

By: Alonzo

H.B. No. 57

A BILL TO BE ENTITLED

AN ACT

relating to a grant program to assist certain persons to become certified to teach in bilingual education programs and to teach in public schools with a shortage of certified bilingual education teachers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 56, Education Code, is amended by adding Subchapter R to read as follows:

SUBCHAPTER R. BILINGUAL EDUCATION CERTIFICATION GRANT PROGRAM

Sec. 56.501. DEFINITIONS. In this subchapter:

(1) "Bilingual education program" means a bilingual education program provided under Subchapter B, Chapter 29.

(2) "Coordinating board" means the Texas Higher Education Coordinating Board.

(3) "General academic teaching institution," "private or independent institution of higher education," "public junior college," and "recognized accrediting agency" have the meanings assigned by Section 61.003.

(4) "Program" means the bilingual education certification grant program.

Sec. 56.502. ESTABLISHMENT OF PROGRAM. The coordinating board shall establish a program to:

(1) provide to institutions of higher education participating in the program grants to assist students

1 participating in the program with the costs of educator preparation
2 necessary for certification to teach in a bilingual education
3 program in a public elementary or secondary school in this state;
4 and

5 (2) facilitate the employment of those students by
6 certain public elementary or secondary schools in this state that
7 have shortages of teachers certified to teach in the schools'
8 bilingual education programs.

9 Sec. 56.503. ELIGIBILITY OF INSTITUTIONS AND STUDENTS TO
10 PARTICIPATE IN PROGRAM. (a) An institution of higher education is
11 eligible to participate in the program only if the institution:

12 (1) is a:

13 (A) general academic teaching institution; or

14 (B) private or independent institution of higher
15 education that offers four-year degree programs; and

16 (2) offers an educator preparation program to prepare
17 students for certification to teach in a bilingual education
18 program.

19 (b) A student is eligible to participate in the program only
20 if the student:

21 (1) has completed at least 60 semester credit hours of
22 course work toward an associate degree at a public junior college or
23 a junior college accredited by a recognized accrediting agency;

24 (2) has been admitted into an educator preparation
25 program at an institution of higher education participating in the
26 bilingual education certification grant program for the student to
27 become prepared for certification to teach in a bilingual education

1 program;

2 (3) is fluent in both English and another language
3 used in a bilingual education program in a public elementary or
4 secondary school described by Section 56.507(2);

5 (4) has stated in the student's application for the
6 program that the student is willing to enter into an agreement under
7 Section 56.507; and

8 (5) satisfies any other criteria for selection
9 prescribed by the coordinating board, the State Board for Educator
10 Certification, or the governing board of the institution that has
11 admitted the student.

12 Sec. 56.504. APPLICATION PROCESS FOR INSTITUTIONS;
13 INFORMATION. (a) The coordinating board shall develop an
14 application that an institution of higher education must use to
15 apply to participate in the program.

16 (b) Based on the criteria described by Section 56.503(a) and
17 any other criteria prescribed by coordinating board rule, the
18 coordinating board shall select, from among eligible institutions
19 of higher education applying to the coordinating board under this
20 section, institutions to participate in the program.

21 (c) Each application of an institution must be submitted in
22 a timely manner in the form the coordinating board requires and
23 contain the information the coordinating board requires.

24 (d) The coordinating board and the State Board for Educator
25 Certification shall distribute the applications and information
26 regarding the program to eligible institutions.

27 Sec. 56.505. APPLICATION PROCESS FOR STUDENTS;

1 INFORMATION. (a) Each institution of higher education
2 participating in the program shall develop an application form that
3 a student must use to apply to participate in the program at the
4 institution. The form must require a statement described by
5 Section 56.503(b)(4) to be included in the application.

6 (b) Based on the criteria described by Section 56.503(b), an
7 institution of higher education participating in the program shall
8 select, from among eligible students applying to the institution
9 under this section, students to participate in the program at the
10 institution.

11 (c) Each student application must be submitted in a timely
12 manner in the form the institution requires and contain the
13 information the institution requires.

14 (d) Each institution participating in the program and the
15 State Board for Educator Certification shall distribute the
16 applications and information regarding the program to eligible
17 students.

18 Sec. 56.506. LIMITATION ON IMPLEMENTATION. An institution
19 of higher education participating in the program may not select a
20 student to participate in the program unless the institution has
21 sufficient money to pay to the student a grant as provided by
22 Section 56.508.

