

Introduced by Senator Padilla

February 24, 2012

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

LEGISLATIVE COUNSEL'S DIGEST

SB 1530, as introduced, Padilla. 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" for purposes of these provisions.

This bill would additionally define the terms "long-term English learner" and "reclassified English proficient" and would declare the intent of the Legislature to enact legislation that would require the State Department of Education to provide information regarding long-term English learners and reclassified-English-proficient pupils.

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 or whose
- 7 native language is a language other than English or who comes
- 8 from an environment where a language other than English is

1 dominant; and whose difficulties in speaking, reading, writing, or
2 understanding the English language may be sufficient to deny the
3 individual the ability to meet the state’s proficient level of
4 achievement on state assessments, the ability to successfully
5 achieve in classrooms where the language of instruction is English,
6 or the opportunity to participate fully in society.

7 (b) *“Federal No Child Left Behind Act of 2001” means Public*
8 *Law 107-110 (20 U.S.C. Sec. 6801 et seq.).*

9 ~~(b)~~

10 (c) *“Immigrant pupil” means a pupil who was born in a country*
11 *other than the United States and who has attended a kindergarten*
12 *class or any of grades 1 to 12, inclusive, in a school in the United*
13 *States for three or fewer years.*

14 ~~(e) *“Federal No Child Left Behind Act of 2001” means Public*~~
15 ~~*Law Number 107-110 (20 U.S.C. Sec. 6801, et seq.).*~~

16 (d) *“Long-term English learner” means a pupil in any of grades*
17 *7 to 12, inclusive, who has been an English learner for six years*
18 *or more.*

19 (e) *“Reclassified English proficient” means an English learner*
20 *who has been redesignated as English proficient pursuant to*
21 *Section 313.*

22 SEC. 2. It is the intent of the Legislature to enact legislation
23 that would require the State Department of Education to provide
24 information regarding long-term English learners and
25 reclassified-English-proficient pupils.