

The Senate Education and Youth Committee offered the following substitute to SB 415:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to the "Quality Basic Education Act," so as to provide for deferments on certain  
3 assessments for limited-English-proficient students under certain conditions; to provide for  
4 related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

6 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the  
7 "Quality Basic Education Act," is amended by revising Code Section 20-2-156, relating to  
8 a program for limited-English-proficient students, as follows:  
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10 "20-2-156.

11 (a) The State Board of Education shall create a program for limited-English-proficient  
12 students whose native language is not English, subject to appropriation by the General  
13 Assembly. The purpose of this program is to assist such students to develop proficiency  
14 in the English language, including listening, speaking, reading, and writing, sufficient to  
15 perform effectively at the currently assigned grade level. The state board shall prescribe  
16 such rules and regulations regarding eligibility criteria and standards as may be needed to  
17 carry out the provisions of this Code section. This program may also be referred to as the  
18 English for speakers of other languages (ESOL) program.

19 (b) Unless prohibited under federal law, after assessment by a local board of education and  
20 a waiver request to the State Board of Education, a limited-English-proficient student shall  
21 be eligible for up to a two-year deferment from content area assessments, other than  
22 mathematics and science, if the student's proficiency in English indicates that testing is not  
23 in the best educational interest of the student."

**SECTION 2.**

24 All laws and parts of laws in conflict with this Act are repealed.  
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