
Education Committee

HB 2616

Brief Description: Expanding the definition of eligible pupil for purposes of the transitional bilingual instruction program.

Sponsors: Representatives Santos, Harris, Ortiz-Self, Hudgins and Pollet.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Expands the definition of an "eligible pupil" for the purposes of the transitional bilingual instruction program.

Hearing Date: 1/23/18

Staff: Katie Choate (786-7296) and Ethan Moreno (786-7386).

Background:

Federal Requirements for Language Instruction for English Learners and Immigrant Students.

The federal Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act of 2015, is the federal policy and funding assistance framework for the nation's public education system. The purposes of Title III of the ESEA are to help ensure that English learners attain English proficiency and develop high levels of academic achievement in English, and to assist with the implementation of effective English language instruction educational programs, among other things.

Under the ESEA, "English learner" (EL) means an individual:

1. who is age 3 through 21;
2. who is enrolled or preparing to enroll in an elementary school or secondary school; and
3. who either:
 - was not born in the United States or whose native language is a language other than English;

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- is a Native American or Alaska Native, or a native resident of the outlying areas, and who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
 - is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
4. whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual:
- the ability to meet the challenging state academic standards;
 - the ability to successfully achieve in classrooms where the language of instruction is English; or
 - the opportunity to participate fully in society.

The ESEA defines the term "native language," when used in reference to an individual of limited English proficiency, as the language normally used by such individual, or in the case of a child or youth, the language normally used by the parents of the child or youth.

State Transitional Bilingual Instruction Program.

In 2009, the Transitional Bilingual Instruction Program (TBIP) is part of the state's program of basic education. The TBIP generally uses two languages, one of which is English, as a means of instruction to build upon and expand language skills to engage a student to achieve competency in English. As of May 2017, 124,663 or 11.3 percent of public school students were in the TBIP.

"Eligible pupils" for the TBIP are those enrollees of the school district whose primary language is other than English and whose English language skills are sufficiently deficient or absent to impair learning.

Summary of Bill:

The definition of an "eligible pupil" for the TBIP is changed and expanded. "Eligible pupil" is defined as any enrollee of the school district who:

- was not born in the United States or whose primary language is a language other than English;
- is a Native American or Alaska native and comes from an environment where a language other than English had has a significant impact on the student's level of English language proficiency; or
- is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant.

The definition also includes any enrollee of the school district whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual:

- the ability to meet or exceed the state academic standards as measured by the statewide student assessment used for state or federal accountability purposes;
- the ability to successfully achieve in classrooms where the language of instruction is English or;
- the opportunity to participate fully in society.

Appropriation: None.

Fiscal Note: Requested on January 23, 2018.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.