

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: HB1139

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Keam

3. Committee: Education

4. Title: English language learner students; guidance, information, programs, and policies.

5. Summary: Requires the Superintendent of Public Instruction to (i) develop guidance for school boards to improve the process for the identification of English language learner students for eligibility for gifted and talented programs and address the underrepresentation of such students in such programs that includes methods for recognizing and addressing potential challenges in such process and facilitating professional development for and collaboration among the teachers involved in such process, including teachers in English language learner programs and teachers in gifted and talented programs; (ii) encourage any school board of a local school division in which English language learner students struggle to achieve at a high level to prioritize the utilization of the state funds available to the school board to improve such levels of achievement; and (iii) in consultation with experts who possess knowledge and experience in assessing the language proficiency and academic performance of English language learner students, annually collect and report data on the English proficiency level, program placement, and academic language development, including oral academic language, of each English language learner student and appropriate and effective measures for improving assessments for and the English proficiency of English language learner students. The bill requires the school board in any school division in which 20 or more English language learner students in one language classification are enrolled at any grade level in kindergarten through grade five, to provide a one-way or two-way dual language immersion program or early exit or late exit transitional bilingual program for such students, as such programs are defined by the Board of Education pursuant to regulation. The bill requires each school board to provide a content-based or pull-out English as a second language program, as such programs are defined by the Board of Education pursuant to regulation, for all other enrolled English language learner students. The bill requires each school board to adopt policies to (a) support oral and written communication between school board employees and the parents of each enrolled student in such parents' native language; (b) pursue community support to accelerate the literacy and achievement of English language learner students; (c) conduct school satisfaction surveys in the native language of each surveyed individual, when practicable; and (d) ensure that literacy strategies sent to the parents of enrolled English language learner students who read below grade level are tailored to promote reading proficiency in English and the student's native language. The bill also

requires any Head Start program offered in the Commonwealth to provide the parents of English language learner students with oral and written information to monitor the program's impact on their children's English and native language proficiency and development.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: The duties outlined by this bill for the Department of Education are part of current practices. As such, there is no anticipated state fiscal impact resulting from the provisions of this bill. Any fiscal impact to local school divisions is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Department of Education, local school divisions

10. Technical Amendment Necessary: No

11. Other Comments: None