23 Sec. 56.507. AGREEMENT. A student selected to participate
24 in the program must enter into a written agreement with the
25 appropriate participating institution of higher education under
26 which the student agrees to:

27 (1) obtain, within the period the coordinating board

1 by rule requires, certification to teach in a bilingual education
2 program;

3 (2) accept, during the first school year that begins
4 after the date the student becomes certified, an offer of full-time
5 employment to teach in a bilingual education program in a public
6 elementary or secondary school in this state that:

7 (A) has a shortage of teachers certified to teach
8 bilingual education; and

9 (B) is located in a regional education service
10 center region in which at least 25,000 students are students of
11 limited English proficiency, as defined by Section 29.052, who are
12 eligible to be enrolled in an elementary grade-level bilingual
13 education program, but who cannot be served in an elementary
14 grade-level bilingual education program because of a shortage of
15 appropriately certified teachers; and

16 (3) maintain for at least two years the employment
17 described by Subdivision (2).

18 Sec. 56.508. GRANT. (a) Subject to Subsection (b), the
19 coordinating board shall provide to each institution of higher
20 education participating in the program, for each student
21 participating in the program at the institution:

22 (1) if the student is attending a general academic
23 teaching institution, a total grant amount equal to the amount of
24 tuition and mandatory fees for educator preparation program course
25 work required for the student to earn a baccalaureate degree and be
26 certified to teach in a bilingual education program; and

27 (2) if the student is attending a private or

1 independent institution of higher education, a total grant amount
2 determined by the coordinating board to be equal to the average
3 statewide amount of tuition and mandatory fees that a resident
4 student would be charged under Chapter 54 in an educator
5 preparation program at a general academic teaching institution for
6 the course work required for the student to earn a baccalaureate
7 degree and be certified to teach in a bilingual education program.

8 (b) A grant under this section:

9 (1) may be used only for covering the costs of tuition
10 and mandatory fees of a participating student in an educator
11 preparation program;

12 (2) may not provide for payment for more than 36
13 semester credit hours per academic year; and

14 (3) is payable until the student completes the
15 educator preparation program.

16 (c) The coordinating board shall provide for making a grant
17 payment under Subsection (a) directly to the appropriate
18 participating institution of higher education. The coordinating
19 board may not make a grant payment for a number of semester credit
20 hours greater than the number of semester credit hours for which the
21 student recipient is registered during the semester or other
22 academic term for which the grant payment is used. If a student
23 participating in the program does not complete a course for which
24 the coordinating board provided grant money under the program, the
25 institution of higher education shall pay to the coordinating board
26 any amount of refund due for the course.

27 Sec. 56.509. REIMBURSEMENT. (a) A student participating

1 in the program who fails to obtain certification or employment as
2 required in the agreement under Section 56.507 or who voluntarily
3 leaves or is terminated for cause from the employment after
4 teaching for less than two years in a bilingual education program
5 described by Section 56.507(2) shall reimburse the coordinating
6 board for the portion of the grant that bears the same ratio to the
7 amount of the grant as the unserved portion of required service
8 bears to the two years of required service.

9 (b) The obligation to reimburse the coordinating board
10 under this section is, for all purposes, a debt to the state. A
11 discharge in bankruptcy under Title 11, United States Code, does
12 not release the student from the obligation to reimburse the
13 coordinating board. The amount owed bears interest at the rate
14 equal to the highest rate being paid by the United States on the day
15 the reimbursement is determined to be due for securities that have
16 maturities of 90 days or less, and the interest accrues from the day
17 the student receives notice of the amount due.

18 (c) For purposes of this section, a student participating in
19 the program is not considered to be in violation of an agreement
20 under Section 56.507 during any period in which the student:

21 (1) is pursuing a full-time course of study that is
22 related to the field of teaching at a public or private institution
23 of higher education and approved by the State Board for Educator
24 Certification;

25 (2) is serving on active duty as a member of the armed
26 forces of the United States;

27 (3) is temporarily totally disabled for a period not

1 to exceed three years as established by sworn affidavit of a
2 qualified physician;

3 (4) is unable to secure employment for a period not to
4 exceed one year because of care required by a disabled spouse;

5 (5) is seeking and unable to find full-time employment
6 as a teacher in a bilingual education program described by Section
7 56.507(2) for a single period not to exceed 27 months; or

8 (6) satisfies the provisions of any additional
9 reimbursement exception adopted by the coordinating board.

10 (d) A student participating in the program is excused from
11 reimbursement under Subsection (a) if:

12 (1) the student becomes permanently totally disabled
13 as established by sworn affidavit of a qualified physician; or

14 (2) the coordinating board waives reimbursement in the
15 case of extreme hardship to the student.

16 Sec. 56.510. RULES. The coordinating board and the State
17 Board for Educator Certification shall adopt rules as necessary to
18 administer this subchapter.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect on the 91st day after the last day of the
24 legislative session.