

**English Learner Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Candice B. Pierucci**

Senate Sponsor: Heidi Balderree

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**LONG TITLE****Committee Note:**

The Education Interim Committee recommended this bill.

Legislative Vote: 10 voting for 0 voting against 10 absent

**General Description:**

This bill provides emergency funding to schools experiencing a significant increase in English language learner enrollment.

**Highlighted Provisions:**

This bill:

- defines terms;
- provides a school district with emergency funding if enrollment of students learning English meets or exceeds a threshold; and
- requires the state board to oversee an application process and distribute emergency funds.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53F-2-302.1**, as last amended by Laws of Utah 2023, Chapters 347, 467

ENACTS:

**53F-2-315**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **53F-2-302.1** is amended to read:**53F-2-302.1 . Enrollment Growth Contingency Program.**

(1) As used in this section:

- (a) "Program funds" means money appropriated under the Enrollment Growth

Contingency Program.

(b) "Student enrollment count" means the enrollment count on the first school day of October, as described in Section 53F-2-302.

(2) There is created the Enrollment Growth Contingency Program to:

(a) [-]mitigate funding impacts on an LEA resulting from student enrollment irregularities regarding kindergarten[-] ; and

(b) provide emergency funding for a school district with increased enrollment of students learning English in accordance with Section 53F-2-315.

(3) Subject to legislative appropriations, the state board, in consultation with the Office of the Legislative Fiscal Analyst and the Governor's Office of Planning and Budget, shall use program funds to[-] :

(a) fund additional WPU's if the student enrollment count for kindergarten exceeds the amount of legislative appropriations for kindergarten[-] ; and

(b) provide emergency funding as described in Subsection (2)(b).

Section 2. Section **53F-2-315** is enacted to read:

**53F-2-315 . Emergency funding for schools with increased enrollment of students learning English.**

(1) As used in this section:

(a) "Program funds" means the same as that term is defined in Section 53F-2-302.1.

(b)(i) "School district" means a group of public elementary or secondary educational institutions that provide K-12 education under the same local school board.

(ii) "School district" does not include a charter school.

(c) "Student learning English" means a student, currently enrolled at a public elementary or secondary educational institution, whose most recent score on an English language proficiency assessment is a 1 or 2.

(2)(a) A school district may submit an application to the state board to receive

emergency funding if enrollment, at a school within the school district, of students learning English increases by 50% or more above the previous three-year average enrollment for students learning English in the school.

(b) An application submitted under Subsection (2)(a) shall:

(i) demonstrate substantial need for the emergency funding;

(ii) include the percentage by which the school's student learning English enrollment exceeds the previous three-year average for the school; and

(iii) demonstrate that the school has insufficient existing funds to adequately support

65                    the increased student learning English enrollment.

66    (3) The state board shall:

67            (a) establish and oversee the application process to award emergency funding; and

68            (b) prioritize applications and distribute funding based on:

69                (i) the greatest percentage increase in students learning English enrollment in the

70                school; and

71                (ii) the severity of the financial need of the school.

72    (4)(a) The state board shall draw the emergency funding described in Subsection (2)(a)

73            from the program funds.

74            (b) The state board may not draw program funds of more than \$5,000,000, per fiscal

75            year, for the emergency funding described in this section.

76            **Section 3. Effective Date.**

77    This bill takes effect on May 7, 2025.