

House Engrossed

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

HOUSE BILL 2281

AN ACT

AMENDING SECTION 15-756.01, ARIZONA REVISED STATUTES; RELATING TO ENGLISH LANGUAGE EDUCATION FOR CHILDREN IN PUBLIC SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-756.01, Arizona Revised Statutes, is amended
3 to read:

4 15-756.01. State board of education; research-based models of
5 structured English immersion for English
6 language learners; budget requests; definitions

7 A. The state board of education shall either use ~~research-based~~
8 RESEARCH-BASED models of structured English immersion programs that were
9 previously developed and adopted by the English language learners task
10 force or develop and adopt new ~~research-based~~ RESEARCH-BASED models of
11 structured English immersion programs for use by school districts and
12 charter schools. The department of education shall provide adequate staff
13 support for the state board of education to comply with this article. The
14 models shall take into consideration at least the size of the school, the
15 location of the school, the grade levels at the school, the number of
16 English language learners and the percentage of English language learners.
17 The models shall be limited to programs for English language learners to
18 participate in a structured English immersion program not normally
19 intended to exceed one year. The state board of education shall identify
20 the minimum amount of English language development per day for all models.
21 The state board of education shall develop separate models for the first
22 year in which a pupil is classified as an English language learner that
23 include a minimum of four hours per day of English language development.
24 THE FOUR-HOUR REQUIREMENT DOES NOT APPLY TO AN ENGLISH LANGUAGE LEARNER
25 WHO IS ENROLLED IN A DUAL LANGUAGE PROGRAM AT THE SCHOOL WHERE THE ENGLISH
26 LANGUAGE LEARNER IS ENROLLED.

27 B. The ~~research-based~~ RESEARCH-BASED models of structured English
28 immersion adopted by the state board of education shall be the most
29 cost-efficient models that meet all state and federal laws.

30 C. The ~~research-based~~ RESEARCH-BASED models of structured English
31 immersion shall be limited to a regular school year and school day.
32 Instruction outside the regular school year or school day shall be
33 provided with compensatory instruction and may be eligible for funding
34 from the statewide compensatory instruction fund established by section
35 15-756.11.

36 D. The ~~research-based~~ RESEARCH-BASED models of structured English
37 immersion shall be submitted by the state board of education to the
38 president of the senate, the speaker of the house of representatives, ~~AND~~
39 the governor ~~and the state board of education~~. At least thirty days
40 before adoption, the state board of education shall submit the ~~research~~
41 ~~based~~ RESEARCH-BASED models of structured English immersion to the joint
42 legislative budget committee for review.

1 E. The state board of education shall review ~~research-based~~
2 RESEARCH-BASED models of structured English immersion annually and delete
3 from, add to or modify the existing models. When adopting or modifying
4 English language learner programs, the state board of education shall
5 review and consider the information and data obtained as a result of the
6 department of education's monitoring of English language learner programs
7 pursuant to section 15-756.08.

8 F. The state board of education shall establish procedures for
9 school districts and charter schools to determine the incremental costs
10 for implementation of the ~~research-based~~ RESEARCH-BASED models of
11 structured English immersion developed by the state board of education.

12 G. The state board of education shall establish a form for school
13 districts and charter schools to determine the structured English
14 immersion budget request amount. Notwithstanding any other law, the
15 maximum amount of the budget request shall be the incremental costs of the
16 model selected offset by the following monies:

17 1. All federal title III monies and any other federal monies
18 designated solely for the educational needs of English language learners.

19 2. The portion of title I and title IIA monies determined by the
20 English language learner population as a percentage of the qualified
21 population.

22 3. The portion of impact aid monies determined by the English
23 language learner population as a percentage of the qualified population.
24 A school district or charter school shall only apply unexpended impact aid
25 monies to English language learner programs after it has applied its
26 impact aid monies for other allowable uses as permitted by state law.

27 4. The portion of desegregation monies levied pursuant to section
28 15-910 determined by the English language learner population as a
29 percentage of the qualified population.

30 5. The ELL support level weight prescribed in section 15-943.

31 H. The difference calculated pursuant to subsection G of this
32 section shall be the maximum amount of the structured English immersion
33 budget request pursuant to section 15-756.03 for monies from the Arizona
34 structured English immersion fund established by section 15-756.04.
35 School districts and charter schools shall not include the incremental
36 costs of any pupil who is classified as an English language learner after
37 July 1, 2007 and who has been classified as an English language learner
38 for more than two years in the calculation of the school district's or
39 charter school's structured English immersion budget request.

40 I. In consultation with the auditor general, the department of
41 education shall develop and adopt forms to be used by school districts and
42 charter schools to submit budget requests for the Arizona structured
43 English immersion fund, including the form prescribed in subsection G of
44 this section.

1 J. For the purposes of this section:

2 1. "Compensatory instruction" has the same meaning prescribed in
3 section 15-756.11.

4 2. "Incremental costs" means costs that are associated with a
5 structured English immersion program pursuant to section 15-752 or a
6 program pursuant to section 15-753 and that are in addition to the normal
7 costs of conducting programs for English proficient students. Incremental
8 costs do not include costs that replace the same types of services
9 provided to English proficient students or compensatory instruction.