



**ARIZONA STATE SENATE**  
*Fifty-First Legislature, First Regular Session*

**AMENDED**  
FACT SHEET FOR H.B. 2425

ELL task force replacement

Purpose

Repeals certain assessments and repeals the Arizona English Language Learners Task Force (ELL Task Force) and transfers its authority, powers, duties and responsibilities to the State Board of Education (SBE).

Background

Arizona Revised Statutes § 15-701.01 requires the SBE to develop and adopt competency tests for the graduation of pupils from high school in at least the areas of reading, writing and mathematics. The SBE is also required to adopt and implement a nationally standardized norm-referenced test (NRT) that measures skills in the subject areas of reading, language arts and mathematics. The NRT is designed to measure student performance of core subject areas compared to students in the same grade in other states (A.R.S. § 15-741).

In 1992, parents of children enrolled in the Nogales Unified School District filed a lawsuit against the state in federal court (*Flores v. State of Arizona*), alleging civil rights violations of Limited English Proficient students due to a lack of adequate language acquisition, academic instructional programs and funding for at-risk students. Plaintiffs argued this failure was a violation of the federal Equal Educational Opportunities Act. The case went to trial in August 1999 and the court ruled in favor of the plaintiffs in January 2000. In response to the judgment, ELL students are now identified through language proficiency assessments and placed in Structured English Immersion (SEI) classes until proficiency is reached and the student is reclassified. ELL students are assessed annually for proficiency.

Laws 2006, Chapter 4, established a nine-member ELL Task Force to develop and adopt research based SEI models for use by school districts and charter schools. The ELL Task Force also identifies the minimum amount of English language development per day for all models and establishes a process for school districts and charter schools to request incremental funding for SEI model implementation. School districts and charter schools may use an alternate SEI model if they receive approval from the ELL Task Force.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Repeals a requirement that the SBE develop and adopt competency tests for the graduation of pupils from high school.
2. Repeals the mandate that the Board adopt and implement the NRT.
3. Requires ELLs to be subject to the SBE's assessment policies.
4. Repeals the ELL Task Force.
5. Requires the SBE to succeed to the authority, powers, duties and responsibilities of the ELL Task Force.
6. Requires ADE to provide adequate staff support for the SBE to comply with the succession of ELL Task Force duties.
7. Specifies that the succession of the ELL Task Force does not alter the effect of any actions taken or impair the valid obligations of the ELL Task Force in existence prior to succession.
8. Requires the previous administrative actions of the ELL Task Force to continue in effect until superseded by the SBE's administrative actions.
9. Requires all administrative matters, contracts and judicial and quasi-judicial actions of the ELL Task Force to be transferred to and retain the same status with the SBE.
10. Requires all indicia of qualification and authority that were issued by the ELL Task Force to retain their validity for the duration of their terms.
11. Transfers all equipment, records, furnishings and other property, all data and investigative findings and all appropriated monies remaining unexpended and unencumbered of ADE with respect to the ELL Task Force to the SBE.
12. Makes technical and conforming changes.
13. Becomes effective on the general effective date, retroactive to January 1, 2013.

Amendments Adopted by Committee of the Whole

- Repeals high stakes testing for high school graduation and the NRT, and requires ELLs to be subject to the SBE's assessment policies.

FACT SHEET - Amended

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House Action

ED	2/11/13	DP	9-0-0-0
3 <sup>rd</sup> Read	2/25/13		60-0-0-0

Senate Action

ED	3/07/13	DP	8-0-1-0
3 <sup>rd</sup> Read	3/21/13		29-0-1-0

Prepared by Senate Research

March 25, 2013

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