

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE
24th NAVAJO NATION COUNCIL -- Second Year, 2020

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND
NAABIK'ÍYÁTI' COMMITTEES; SUPPORTING ARIZONA HOUSE CONCURRENT
RESOLUTION 2001 (AZ HCR2001) TITLED "ENGLISH LANGUAGE EDUCATION"

WHEREAS:

- A. The Navajo Nation established the Health, Education and Human Services Committee as a Navajo Nation Council standing committee and as such empowered the Committee to represent the Navajo Nation at the state level, in coordination with the President of the Navajo Nation and Naabik'íyáti' Committee on proposed legislation, funding and other actions affecting education. 2 N.N.C. §§ 400 (A) and 401 (B)(7)(a).
- B. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered the Committee to coordinate all state programs, including education in public schools operating on the Navajo Nation, and to coordinate all testimony relating to proposed state legislation impacting the Navajo Nation. 2 N.N.C. §§ 700 (A) and 701 (A)(6).
- C. The Navajo Nation has a government-to-government relationship with the State of Arizona.
- D. Arizona House Concurrent Resolution 2001, HCR 2001, attached as **Exhibit A**, is a ballot referral (referendum to repeal Arizona Proposition 203, commonly known as Arizona's "English-Only" law, which repealed Arizona's existing bilingual education law and instead required English-only instruction in Arizona public and charter schools.
- E. In addition to repealing Proposition 203, HCR 2001, seeks to ensure English language proficiency in all pupils whose primary or home language is other than English and to allow Arizona public schools to offer dual language immersion programs for

children with a native language other than English. See UNDERSTANDING HCR2001, attached as **Exhibit B**.

F. HCR 2001 is in the best interests of Navajo students attending Arizona public and charter schools on the Navajo Nation.

NOW THEREFORE BE IT RESOLVED:

- A. The Navajo Nation hereby supports Arizona House Concurrent Resolution 2001, HCR 2001, titled "ENGLISH LANGUAGE EDUCATION," attached hereto as **Exhibit A**.
- B. The Navajo Nation hereby authorizes the Speaker of the Navajo Nation Council, President of the Navajo Nation, and their designees, to advocate the Navajo Nation's support of HCR 2001.

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 22 in Favor, and 00 Opposed, on this 9th day of July 2020.

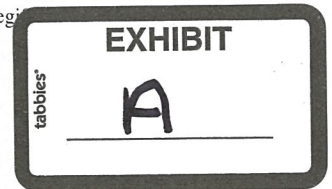

Honorable Seth Damon, Chairman
Naabik'íyáti' Committee

July 9, 2020
Date

Motion: Honorable Jimmy Yellowhair

Second: Honorable Amber Kanazbah Crotty

Chairman Seth Damon not voting



Bill Text: AZ HCR2001 | 2020 | Fifty-fourth Legislature 2nd Regular | Introduced

Arizona House Concurrent Resolution 2001

Bill Title: English language education; requirements

Spectrum: Partisan Bill (Republican 1-0)

Status: (Introduced) 2020-02-10 - House RULES Committee action: Held, voting: (0-0-0-0-0-0) [HCR2001 Detail]

Download: Arizona-2020-HCR2001-Introduced.html

PREFILED NOV 19 2019

REFERENCE TITLE: English language education; requirements

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HCR 2001

Introduced by
Representative Fillmore

A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO ENGLISH LANGUAGE EDUCATION FOR CHILDREN IN PUBLIC SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it resolved by the House of Representatives of the State of Arizona, the Senate concurring:

1. Under the power of the referendum, as vested in the Legislature, the following measure, relating to English language education for children in public schools, is enacted to become valid as a law if approved by the voters and on proclamation of the Governor:

AN ACT

REPEALING SECTIONS 15-751, 15-752, 15-753, 15-754 AND 15-755, ARIZONA REVISED STATUTES; AMENDING SECTIONS 15-756 AND 15-756.01, ARIZONA REVISED STATUTES; RELATING TO ENGLISH LANGUAGE EDUCATION FOR CHILDREN IN PUBLIC SCHOOLS.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Repeal

Sections 15-751, 15-752, 15-753, 15-754 and 15-755, Arizona Revised Statutes, are repealed.

Sec. 2. Section 15-756, Arizona Revised Statutes, is amended to read:

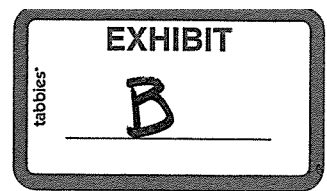
15-756. English language learners; identification; assessment

A. The primary or home language for all new pupils who enroll in a school district or charter school shall be identified in a manner prescribed by the superintendent of public instruction.

