

**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: Lincoln Fillmore

**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 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 instruction.

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

42 **53G-7-223. Policy supporting students learning English, parents, and families.**

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

45 (2) The policy shall provide:

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

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

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

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

63 (i) registration or enrollment materials, including home language surveys and English  
64 learning program entrance and exit notifications;

65 (ii) assignments and accompanying materials;

66 (iii) report cards or other progress reports;

67 (iv) student discipline policies and procedures;

68 (v) grievance procedures and notices of rights and nondiscrimination;

69 (vi) parent or family handbooks; and

70 (vii) requests for parent permission; and

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

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

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