

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2862**

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**Introduced by Assembly Member O'Donnell**

February 19, 2016

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*An act relating to state educational agencies: to add Chapter 3.5 (commencing with Section 345) to Part 1 of Division 1 of Title 1 of the Education Code, relating to English learners.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2862, as amended, O'Donnell. ~~State educational agencies. English learners: designated English language development.~~

*Existing law requires each school district that has one or more pupils who are English learners, and, to the extent required by federal law, a county office of education and a charter school, to assess the English language development of each of those pupils in order to determine the pupil's level of proficiency. Existing law requires the State Department of Education, with the approval of the State Board of Education, to establish procedures for conducting the assessment and for the reclassification of a pupil from English learner to English proficient.*

*This bill would state that the English Language Arts/English Language Development Framework adopted by the State Board of Education in 2014 requires that English learners at all English proficiency levels and at all ages receive both integrated English language development and specialized attention to their particular language learning needs, otherwise known as designated English language development, as part of their daily curriculum. The bill would define designated English Language development and integrated English language development for purposes of this framework.*

~~Existing law establishes the State Board of Education to consist of 10 members appointed by the Governor with the advice and consent of  $\frac{2}{3}$  of the Senate.~~

~~Existing law establishes the State Department of Education in state government, and vests the department with specified powers and duties relating to the state’s public school system.~~

~~This bill would express the Legislature’s intent to enact legislation that outlines the powers and duties of state educational agencies.~~

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. Chapter 3.5 (commencing with Section 345) is  
2     added to Part 1 of Division 1 of Title 1 of the Education Code, to  
3     read:

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5                                    CHAPTER 3.5. ENGLISH LEARNERS

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7     345. (a) The English Language Arts/English Language  
8     Development Framework adopted by the state board in 2014 states  
9     that English learners at all English proficiency levels and at all  
10    ages require both integrated English language development and  
11    specialized attention to their particular language learning needs,  
12    otherwise known as designated English language development, as  
13    part of their daily curriculum.

14    (b) With respect to the framework referenced above, the  
15    following definitions shall apply:

16    (1) “Designated English language development” means  
17    instruction designed for English learners, according to their level  
18    of English proficiency, to overcome language barriers in a  
19    reasonable amount of time, during a protected time in the regular  
20    school day, in which teachers use the California English Language  
21    Development Standards as the focal standards in ways that build  
22    into and from content instruction in order to develop critical  
23    language English learners’ need for content learning in English.

24    (2) “Integrated English language development” means  
25    instruction in which all teachers with English learners in their  
26    classrooms, regardless of the course content, use the California

1 *English Language Development Standards in tandem with the*  
2 *California state standards.*  
3 ~~SECTION 1. It is the intent of the Legislature to enact~~  
4 ~~legislation that outlines the powers and duties of state educational~~  
5 ~~agencies.~~

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