall be
29 submitted to, and reviewed and approved by, the district English
30 learner advisory committee established under paragraph (2) of
31 subdivision (d).

32 (f) *A school district that receives supplemental funds for English*
33 *learners under the Limited English Proficient Student Program*
34 *shall post the contact information for its English learner program*
35 *staff in an easily accessible location on its Internet Web site.*

36 SEC. 2. Section 52852 of the Education Code is amended to
37 read:

38 52852. (a) A schoolsite council shall be established at each
39 school that participates in school-based program coordination. The
40 council shall be composed of the principal and representatives of:

1 teachers selected by teachers at the school; other school personnel
2 selected by other school personnel at the school; parents of pupils
3 attending the school selected by such parents; and, in secondary
4 schools, pupils selected by pupils attending the school.
5 Commencing with the 2014–15 school year, a school to which this
6 section applies that receives supplemental funds for English
7 learners, including, but not limited to, economic impact aid
8 pursuant to Article 2 (commencing with Section 54020) of Chapter
9 1 of Part 29, under the Limited English Proficient Student Program
10 shall include parents and teachers of English learners on its
11 schoolsite council.

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

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

20 (3) At both the elementary and secondary levels, classroom
21 teachers shall comprise the majority of persons represented under
22 subparagraph (A) of paragraph (1) and subparagraph (A) of
23 paragraph (2).

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

27 (d) The Superintendent shall provide several examples of
28 selection and replacement procedures that may be considered by
29 schoolsite councils.

30 (e) An employee of a school who is also a parent or guardian
31 of a pupil who attends a school other than the school of the parent's
32 or guardian's employment is not disqualified by virtue of this
33 employment from serving as a parent representative on the
34 schoolsite council established for the school that his or her child
35 or ward attends.