

By: West

S.B. No. 61

A BILL TO BE ENTITLED

AN ACT

relating to the teaching of foreign languages in public schools.

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

SECTION 1. Subchapter B, Chapter 21, Education Code, is amended by adding Sections 21.0451 and 21.0485 to read as follows:

Sec. 21.0451. GRANTS FOR CERTIFICATION IN BILINGUAL EDUCATION, DUAL LANGUAGE INSTRUCTION, OR ENGLISH AS A SECOND LANGUAGE. (a) From funds appropriated for that purpose, the commissioner shall make grants to educator preparation programs offered by public senior colleges or universities, as defined by Section 61.003, to allow the programs to:

(1) exempt from the payment of tuition and fees a student seeking certification as a bilingual education, dual language instruction, or English as a second language teacher; and

(2) reimburse a student described by Subdivision (1) for the cost of textbooks required for the educator preparation program.

(b) The commissioner by rule shall establish:

(1) criteria, including a financial need requirement, that an educator preparation program must use to determine a student's eligibility for an exemption or funds under this section; and

(2) procedures to recover funds from a student awarded an exemption or funds under this section if the student does not:

1           (A) obtain certification as a bilingual  
2 education, dual language instruction, or English as a second  
3 language teacher; or

4           (B) serve as a bilingual education, dual language  
5 instruction, or English as a second language teacher in a public  
6 school in this state for the minimum time prescribed by the  
7 commissioner.

8           Sec. 21.0485. MASTER LANGUAGE TEACHER CERTIFICATION.

9           (a) To ensure that there are teachers with special training to  
10 work with other teachers and with students in order to improve  
11 student performance in English and other languages, the board shall  
12 establish:

13           (1) a master language teacher certificate to teach  
14 bilingual education, dual language instruction, or English as a  
15 second language at elementary school grade levels;

16           (2) a master language teacher certificate to teach  
17 bilingual education, dual language instruction, or English as a  
18 second language at middle school grade levels; and

19           (3) a master language teacher certificate to teach  
20 dual language instruction at high school grade levels.

21           (b) The board shall issue the appropriate master language  
22 teacher certificate to each eligible person.

23           (c) To be eligible for a master language teacher  
24 certificate, a person must:

25           (1) hold a teaching certificate issued under this  
26 subchapter;

27           (2) have at least three years of experience teaching

1 bilingual education, dual language instruction, or English as a  
2 second language;

3 (3) satisfactorily complete a knowledge-based course  
4 of instruction on the science of teaching children language that  
5 includes training in language instruction and professional peer  
6 mentoring techniques that, through scientific testing, have been  
7 proven effective;

8 (4) perform satisfactorily on the appropriate master  
9 science language certification examination prescribed by the  
10 board; and

11 (5) satisfy any other requirements prescribed by the  
12 board.

13 SECTION 2. Section 21.050(b), Education Code, is amended to  
14 read as follows:

15 (b) The board may not require more than 18 semester credit  
16 hours of education courses at the baccalaureate level for the  
17 granting of a teaching certificate. The board shall provide for a  
18 minimum number of semester credit hours of internship to be  
19 included in the hours needed for certification. The board may  
20 propose rules requiring additional credit hours for certification  
21 in bilingual education, dual language instruction, English as a  
22 second language, early childhood education, or special education.

23 SECTION 3. Section 21.054, Education Code, is amended by  
24 adding Subsection (c) to read as follows:

25 (c) Rules proposed under Subsection (a) must permit an  
26 educator to fulfill continuing education requirements by acquiring  
27 conversational skills in one or more languages other than English.

1 The rules must permit educators to obtain language instruction  
2 through a variety of methods, including attendance at workshops  
3 offered by qualified entities and enrollment on a noncredit basis  
4 in courses offered by public or private colleges and universities.

5 SECTION 4. Subchapter B, Chapter 21, Education Code, is  
6 amended by adding Sections 21.060 and 21.061 to read as follows:

7 Sec. 21.060. NOTICE OF EDUCATIONAL AIDE TUITION EXEMPTION.

8 On issuing an educator certificate to an educational aide or  
9 renewing such a certificate, the board shall notify the person to  
10 whom the certificate is issued of:

11 (1) the existence of the educational aide exemption  
12 under Section 54.214; and

13 (2) the availability of financial assistance under  
14 Section 21.061 for educational aides who seek certification as  
15 language teachers.

16 Sec. 21.061. FINANCIAL ASSISTANCE TO EDUCATIONAL AIDES  
17 SEEKING CERTIFICATION AS LANGUAGE TEACHERS. (a) A school district  
18 may use state or local funds to:

19 (1) supplement the tuition and fees exemption under  
20 Section 54.214 for an educational aide employed by the district who  
21 is enrolled in courses leading to certification as a bilingual  
22 education, dual language instruction, or English as a second  
23 language teacher by:

24 (A) paying fees to which the exemption under  
25 Section 54.214 does not apply; or

26 (B) paying tuition and fees for an educational  
27 aide who does not meet the financial need requirements established

1 by the Texas Higher Education Coordinating Board under Section  
2 54.214; or

3 (2) reimburse an educational aide who obtains  
4 certification as a bilingual education, dual language instruction,  
5 or English as a second language teacher for the fee paid to take the  
6 language proficiency examination required for certification.