B. The English language proficiency of all pupils with a primary or home language other than English shall be assessed ~~through the administration~~ **of BY ADMINISTERING** English language proficiency assessments in a manner prescribed by the superintendent of public instruction. The test scores adopted by the superintendent as indicating English language proficiency shall be based on the test publishers' designated scores. The department shall annually request an appropriation to pay for the purchase of all language proficiency assessments ~~AND~~ scoring and ancillary materials as prescribed by the department for school districts and charter schools.



Arizona Department of Education



UNDERSTANDING HCR2001

What it is: A 2020 ballot referral to repeal Proposition 203, commonly known as Arizona's "English-Only" law.

History of "English-Only" education law: In 2000, Arizona voters approved Proposition 203, repealing the then bilingual education law and requiring English-only instruction in Arizona public schools. This led to the development of the program known as "Structured English Immersion" (SEI). SEI mandated the placement of English learners (EL's) in daily, four-hour blocks of English language development instruction—separated from their native English-speaking peers.

What will HCR2001 do? By repealing Proposition 203, voters will simultaneously replace the current law with new provisions, by which, each public school must ensure EL's receive the highest quality of education and master the English language using evidence-based methods. Moreover, Arizona public schools would be allowed to offer dual language immersion programs for children with a native language other than English.

Wasn't the four-hour block repealed last legislative session? Yes, last year the Legislature passed SB1014, eliminating the restrictive and controversial four-hour instruction block. While this law gases the four-hour block requirement as part of the SEI program, Proposition 203 remains in place. This means there are still voter protected restrictions on local control and the models of English language instruction.

Will HCR2001 remove the requirement of Bilingual Parental Waiver Request Applications? Yes, HCR2001 repeals A.R.S. §15-753 and would thus allow all ELs to fully participate in bilingual education without qualifying for a *Parental Waiver Request* (current application can be found here).

What else would be repealed if voters approve this? Statutory definitions of *bilingual education*, *English learner*, *SEI*, along with other definitions. A repeal would also eliminate the Proposition 203 language in statute for the Superintendent of Public Instruction to select a standardized, "nationally-normed" written test of academic subject matter to be administered once per year to all public school students in grades 2-12.

Wait, so does HCR2001 repeal state-wide assessments? No. Under a different Arizona statute, the State Board of Education is required to adopt and implement a statewide assessment to "measure pupil achievement of the State Board-adopted academic standards in reading, writing and mathematics"¹. As such, AzMERIT and tests chosen by districts from the Menu of Assessments currently remain the statewide achievement tests. The requirements in Proposition 203 are redundant and not needed. HCR2001 would NOT AFFECT statewide assessments.

Does HCR2001 repeal assessments for English language proficiency? No. Arizona law requires parents or guardians to identify the primary or "home language" when enrolling a student in a school district or charter school. When a parent or guardian indicates a student's primary or home language is not English, then a school must assess a student's English language proficiency². All Arizona schools use the "Arizona English Language Learner Assessment" (AZELLA), for both placement and annual reassessment purposes. Each EL student takes AZELLA once per year until the student achieves proficiency. HCR2001 would NOT AFFECT the AZELLA test for EL students.

Will HCR2001 impact Arizona's Every Student Succeeds Act (ESSA) plan? No. Other areas of Arizona's education laws under Title 15 ensure the State aligns with the federal law. In exchange for federal funding under ESSA, states must adopt English language proficiency (ELP) standards for speaking, listening, reading, and writing, and measure student progress against those standards.

¹ A.R.S. §15-741(A)(1)

² A.R.S. §15-756

NAVAJO NATION

555

7/9/2020

Navajo Nation Naabik'iyati' Committee Meeting

05:17:04 PM

Amd# to Amd#	Legislation 0046-20: Supporting	PASSED
MOT Yellowhair	Arizona House Concurrent	
SEC Crotty	Resolution 2001 (AZ HCR2001)	
	Titled English Language Educatio	

Yeas : 22

Nays : 0

Excused : 0

Not Voting : 1

Yea : 22

Begay, E	Daniels	Slater, C	Tso, E
Begay, K	Freeland, M	Smith	Walker, T
Begay, P	Halona, P	Stewart, W	Wauneka, E
Brown	Henio, J	Tso, C	Yazzie
Charles-Newton	James, V	Tso, D	Yellowhair
Crotty	Nez, R		

Nay : 0

Excused : 0

Not Voting : 1

Tso, O

Presiding Speaker: Damon