

HB1292_L.007

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.HB14-1292 be amended as follows:

- 1 Amend printed bill, page 91, line 10, strike "THEY ALSO HAVE" and
 2 substitute "ACHIEVING AND MAINTAINING GRADE-LEVEL PERFORMANCE IN
 3 ACADEMIC CONTENT AREAS;".
- 4 Page 91, strike lines 11 and 12.
- 5 Page 91, strike lines 19 through 21 and substitute "DEVELOPMENT AND IN
 6 ENABLING ENGLISH LANGUAGE LEARNERS TO ACHIEVE AND MAINTAIN
 7 GRADE-LEVEL PERFORMANCE IN ACADEMIC CONTENT AREAS;".
- 8 Page 93, line 2, strike "22-24-105 (3) (a)" and substitute "22-24-105 (2)".
- 9 Page 93, strike lines 8 through 11 and substitute "LANGUAGE LEARNER
 10 WHILE ENABLING THE ENGLISH LANGUAGE LEARNER TO ACHIEVE AND
 11 MAINTAIN GRADE-LEVEL PERFORMANCE IN ACADEMIC CONTENT AREAS.".
- 12 Page 94, line 12, strike "PURSUANT TO SECTION".
- 13 Page 94, line 13, strike "22-24-105 (1) (e)".
- 14 Page 95, line 2, after "(3)" insert "(a)".
- 15 Page 95, after line 8 insert:
- 16 (b) (I) THE DEPARTMENT SHALL DISTRIBUTE SEVENTY-FIVE
 17 PERCENT OF THE AMOUNT ANNUALLY APPROPRIATED TO THE DEPARTMENT
 18 PURSUANT TO THIS SUBSECTION (3) TO LOCAL EDUCATION PROVIDERS TO
 19 PROVIDE SERVICES TO ENGLISH LANGUAGE LEARNERS WHO:
 20 (A) SPEAK A LANGUAGE OTHER THAN ENGLISH AND DO NOT
 21 COMPREHEND OR SPEAK ENGLISH; AND
 22 (B) COMPREHEND OR SPEAK SOME ENGLISH BUT WHOSE PRIMARY
 23 COMPREHENSION OR SPEECH IS IN A LANGUAGE OTHER THAN ENGLISH.
- 24 (II) A STUDENT SHALL NOT BE FUNDED PURSUANT TO THIS
 25 PARAGRAPH (b) FOR MORE THAN FOUR HUNDRED DOLLARS PER YEAR OR
 26 AN AMOUNT EQUAL TO TWENTY PERCENT OF THE STATE AVERAGE PER
 27 PUPIL REVENUES, AS DEFINED IN SECTION 22-54-103 (12), FOR THE
 28 PRECEDING BUDGET YEAR AS DETERMINED BY THE DEPARTMENT,
 29 WHICHEVER IS GREATER.



1 (c) (I) THE DEPARTMENT SHALL DISTRIBUTE THE REMAINDER OF
2 THE AMOUNT ANNUALLY APPROPRIATED PURSUANT TO THIS SUBSECTION
3 (3) TO LOCAL EDUCATION PROVIDERS TO PROVIDE SERVICES TO ENGLISH
4 LANGUAGE LEARNERS WHO COMPREHEND AND SPEAK ENGLISH AND ONE
5 OR MORE OTHER LANGUAGES BUT WHOSE ENGLISH LANGUAGE
6 DEVELOPMENT AND COMPREHENSION IS:

7 (A) AT OR BELOW THE MEAN OF STUDENTS ENROLLED IN THE
8 LOCAL EDUCATION PROVIDER OR BELOW THE MEAN OR EQUIVALENT ON A
9 NATIONALLY STANDARDIZED TEST; OR

10 (B) BELOW THE ACCEPTABLE PROFICIENCY LEVEL BASED ON THE
11 ASSESSMENTS IDENTIFIED BY THE DEPARTMENT PURSUANT TO SECTION
12 22-24-106 (1) (a).

