

REFERENCE TITLE: ELL programs; alternative models

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SB 1297

Introduced by
Senator Lopez: Representative Bradley

AN ACT

AMENDING SECTION 15-756.01, ARIZONA REVISED STATUTES; RELATING TO ENGLISH LANGUAGE EDUCATION.

(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 to
3 read:

4 15-756.01. Arizona English language learners task force;
5 research based models of structured English
6 immersion for English language learners; budget
7 requests; definitions

8 A. The Arizona English language learners task force is established in
9 the department of education. The task force shall consist of:

10 1. Three members WHO ARE appointed by the superintendent of public
11 instruction.

12 2. Two members who are appointed by the governor.

13 3. Two members who are appointed by the president of the senate.

14 4. Two members who are appointed by the speaker of the house of
15 representatives.

16 B. Members of the task force shall serve four year terms. Members of
17 the task force shall elect a chairperson from among the members of the task
18 force. The department of education shall provide adequate staff support for
19 the task force.

20 C. ~~By September 1, 2006,~~ The task force shall develop and adopt
21 research based models of structured English immersion programs for use by
22 school districts and charter schools. The models shall take into
23 consideration at least the size of the school, the location of the school,
24 the grade levels at the school, the number of English language learners and
25 the percentage of English language learners. The models shall be limited to
26 programs for English language learners to participate in a structured English
27 immersion program not normally intended to exceed one year. The task force
28 shall identify the minimum amount of English language development per day for
29 all models. The task force shall develop separate models for the first year
30 in which a pupil is classified as an English language learner that ~~includes~~
31 ~~INCLUDE~~ a minimum of four hours per day of English language development.

32 D. The research based models of structured English immersion adopted
33 by the task force shall be the most cost-efficient models that meet all state
34 and federal laws.

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

40 F. The research based models of structured English immersion shall be
41 submitted by the task force to the president of the senate, the speaker of
42 the house of representatives, the governor and the state board of
43 education. At least thirty days before adoption, the task force shall submit
44 the research based models of structured English immersion to the joint
45 legislative budget committee for review.

1 G. The task force shall review research based models of structured
2 English immersion annually and delete FROM, add TO or modify the existing
3 models. When adopting or modifying English language learner programs, the
4 task force shall review and consider the information and data obtained as a
5 result of the department of education's monitoring of English language
6 learner programs pursuant to section 15-756.08.

7 H. The task force shall establish procedures for school districts and
8 charter schools to determine the incremental costs for implementation of the
9 research based models of structured English immersion developed by the task
10 force.

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

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

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

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

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

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

30 J. The difference calculated pursuant to subsection I of this section
31 shall be the maximum amount of the structured English immersion budget
32 request pursuant to section 15-756.03 for monies from the Arizona structured
33 English immersion fund established by section 15-756.04. Beginning July 15,
34 2008, school districts and charter schools shall not include the incremental
35 costs of any pupil who is classified as an English language learner after
36 July 1, 2007 and who has been classified as an English language learner for
37 more than two years in the calculation of the school district's or charter
38 school's structured English immersion budget request.

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

1 L. NOTWITHSTANDING SUBSECTION C OF THIS SECTION, THE TASK FORCE MAY
2 CONSIDER AND APPROVE ALTERNATIVE MODELS OF ENGLISH LANGUAGE LEARNER PROGRAMS
3 THAT ARE RECOMMENDED BY THE DEPARTMENT AND THAT ARE DEVELOPED IN
4 COLLABORATION WITH ONE OR MORE SCHOOL DISTRICTS.

5 ~~L.~~ M. For the purposes of this section:

6 1. "Compensatory instruction" has the same meaning prescribed in
7 section 15-756.11.

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