

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 19, 2014
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

HB14-1292 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 16, after line 6 insert:

2 "(III) DEVELOPING AND IMPLEMENTING WITHIN A SCHOOL
3 DISTRICT, OR IN COLLABORATION WITH OTHER SCHOOL DISTRICTS,
4 STUDENT LEARNING OBJECTIVES AS A METHOD FOR MEASURING STUDENT
5 ACADEMIC GROWTH AND EDUCATOR IMPACT ON STUDENT ACADEMIC
6 GROWTH. IN DEVELOPING THE STUDENT LEARNING OBJECTIVES, DISTRICT
7 EMPLOYEES MAY PARTICIPATE IN PROFESSIONAL DEVELOPMENT
8 CONCERNING STUDENT LEARNING OBJECTIVES, COLLABORATE TO IDENTIFY
9 CRITICAL COMPONENTS OF STUDENT LEARNING OBJECTIVES TO ENSURE
10 THEY MEASURE EDUCATOR IMPACT ON STUDENT ACADEMIC GROWTH, AND
11 SHARE EXPERIENCES IN IMPLEMENTING STUDENT LEARNING OBJECTIVES IN
12 A VARIETY OF SCHOOL DISTRICT CONTEXTS."

13 Renumber succeeding subparagraphs accordingly.

14 Page 18, line 14, strike "AND".

15 Page 18, after line 14 insert:

16 "(f) RECRUITING HIGH-QUALITY EDUCATORS; AND".

17 Reletter succeeding paragraph accordingly.

1 Page 70, after line 24 insert:

2 "(c) A SCHOOL DISTRICT THAT CONSISTS OF ONLY ONE SCHOOL
3 BUILDING THAT HOUSES SEVERAL GRADE LEVELS MAY COMPLY WITH THE
4 REQUIREMENTS OF THIS SECTION BY REPORTING EXPENDITURES AND
5 OTHER REQUIRED INFORMATION IN TOTAL FOR ALL OF THE GRADE LEVELS
6 HOUSED IN THE BUILDING AND IS NOT REQUIRED TO DISAGGREGATE
7 EXPENDITURES AND OTHER INFORMATION FOR THE INDIVIDUALLY CODED
8 SCHOOLS LOCATED WITHIN THE BUILDING.

9 (d) IN COMPLYING WITH THE REQUIREMENTS OF THIS SECTION,
10 EACH SCHOOL DISTRICT, EACH BOARD OF COOPERATIVE SERVICES, AND
11 THE INSTITUTE SHALL ALLOCATE CENTRALIZED ADMINISTRATIVE COSTS
12 AMONG ITS PUBLIC SCHOOLS BY CALCULATING THE PER PUPIL AMOUNT OF
13 THE TOTAL ADMINISTRATIVE COSTS AND MULTIPLYING THE PER PUPIL
14 AMOUNT BY THE NUMBER OF STUDENTS ENROLLED IN EACH PUBLIC
15 SCHOOL."

16 Reletter succeeding paragraphs accordingly.

17 Page 71, line 3, strike "AT A".

18 Page 71, strike lines 4 through 8.

19 Page 71, line 10, strike "(II), (V), AND (VI)" and substitute "(II) AND (V)".

20 Page 71, line 12, after the period add "THE REPORTING REQUIREMENTS
21 SPECIFIED IN SUBPARAGRAPH (VI) OF PARAGRAPH (b) OF THIS SUBSECTION
22 (4) ARE EFFECTIVE FOR THE 2014-15 BUDGET YEAR AND BUDGET YEARS
23 THEREAFTER."

24 Page 72, line 19, strike "(e)" and substitute "(g)".

25 Page 73, line 7, strike "THE" and substitute "FOR THE 2014-15 BUDGET
26 YEAR AND BUDGET YEARS THEREAFTER, THE".

27 Page 91, line 10, strike "THEY ALSO HAVE" and substitute "ACHIEVING
28 AND MAINTAINING GRADE-LEVEL PERFORMANCE IN ACADEMIC CONTENT
29 AREAS;"

30 Page 91, strike lines 11 and 12.

1 Page 91, strike lines 19 through 21 and substitute "DEVELOPMENT AND IN
2 ENABLING ENGLISH LANGUAGE LEARNERS TO ACHIEVE AND MAINTAIN
3 GRADE-LEVEL PERFORMANCE IN ACADEMIC CONTENT AREAS;"

4 Page 93, line 2, strike "22-24-105 (3) (a)" and substitute "22-24-105 (2)".

5 Page 93, strike lines 8 through 11 and substitute "LANGUAGE LEARNER
6 WHILE ENABLING THE ENGLISH LANGUAGE LEARNER TO ACHIEVE AND
7 MAINTAIN GRADE-LEVEL PERFORMANCE IN ACADEMIC CONTENT AREAS."

8 Page 94, line 12, strike "PURSUANT TO SECTION".

9 Page 94, line 13, strike "22-24-105 (1) (e)".

10 Page 95, line 2, after "(3)" insert "(a)".

11 Page 95, after line 8 insert:

12 "(b) (I) THE DEPARTMENT SHALL DISTRIBUTE SEVENTY-FIVE
13 PERCENT OF THE AMOUNT ANNUALLY APPROPRIATED TO THE DEPARTMENT
14 PURSUANT TO THIS SUBSECTION (3) TO LOCAL EDUCATION PROVIDERS TO
15 PROVIDE SERVICES TO ENGLISH LANGUAGE LEARNERS WHO:

16 (A) SPEAK A LANGUAGE OTHER THAN ENGLISH AND DO NOT
17 COMPREHEND OR SPEAK ENGLISH; AND

18 (B) COMPREHEND OR SPEAK SOME ENGLISH BUT WHOSE PRIMARY
19 COMPREHENSION OR SPEECH IS IN A LANGUAGE OTHER THAN ENGLISH.

