

ASSEMBLY BILL

No. 491

Introduced by Assembly Member Gonzalez

February 23, 2015

An act to amend Section 313.5 of the Education Code, relating to English learners.

LEGISLATIVE COUNSEL'S DIGEST

AB 491, as introduced, Gonzalez. English learners: proficiency assessment: report.

Existing law required the State Department of Education, by January 1, 2014, to review and analyze the criteria, policies, and practices that a sampling of school districts that represent the geographic, socioeconomic, and demographic diversity of school districts in the state use to reclassify English learners and recommend to the Legislature and State Board of Education any guideline, regulatory, or statutory changes that the department determines are necessary to identify when English learners are prepared for the successful transition to classrooms and curricula that require English proficiency. Existing law required the department to issue, by January 1, 2014, a report that includes specified findings, research, analysis, recommendations, and best practices.

This bill would make nonsubstantive changes to these provisions.

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

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

SECTION 1. Section 313.5 of the Education Code is amended to read:

313.5. (a) By January 1, 2014, the department shall review and analyze the criteria, policies, and practices that a sampling of school districts that represent the geographic, socioeconomic, and demographic diversity of school districts in the state use to reclassify English learners, and recommend to the Legislature and state board any guideline, regulatory, or statutory changes that the department determines are necessary to identify when English learners are prepared for the successful transition to classrooms and curricula that require English proficiency.

(b) For purposes of completing the review and analysis required pursuant to subdivision (a), the department shall consult with parents of English learners, experts with demonstrated experience in developing and administering assessments for English learners, classroom or resource teachers, or both, school district administrators with expertise in curriculum, instruction, assessment, and accountability, and researchers possessing expertise in the education of English learners.

(c) The group of experts described in subdivision (b) shall develop a study design that may include a sampling methodology for purposes of selecting the school districts that will be part of the review and analysis to identify best practices pursuant to subdivision (a).

(d) For purposes of completing the review and analysis required pursuant to subdivision (a), the department shall examine and report on the following:

(1) The practices and standards used by a sampling of school districts that represent the geographic, socioeconomic, and demographic diversity of school districts in the state to meet the four reclassification criteria specified in subdivision (f) of Section 313.

(2) The extent to which school districts are following the guidelines established by the state board.

(3) The range of reclassification criteria developed by school districts.

(e) As part of the examination required pursuant to subdivision (d), the department shall analyze the following:

1 (1) English language proficiency and academic performance
2 data.

3 (2) The relationship of the reclassification criteria to
4 reclassification rates.

5 (3) The academic performance of pupils after reclassification
6 as English proficient.

7 (4) The relationship of the reclassification criteria to the
8 academic performance of pupils after reclassification.

9 (f) In its report, the department also shall identify any other
10 pupil outcome measures that indicate an English learner is prepared
11 to successfully transition to a classroom and curricula that require
12 English proficiency.

13 (g) By January 1, 2014, the department shall issue a report that
14 includes the department's findings, research, analysis,
15 recommendations, and best practices pursuant to subdivisions (a),
16 (d), ~~(e),~~ (e), and (f).

17 (h) By January 1, 2017, the department shall issue an updated
18 report that reflects any changes in analysis and recommendations
19 as a result of the adoption by the state board of the common core
20 standards pursuant to Section 60605.8 and the English language
21 development standards adopted pursuant to *former* Section ~~60811.3~~
22 *60811.3, as that section read on June 30, 2013.*

23 (i) This section shall be implemented only if state or federal
24 funds are appropriated as necessary to fully fund this purpose or
25 if private funds are made available as necessary to fully fund this
26 purpose.