13 (II) A STUDENT SHALL NOT BE FUNDED PURSUANT TO THIS
14 PARAGRAPH (c) FOR MORE THAN TWO HUNDRED DOLLARS PER YEAR OR AN
15 AMOUNT EQUAL TO TEN PERCENT OF THE STATE AVERAGE PER PUPIL
16 REVENUES, AS DEFINED IN SECTION 22-54-103 (12), FOR THE PRECEDING
17 BUDGET YEAR AS DETERMINED BY THE DEPARTMENT, WHICHEVER IS
18 GREATER."

19 Page 95, line 22, strike "powers and".

20 Page 95, strike lines 26 and 27 and substitute "EDUCATION PROVIDER.

21 (2) EACH LOCAL EDUCATION PROVIDER SHALL IDENTIFY ENGLISH
22 LANGUAGE LEARNERS WHO ARE ENROLLED IN THE PUBLIC SCHOOLS OF THE
23 LOCAL EDUCATION PROVIDER USING THE STATE-APPROVED ASSESSMENT
24 FOR ENGLISH LANGUAGE PROFICIENCY. THE LOCAL EDUCATION PROVIDER
25 SHALL ANNUALLY CERTIFY TO THE DEPARTMENT THE NUMBER OF ENGLISH
26 LANGUAGE LEARNERS WHO ARE ENROLLED IN THE PUBLIC SCHOOLS OF THE
27 LOCAL EDUCATION PROVIDER AND ARE ELIGIBLE FOR FUNDING PURSUANT
28 TO SECTION 22-24-104 (2).

29 (3) EACH LOCAL EDUCATION PROVIDER SHALL ANNUALLY REPORT
30 TO THE DEPARTMENT THE NUMBER OF ENGLISH LANGUAGE LEARNERS WHO
31 EXIT THE ENGLISH LANGUAGE PROFICIENCY PROGRAM."

32 Strike pages 96 and 97.

33 Page 98, strike lines 1 through 9.

34 Page 99, strike lines 3 through 26.

35 Reletter succeeding paragraphs accordingly.



- 1 Page 100, line 9, strike "(f)" and substitute "(e)".
- 2 Page 100, strike lines 11 and 12 and substitute:
- 3 "(g) FOR EACH LOCAL EDUCATION PROVIDER, MONITOR AND
4 REPORT THROUGH THE DATA PORTAL OPERATED PURSUANT TO SECTION
5 22-11-502, THE NUMBER OF ENGLISH LANGUAGE LEARNERS WHO EXIT THE
6 ENGLISH LANGUAGE PROFICIENCY PROGRAM, THE LENGTH OF TIME
7 ENGLISH LANGUAGE LEARNERS REMAIN IN THE ENGLISH LANGUAGE
8 PROFICIENCY PROGRAM, AND THE NUMBER OF ENGLISH LANGUAGE
9 LEARNERS WHO REENTER THE ENGLISH LANGUAGE PROFICIENCY
10 PROGRAM;"
- 11 Page 100, line 16, strike "LEARNERS" and substitute "LEARNERS, WHILE
12 THEY ARE RECEIVING SERVICES THROUGH THE ENGLISH LANGUAGE
13 PROFICIENCY PROGRAM AND AFTER THEY EXIT THE ENGLISH LANGUAGE
14 PROFICIENCY PROGRAM THROUGH HIGH SCHOOL GRADUATION,"
- 15 Page 100, strike lines 19 through 23 and substitute "EXCELLENCE AWARD
16 PROGRAM CREATED IN SECTION 22-24-107.
17 (2) IN IMPLEMENTING THE".
- 18 Page 103, strike lines 26 and 27.
- 19 Strike pages 104 and 105.
- 20 Page 106, strike lines 1 through 19.
- 21 Page 112, line 3, strike "\$5,000,000," and substitute "\$500,000,".
- 22 Page 112, strike lines 8 through 17.
- 23 Renumber succeeding subsections accordingly.
- 24 Page 113, after line 4, insert:
25 "SECTION 36. Appropriation - adjustments to the 2014 long
26 bill. (1) For the implementation of this act, appropriations made in the
27 annual general appropriation act to the department of education for the
28 fiscal year beginning July 1, 2014, are adjusted as follows:
29 (a) The cash funds appropriation from the state education fund
30 created in section 17 (4) (a) of article IX of the state constitution, for the



- 1 English language proficiency program is increased by \$30,000,000."
- 2 Renumber succeeding section accordingly.

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