

PROPOSITION **ENGLISH PROFICIENCY. MULTILINGUAL EDUCATION.**  
**58** INITIATIVE STATUTE.

**OFFICIAL TITLE AND SUMMARY**

PREPARED BY THE ATTORNEY GENERAL

- Preserves requirement that public schools ensure students become proficient in English.
- Requires school districts to solicit parent and community input in developing language acquisition programs to ensure English acquisition as rapidly and effectively as possible.
- Requires that school districts provide students with limited English proficiency the option to be taught English nearly all in English.
- Authorizes school districts to establish dual-

language immersion programs for both native and non-native English speakers.

- Allows parents/legal guardians of students to select an available language acquisition program that best suits their child.

**SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:**

- No notable fiscal effect on school districts or state government.

FINAL VOTES CAST BY THE LEGISLATURE ON SB 1174 (PROPOSITION 58)  
(CHAPTER 753, STATUTES OF 2014)

Senate: Ayes 25 Noes 10

Assembly: Ayes 53 Noes 26

**ANALYSIS BY THE LEGISLATIVE ANALYST**

**BACKGROUND**

**About One in Five California Students Is an English Learner.** In 2015–16, about 2.7 million California public school students in the elementary and secondary grades spoke a language other than English at home. Schools classified about 1.4 million of these students as English learners, meaning they were not yet fluent in English. English learners make up 22 percent of all public school students in California. More than 80 percent of English learners in California are native Spanish speakers.

**Schools Must Help All Students Learn English.** Public schools are required by law to teach English learners how to speak and read in English in addition to teaching them other subjects such as math and science. Across the country, schools tend to teach English learners in either English-only or bilingual programs. In English-only programs, students learn English and other subjects from teachers who speak only in English. In bilingual programs, students learn their subjects from teachers who speak both in English and in their native language. Many bilingual programs are designed to last between three and six years, after which students attend classes taught only in English. Some bilingual programs continue to teach English learners in their native language for at least part of the day even after the students become fluent English speakers.

**California Requires Schools to Teach English Learners Mostly in English.** In response to some concerns over how English learners were being taught, California voters passed Proposition 227 in 1998. Proposition 227 generally requires English learners to be taught in English and restricts the use of bilingual programs. Proposition 227 generally requires public schools to provide English learners with one year of special, intensive English instruction before transitioning those students into other English-only classes. Proposition 227 remains in effect today.

**Schools Can Run Bilingual Programs Under Certain Conditions.** Under Proposition 227, parents of English learners must come to school and sign a waiver if they want their children considered for bilingual instruction. Schools may approve these waivers for students meeting one of three conditions: (1) English learners who have attended an English-only classroom for at least 30 days and whose teachers, principal, and district superintendent all agree would learn better in a bilingual program; (2) students who are at least ten years old; or (3) students who are already fluent English speakers. If 20 or more students in any grade get approved waivers, their school must offer a bilingual class or allow students to transfer to a school that has such a class.

**Since 1998, Fewer Schools Have Offered Bilingual Programs.** The year before Proposition 227 was enacted, about 30 percent of California’s English

## ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

learners were taught in bilingual programs. Ten years later, about 5 percent of California's English learners were taught in bilingual programs.

***School Districts and County Offices of Education Must Engage Their Communities in a Yearly Planning Process.***

The state requires school districts and county offices of education to publish yearly plans describing the services they will provide for certain groups of students, including English learners. Before adopting these plans, school officials must talk to parents and other community members about what types of programs they would like their schools to run.

## PROPOSAL

This measure repeals key provisions of Proposition 227 and adds a few new provisions regarding English language instruction, as described below.

***Removes Restrictions to Bilingual Programs.*** Under this proposal, schools would no longer be required to teach English learners in English-only programs. Instead, schools could teach their English learners using a variety of programs, including bilingual programs. In addition, parents of English learners would no longer need to sign waivers before their children could enroll in bilingual programs.

***Requires Districts to Respond to Some Parental Demands.***

While schools generally could design their English learner programs however they wanted, they still would have to provide intensive English instruction to English learners if parents requested it. Additionally, school districts would be required to offer any specific English learner program requested by enough parents. Specifically, if at any school either (1) 20 or more parents of students in any single grade or (2) 30 or more parents overall ask for a specific kind of English learner program, that school would have to offer such a program to the extent possible.

***Requires Districts to Talk to Community Members About Their English Learner Programs.***

This proposal requires school districts and county offices of education to ask parents and other community members how English learners should be taught (for example, by using an English-only or bilingual program). School districts and county offices of education would ask for this feedback as part of their regular yearly planning process. (Some districts likely already discuss these

issues in their yearly planning process, but this proposal makes soliciting feedback on these issues a requirement for all districts.)

## FISCAL EFFECTS

The measure would have no notable fiscal effect on state government. However, it likely would result in changes to the way some school districts teach English learners. These changes would have little effect on local costs. We discuss the measure's programmatic and fiscal effects on schools below.

***Significant Programmatic Impact for Some English Learners.*** Though the measure generally does not require school districts to change how they teach English learners, it makes starting or expanding bilingual programs easier for all districts. The exact effect of this measure would depend upon how parents and schools respond to it. Over time, bilingual programs could become more common, with some English learners taught in bilingual programs who otherwise would have been taught in English-only programs. For these school districts and students, the programmatic impact of the measure would be significant.

***Minor Effect on Schools' Ongoing and One-Time Costs.***

The bilingual programs created or expanded due to the measure would not necessarily be more or less expensive overall than English-only programs, as annual costs for both types of programs depend mostly on factors like class size and teacher pay. Any school creating a bilingual program would incur some one-time costs for developing new curriculum, purchasing new instructional materials, training teachers on the new curriculum and materials, and informing parents about the program. These costs, however, would not necessarily be added costs, as schools routinely revise curriculum, purchase new materials, train teachers, and keep parents apprised of important school issues.

Visit <http://www.sos.ca.gov/measure-contributions> for a list of committees primarily formed to support or oppose this measure. Visit <http://www.fppc.ca.gov/transparency/top-contributors/nov-16-gen-v2.html> to access the committee's top 10 contributors.