

**August 4, 2023**

The Honorable Toni Atkins  
Senate President Pro Tempore  
1021 O Street, Suite 8518  
Sacramento, CA 95814

The Honorable Robert Rivas  
Speaker of the Assembly  
1021 O Street, Suite 8330  
Sacramento, CA 95814

The Honorable Nancy Skinner,  
Chair Senate Budget and Fiscal Review Committee  
1021 O Street, Suite 8630  
Sacramento, CA 95814

The Honorable Phil Ting,  
Chair Assembly Budget Committee  
1021 O Street, Suite 8230  
Sacramento, CA 95814

The Honorable John Laird,  
Chair Subcommittee #1 on  
Education Senate Budget & Fiscal Review Committee  
1021 O Street, Suite 8720  
Sacramento, CA 95814

The Honorable Kevin McCarty,  
Chair Assembly Budget Committee  
1021 O Street, Suite 4510  
Sacramento, CA 95814

**RE: Request to Delete the Definition of Long-Term English Learner in Budget Trailer Bill SB 114 Chapter 48, Statutes 2023**

Dear President Pro-Tempore Atkins, Speaker Rivas, Senator Skinner, Senator Laird, Assembly Member Ting, and Assembly Member McCarty,

On behalf of [UnidosUS](https://www.unidosus.org) (formerly the National Council of La Raza), I am writing to bring to your attention our concerns regarding the recently signed Budget Trailer Bill SB 114 Chapter 48, Statutes 2023, specifically the definition of Long-Term English Learners (LTELs) included in the reporting requirement.

UnidosUS is a nonprofit, nonpartisan organization that serves as the nation's largest Hispanic civil rights and advocacy organization. Since 1968, we have challenged the social, economic, and political barriers that affect Latinos through our unique combination of expert research, advocacy, programs, and an [Affiliate Network](#) of nearly 300 community-based organizations across the United States and Puerto Rico. We believe in an America where economic, political, and social progress is a reality for all Latinos, and we collaborate across communities to achieve it. The UnidosUS California-based Affiliates include 67 community-based organizations that invest more than \$1.8 billion and employ more than 15,000 staff to provide direct services to approximately 1.8 million Californians annually. UnidosUS is headquartered in Washington, DC, and has an office in Los Angeles and staff in Sacramento. Through partnerships, community investments, and state research and advocacy on housing, health, and education, UnidosUS advances opportunities for the more than 15 million Latinos who call California home.

We understand the importance of addressing the educational needs of English learners in California, and we applaud the efforts in recognizing Long Term English Learners (LTELs) as a new, additional unduplicated student group separate from the whole EL student group. We would like to highlight that

California's Education Code 313.1 already provides a comprehensive definition of Long-Term English Learners, reflecting the unique circumstances and challenges faced by students in our diverse communities. Therefore, the federal guidelines from Title 20 of the U.S. Code should not be used to define this new subgroup.

The conflicting definition in the Budget Trailer Bill, which classifies LTELs as students classified as English learners for five years, does not align with California's existing Education Code 313.1. We believe that retaining the current definition in the state's Education Code is essential to accurately identify and support students who have been English learners for an extended period.

As endorsed by the federal government, California developed its definition of LTELs specifically tailored to meet the needs of our community and families across the state. This approach has proven effective in addressing long-term English learners' academic and language development needs in previous years.

We kindly request that you consider our concerns and take the necessary steps to delete the definition of Long-Term English Learner currently in the Budget Trailer Bill SB 114 Chapter 48, Statutes 2023 and instead, continue using the definition outlined in California's Education Code 313.1.

Thank you for your attention to this matter. We look forward to your support in ensuring that our educational system continues to serve all students effectively and inclusively. If you have any questions please contact Viviana Martin, California Policy Strategist at [vmartin@unidosus.org](mailto:vmartin@unidosus.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Esmeralda López". The signature is fluid and cursive, with the first name being more prominent.

Esmeralda López  
California State Director  
UnidosUS