20 (II) A STUDENT SHALL NOT BE FUNDED PURSUANT TO THIS
21 PARAGRAPH (b) FOR MORE THAN FOUR HUNDRED DOLLARS PER YEAR OR
22 AN AMOUNT EQUAL TO TWENTY PERCENT OF THE STATE AVERAGE PER
23 PUPIL REVENUES, AS DEFINED IN SECTION 22-54-103 (12), FOR THE
24 PRECEDING BUDGET YEAR AS DETERMINED BY THE DEPARTMENT,
25 WHICHEVER IS GREATER.

26 (c) (I) THE DEPARTMENT SHALL DISTRIBUTE THE REMAINDER OF
27 THE AMOUNT ANNUALLY APPROPRIATED PURSUANT TO THIS SUBSECTION
28 (3) TO LOCAL EDUCATION PROVIDERS TO PROVIDE SERVICES TO ENGLISH
29 LANGUAGE LEARNERS WHO COMPREHEND AND SPEAK ENGLISH AND ONE
30 OR MORE OTHER LANGUAGES BUT WHOSE ENGLISH LANGUAGE
31 DEVELOPMENT AND COMPREHENSION IS:

32 (A) AT OR BELOW THE MEAN OF STUDENTS ENROLLED IN THE
33 LOCAL EDUCATION PROVIDER OR BELOW THE MEAN OR EQUIVALENT ON A
34 NATIONALLY STANDARDIZED TEST; OR

1 (B) BELOW THE ACCEPTABLE PROFICIENCY LEVEL BASED ON THE
2 ASSESSMENTS IDENTIFIED BY THE DEPARTMENT PURSUANT TO SECTION
3 22-24-106 (1) (a).

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

10 Page 95, line 22, strike "**powers and**".

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

12 (2) EACH LOCAL EDUCATION PROVIDER SHALL IDENTIFY ENGLISH
13 LANGUAGE LEARNERS WHO ARE ENROLLED IN THE PUBLIC SCHOOLS OF THE
14 LOCAL EDUCATION PROVIDER USING THE STATE-APPROVED ASSESSMENT
15 FOR ENGLISH LANGUAGE PROFICIENCY. THE LOCAL EDUCATION PROVIDER
16 SHALL ANNUALLY CERTIFY TO THE DEPARTMENT THE NUMBER OF ENGLISH
17 LANGUAGE LEARNERS WHO ARE ENROLLED IN THE PUBLIC SCHOOLS OF THE
18 LOCAL EDUCATION PROVIDER AND ARE ELIGIBLE FOR FUNDING PURSUANT
19 TO SECTION 22-24-104 (2).

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

23 Strike pages 96 and 97.

24 Page 98, strike lines 1 through 9.

25 Page 99, strike lines 3 through 26.

26 Reletter succeeding paragraphs accordingly.

27 Page 100, line 9, strike "(f)" and substitute "(e)".

28 Page 100, strike lines 11 and 12 and substitute:

29 "(g) FOR EACH LOCAL EDUCATION PROVIDER, MONITOR AND
30 REPORT THROUGH THE DATA PORTAL OPERATED PURSUANT TO SECTION
31 22-11-502, THE NUMBER OF ENGLISH LANGUAGE LEARNERS WHO EXIT THE
32 ENGLISH LANGUAGE PROFICIENCY PROGRAM, THE LENGTH OF TIME

1 ENGLISH LANGUAGE LEARNERS REMAIN IN THE ENGLISH LANGUAGE
2 PROFICIENCY PROGRAM, AND THE NUMBER OF ENGLISH LANGUAGE
3 LEARNERS WHO REENTER THE ENGLISH LANGUAGE PROFICIENCY
4 PROGRAM;"

5 Page 100, line 16, strike "LEARNERS" and substitute "LEARNERS, WHILE
6 THEY ARE RECEIVING SERVICES THROUGH THE ENGLISH LANGUAGE
7 PROFICIENCY PROGRAM AND AFTER THEY EXIT THE ENGLISH LANGUAGE
8 PROFICIENCY PROGRAM THROUGH HIGH SCHOOL GRADUATION,"

9 Page 100, strike lines 19 through 23 and substitute "EXCELLENCE AWARD
10 PROGRAM CREATED IN SECTION 22-24-107.

11 (2) IN IMPLEMENTING THE".

12 Page 103, strike lines 26 and 27.

13 Strike pages 104 and 105.

14 Page 106, strike lines 1 through 19.

15 Page 112, line 3, strike "\$5,000,000," and substitute "\$500,000,"

16 Page 112, strike lines 8 through 17.

17 Renumber succeeding subsections accordingly.

18 Page 113, after line 4 insert:

19 "SECTION 36. Appropriation - adjustments to the 2014 long
20 bill. (1) For the implementation of this act, appropriations made in the
21 annual general appropriation act to the department of education for the
22 fiscal year beginning July 1, 2014, are adjusted as follows:

23 (a) The cash funds appropriation from the state education fund
24 created in section 17 (4) (a) of article IX of the state constitution, for the
25 English language proficiency program is increased by \$30,000,000."

26 Renumber succeeding section accordingly.

** ** ** ** **