

Assembly Bill No. 2193

CHAPTER 427

An act to add Sections 313.1 and 313.2 to the Education Code, relating to English learners.

[Approved by Governor September 21, 2012. Filed with Secretary of State September 21, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2193, Lara. Long-term English learners.

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 define "long-term English learner" and "English learner at risk of becoming a long-term English learner" and would require the department to annually ascertain and provide to school districts and schools the number of pupils in each school district and school, as specified, who are, or are at risk of becoming, long-term English learners.

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

SECTION 1. Section 313.1 is added to the Education Code, to read:

313.1. For purposes of this article, the following terms have the following meanings:

(a) "Long-term English learner" means an English learner who is enrolled in any of grades 6 to 12, inclusive, has been enrolled in schools in the United States for more than six years, has remained at the same English language proficiency level for two or more consecutive years as determined by the English language development test identified or developed pursuant to Section 60810, or any successor test, and scores far below basic or below basic on the English language arts standards-based achievement test administered pursuant to Section 60640, or any successor test.

(b) "English learner at risk of becoming a long-term English learner" means an English learner who is enrolled in any of grades 5 to 11, inclusive, in schools in the United States for four years, scores at the intermediate level or below on the English language development test identified or developed pursuant to Section 60810, or any successor test, and scores in

the fourth year at the below basic or far below basic level on the English language arts standards-based achievement test administered pursuant to Section 60640, or any successor test.

SEC. 2. Section 313.2 is added to the Education Code, to read:

313.2. (a) The department shall annually ascertain the number of pupils in each school district and school, including a school that is within the jurisdiction of a county office of education and a charter school, who are, or are at risk of becoming, long-term English learners, as those terms are defined in Section 313.1.

(b) The department shall annually provide the information described in subdivision (a) to school districts and schools.