START\_STATUTE15-756.01.  State board of education; research‑based models of structured English immersion; alternative English instruction models; English language learners; budget requests; definitions

A.  The state board of education shall adopt and approve research‑based models of structured English immersion for school districts and charter schools to use.  The department of education shall provide adequate staff support for the state board to comply with this article. The models shall take into consideration at least the size of the school, the location of the school, the grade levels at the school, the number of English language learners and the percentage of English language learners.  The state board shall adopt and approve models that include a minimum amount of English language development as follows:

1.  One hundred twenty minutes per day, six hundred minutes per week or three hundred sixty hours per school year for pupils in kindergarten programs and grades one through five.

2.  One hundred minutes per day, five hundred minutes per week or three hundred hours per school year for pupils in grades six through twelve.

B.  The state board of education shall adopt alternative English instruction models pursuant to section 15‑753 that are based on evidence and research.

C.  Pursuant to section 15‑756.02, school districts and charter schools may submit models of structured English immersion and alternative English instruction to the state board of education for approval.

D.  The research‑based models of structured English immersion adopted and approved by the state board of education shall be the most cost‑efficient models that meet all state and federal laws.

E.  The research‑based models of structured English immersion and the alternative English instruction models shall be limited to a regular school year and school day. Instruction outside the regular school year or school day shall be provided with compensatory instruction and may be eligible for funding from the statewide compensatory instruction fund established by section 15‑756.11.

F.  The state board of education shall submit the research‑based models of structured English immersion and the alternative English instruction models to the president of the senate, the speaker of the house of representatives and the governor.  At least thirty days before adoption or approval, the state board shall submit the research‑based models of structured English immersion and the alternative English instruction models to the joint legislative budget committee for review.

G.  The state board of education shall review the research‑based models of structured English immersion and the alternative English instruction models annually and delete from, add to or modify the existing models.  When adopting, approving or modifying English language learner programs, the state board shall review and consider the information and data obtained as a result of the department of education's monitoring of English language learner programs pursuant to section 15‑756.08.

H.  The state board of education shall establish procedures for school districts and charter schools to determine the incremental costs to implement the research‑based models of structured English immersion and the alternative English instruction models that the state board adopts or approves.

I.  The state board of education shall establish a framework to evaluate the models prescribed in this section that are submitted for approval.  The state board shall solicit input from experienced educators. The framework shall ensure that the adopted or approved models meet all of the following criteria:

1.  Provide coherent instruction aligned with this state's English language proficiency standards.

2.  Include oral and written language instruction, including structured opportunities to develop verbal and written skills and comprehension strategies.

3.  Include access to complex language content through grade-level textbooks with appropriate supports.

4.  Include parental engagement strategies.

J.  The state board of education shall establish a form for school districts and charter schools to determine the structured English immersion and alternative English instruction budget request amount. Notwithstanding any other law, the maximum amount of the budget request shall be the incremental costs of the model selected offset by the portion of desegregation monies levied pursuant to section 15‑910 determined by the English language learner population as a percentage of the qualified population and the ELL support level weight prescribed in section 15‑943.

K.  The difference calculated pursuant to subsection J of this section shall be the maximum amount of the structured English immersion and alternative English instruction budget request pursuant to section 15‑756.03 for monies from the Arizona English language learner fund established by section 15‑756.04.

L.  In consultation with the auditor general, the department of education shall develop and adopt forms to be used by school districts and charter schools to submit budget requests for the Arizona English language learner fund, including the form prescribed in subsection J of this section.

M.  This section does not prohibit a pupil who is designated as an English language learner from being concurrently enrolled in a structured English immersion model and an alternative English instruction model.

N.  For the purposes of this section:

1.  "Compensatory instruction" has the same meaning prescribed in section 15‑756.11.

2.  "Incremental costs" means costs that are associated with a structured English immersion program pursuant to section 15‑752 or an alternative English instruction program pursuant to section 15‑753 and that are in addition to the normal costs of conducting programs for English proficient students. Incremental costs do not include costs that replace the same types of services provided to English proficient students or compensatory instruction. END\_STATUTE