

Representative Dan N. Johnson proposes the following substitute bill:

ENGLISH LANGUAGE LEARNER AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Dan N. Johnson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses funding and policy for English language learner instructional materials and support.

Highlighted Provisions:

This bill:

- ▶ requires the State Board of Education (state board) to allocate funding to local education agencies for instructional materials and licenses used for English language learner instruction and support; and
- ▶ requires the state board to provide to the Education Interim Committee a funding projection for annual and one-time costs associated with English language learner support.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53F-2-419, as enacted by Laws of Utah 2021, Chapter 439



26 **53G-7-223**, as enacted by Laws of Utah 2022, Chapter 354

27

28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **53F-2-419** is amended to read:

30 **53F-2-419. English language learner software.**

31 (1) Subject to legislative appropriations, the state board shall:

32 (a) allocate the appropriation of funds under this section to an [LEAs] LEA for English
33 language learner software and hardware instructional materials and licenses for English
34 language learner student instruction and support; and

35 (b) make the allocation described in Subsection (1)(a) [~~using a formula that provides:~~]
36 [~~(i) a base amount for each LEA that has English language learner students; and~~]
37 [~~(ii) a distribution of remaining funding~~] in proportion to the LEA's share of statewide
38 English language learner students.

39 (2) An LEA shall use an allocation the LEA receives under Subsection (1) to select a
40 vendor and pay for software licenses for software used for English language learner student
41 instruction.

42 Section 2. Section **53G-7-223** is amended to read:

43 **53G-7-223. Policy supporting students learning English, parents, and families.**

44 (1) An LEA shall adopt a policy addressing the LEA's communication and assistance to
45 students learning English, their parents, and their families.

46 (2) The policy shall provide:

47 (a) guidance on the appropriate use of an interpreter and recommended interpreter
48 qualifications, including certification or education-specific experience, for the following:

- 49 (i) classroom activities;
- 50 (ii) impromptu and scheduled office visits or phone calls;
- 51 (iii) enrollment or registration processes;
- 52 (iv) the IEP process;
- 53 (v) student educational and occupational planning processes;
- 54 (vi) fee waiver processes;
- 55 (vii) parent engagement activities;
- 56 (viii) student disciplinary meetings;

- 57 (ix) school community councils;
- 58 (x) school board meetings;
- 59 (xi) other school or LEA activities; and
- 60 (xii) other interactions between the parents of a student learning English and

61 educational staff;

62 (b) guidance on the appropriate use of a translator or interpreter for the translation or
63 interpretation of:

- 64 (i) registration or enrollment materials, including home language surveys and English
65 learning program entrance and exit notifications;
- 66 (ii) assignments and accompanying materials;
- 67 (iii) report cards or other progress reports;
- 68 (iv) student discipline policies and procedures;
- 69 (v) grievance procedures and notices of rights and nondiscrimination;
- 70 (vi) parent or family handbooks; and
- 71 (vii) requests for parent permission; and

72 (c) any other guidance, including guidance on when oral interpretation is preferable to
73 written translation, to improve instruction and assistance by teachers, counselors, and
74 administrators to a student learning English and the student's parents and family.

75 (3) The state board shall provide to an LEA notification of LEA requirements
76 described in this section, a model of the policy described in this section, and guidance and
77 technical assistance regarding existing requirements in relevant statute, administrative rule, and
78 federal law.

79 (4) On or before July 1, 2023, the state board shall provide to the Education Interim
80 Committee a funding projection for annual and one-time costs associated with an LEA's
81 implementation of the policy described in this section.