

109TH CONGRESS
2^D SESSION

H. R. 5105

To clarify that Arizona is in compliance with the Equal Educational Opportunities Act of 1974 with respect to English language learners.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2006

Mr. HAYWORTH introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To clarify that Arizona is in compliance with the Equal Educational Opportunities Act of 1974 with respect to English language learners.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “_____ Act
5 of 2006”.

1 **SEC. 2. ARIZONA IS IN COMPLIANCE WITH THE EQUAL EDU-**
2 **CATIONAL OPPORTUNITIES ACT OF 1974**
3 **WITH RESPECT TO ENGLISH LANGUAGE**
4 **LEARNERS.**

5 (a) IN GENERAL.—For purposes of the Equal Edu-
6 cational Opportunities Act of 1974 (title II of Public Law
7 93–380; 20 U.S.C. 1701 et seq.)—

8 (1) the funding for English language learners
9 provided pursuant to Chapter Four of the State of
10 Arizona’s 47th Legislature’s Second Legislative Ses-
11 sion is adequate; and

12 (2) any failure of Arizona (or by any agency or
13 subdivision of Arizona) to provide funding for
14 English language learners in excess of the funding
15 referred to in paragraph (1)—

16 (A) is not a denial by Arizona (or by any
17 agency or subdivision of Arizona) of equal edu-
18 cational opportunity for purposes of section
19 204(f) of that Act (20 U.S.C. 1703(f)); and

20 (B) is not a basis for a civil action, or for
21 relief, against Arizona (or against any agency
22 or subdivision of Arizona) under section 207 of
23 that Act (20 U.S.C. 1706).

24 (b) APPLICABILITY TO CURRENT LITIGATION.—This
25 Act applies to litigation pending as of the date of the en-

1 actment of this Act, including the litigation known as Flo-
2 res v. Arizona.

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