

**ASSEMBLY BILL**

**No. 1988**

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**Introduced by Assembly Member Davis**

February 23, 2012

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An act to amend Section 435 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 1988, as introduced, Davis. Pupils: English learners.

The English Learner and Immigrant Pupil Federal Conformity Act requires a local educational agency to provide instructional services to limited-English-proficient pupils and immigrant pupils in conformity with specified provisions of federal law. Existing law defines the term “English learner” and other terms for purposes of these provisions.

This bill would make technical, nonsubstantive changes to the definitions provision.

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

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

- 1 SECTION 1. Section 435 of the Education Code is amended
- 2 to read:
- 3 435. For purposes of this chapter, the following terms have the
- 4 following meanings:
- 5 (a) “English learner” or “pupil of limited English proficiency”
- 6 means a pupil who was not born in the United States, whose
- 7 native language is a language other than English, or who comes
- 8 from an environment where a language other than English is
- 9 ~~dominant~~; *dominant*, and whose difficulties in speaking, reading,

- 1 writing, or understanding the English language may be sufficient  
2 to deny the individual the ability to meet the state’s proficient level  
3 of achievement on state assessments, the ability to successfully  
4 achieve in classrooms where the language of instruction is English,  
5 or the opportunity to participate fully in society.  
6 (b) “Federal No Child Left Behind Act of 2001” means Public  
7 Law 107-110 (20 U.S.C. Sec. 6801 et seq.).  
8 ~~(b)~~  
9 (c) “Immigrant pupil” means a pupil who was born in a country  
10 other than the United States and who has attended a kindergarten  
11 class or any of grades 1 to 12, inclusive, in a school in the United  
12 States for three or fewer years.  
13 ~~(e) “Federal No Child Left Behind Act of 2001” means Public~~  
14 ~~Law Number 107-110 (20 U.S.C. Sec. 6801, et seq.).~~