

HB1323_L.023

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.HB15-1323 be amended as follows:

1 Amend printed bill, page 9, after line 14 insert:

2 "(5) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO
3 THE CONTRARY, A STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER, AS
4 DEFINED IN SECTION 22-24-103, AND WHO HAS BEEN ENROLLED IN A
5 SCHOOL IN THE UNITED STATES FOR FEWER THAN TWELVE MONTHS IS NOT
6 REQUIRED TO TAKE THE ENGLISH LANGUAGE ARTS ASSESSMENT REQUIRED
7 IN SUBSECTION (1) OF THIS SECTION. THE YEAR IN WHICH THE STUDENT
8 DOES NOT TAKE THE ENGLISH LANGUAGE ARTS ASSESSMENT IS INCLUDED
9 AS ONE OF THE THREE YEARS IN WHICH THE STUDENT MAY TAKE THE
10 STATE ASSESSMENT IN HIS OR HER NATIVE LANGUAGE AS PROVIDED IN
11 SUBSECTION (4) OF THIS SECTION.

12 (b) IF ALLOWED BY FEDERAL LAW OR BY A WAIVER OF FEDERAL
13 LAW RECEIVED FROM THE FEDERAL DEPARTMENT OF EDUCATION
14 PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (5), IN THE FIRST
15 TWENTY-FOUR MONTHS IN WHICH A STUDENT WHO IS AN ENGLISH
16 LANGUAGE LEARNER IS ENROLLED IN A SCHOOL IN THE UNITED STATES
17 AND TAKES THE ENGLISH LANGUAGE ARTS ASSESSMENT, THE DEPARTMENT
18 OF EDUCATION SHALL NOT INCLUDE THE STUDENT'S SCORES IN
19 CALCULATING ACHIEVEMENT OF THE PERFORMANCE INDICATORS
20 PURSUANT TO PART 2 OF ARTICLE 11 OF THIS TITLE FOR THE LOCAL
21 EDUCATION PROVIDER THAT ENROLLS THE STUDENT.

22 (c) AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS
23 SECTION, THE DEPARTMENT OF EDUCATION SHALL SUBMIT TO THE
24 FEDERAL DEPARTMENT OF EDUCATION A REQUEST FOR A WAIVER OF
25 FEDERAL LAW AS NECESSARY TO IMPLEMENT PARAGRAPH (b) OF THIS
26 SUBSECTION (5)."

27 Renumber succeeding subsections accordingly.

28 Page 9, line 20, strike "(5)" and substitute "(6)".

29 Page 10, line 2, strike "(5)" and substitute "(6)".

30 Page 11, line 15, strike "(6)" and substitute "(7)".

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