7 (b) Before a school district may provide financial  
8 assistance to an educational aide under this section, the district  
9 and the aide must enter into a written agreement providing that:

10 (1) after the aide obtains certification as a teacher,  
11 the aide will serve as a bilingual education, dual language  
12 instruction, or English as a second language teacher in the  
13 district for the minimum time prescribed by the district;

14 (2) if the aide does not serve as a teacher in the  
15 district for the minimum time, the aide will repay to the district  
16 the financial assistance received, in proportion to the amount of  
17 time the aide did not serve as a teacher in the district; and

18 (3) the district may waive the requirements of  
19 Subdivisions (1) and (2) for good cause.

20 SECTION 5. Subchapter I, Chapter 21, Education Code, is  
21 amended by adding Sections 21.416 and 21.417 to read as follows:

22 Sec. 21.416. MASTER LANGUAGE TEACHER GRANT PROGRAM. (a) The  
23 commissioner shall establish a master language teacher grant  
24 program to encourage teachers to:

25 (1) become certified as master language teachers; and

26 (2) work with other teachers and with students in  
27 order to improve student performance in English and other

1 languages.

2 (b) From funds appropriated for the purpose, the  
3 commissioner shall make grants to school districts as provided by  
4 this section to pay fees incurred by teachers seeking certification  
5 as master language teachers. The grants may provide for payment of:

6 (1) fees charged by nationally recognized teacher  
7 training programs in bilingual education and dual language  
8 instruction; and

9 (2) fees charged by the board in connection with  
10 certification as a master language teacher.

11 (c) A school district, including a school district that does  
12 not receive Foundation School Program payments, may apply to the  
13 commissioner for grants to be used to pay fees in accordance with  
14 this section. The commissioner shall approve the application if  
15 the district:

16 (1) applies within the period and in the manner  
17 required by rule adopted by the commissioner;

18 (2) if applicable, demonstrates to the commissioner's  
19 satisfaction community support for a dual language instruction  
20 program; and

21 (3) agrees to use each grant only for the purpose of  
22 paying fees incurred by a teacher:

23 (A) who is seeking certification as a master  
24 language teacher under Section 21.0485;

25 (B) whose primary duties include:

26 (i) teaching bilingual education, dual  
27 language instruction, or English as a second language; and

1                    (ii) serving as a language teaching mentor  
2 to other teachers for the amount of time and in the manner  
3 established by the district and by rule adopted by the  
4 commissioner; and

5                    (C) who satisfies any other requirements  
6 established by rule adopted by the commissioner.

7                    (d) A school district may pay an annual stipend to a master  
8 language teacher. A stipend a teacher receives under this section  
9 is not considered in determining whether the district is paying the  
10 teacher the minimum monthly salary under Section 21.402.

11                    (e) A decision of the commissioner concerning the amount of  
12 money to which a school district is entitled under this section is  
13 final and may not be appealed. The commissioner may audit the  
14 expenditure of money appropriated for purposes of this section. A  
15 district's use of the money appropriated for purposes of this  
16 section shall be verified as part of the district audit under  
17 Section 44.008.

18                    (f) The commissioner may adopt other rules as necessary to  
19 implement this section.

20                    Sec. 21.417. INTERNATIONAL EXCHANGE PROGRAM FOR LANGUAGE  
21 TEACHERS. (a) The commissioner shall establish an international  
22 teacher exchange program to enable:

23                    (1) teachers from foreign countries to travel to this  
24 state to instruct teachers in this state in teaching languages  
25 other than English; and

26                    (2) teachers from this state to travel to foreign  
27 countries to teach English and improve their skills in a language

1 other than English.

2 (b) The commissioner shall solicit and may accept gifts and  
3 grants for purposes of the international exchange program under  
4 this section.

5 (c) The commissioner may adopt rules prescribing:

6 (1) eligibility requirements for teacher  
7 participation in the international exchange program under this  
8 section; and

9 (2) the amount of assistance to be provided to a  
10 teacher participating in the program.

11 SECTION 6. Section 28.0051, Education Code, is amended by  
12 adding Subsection (d) to read as follows:

13 (d) The State Board for Educator Certification shall  
14 provide for the issuance of teaching certificates appropriate for  
15 dual language instruction to teachers who:

16 (1) possess a speaking, reading, and writing language  
17 ability in a language other than English in which a dual language  
18 immersion program is offered; and

19 (2) meet the general requirements of Subchapter B,  
20 Chapter 21.

21 SECTION 7. Section 28.023, Education Code, is amended by  
22 adding Subsection (a-1) to read as follows:

23 (a-1) A school district shall develop or select examinations  
24 under Subsection (a) for granting high school credit for a language  
25 other than English to a student who receives instruction in that  
26 language in elementary, middle, or junior high school.

27 SECTION 8. (a) Not later than January 1, 2006, the



1 commissioner of education shall adopt rules relating to grants to  
2 educator preparation programs under Section 21.0451, Education  
3 Code, as added by this Act.

4 (b) Beginning with the 2006 fall semester, the commissioner  
5 of education shall make grants under Section 21.0451, Education  
6 Code, as added by this Act.

7 (c) Not later than January 1, 2006, the State Board for  
8 Educator Certification shall propose rules:

9 (1) establishing requirements and prescribing an  
10 examination for master language teacher certification as required  
11 by Section 21.0485, Education Code, as added by this Act;

12 (2) establishing requirements and prescribing an  
13 examination for dual language instruction teacher certification as  
14 required by Section 21.050(b), Education Code, as amended by this  
15 Act, and Section 28.0051(d), Education Code, as added by this Act;  
16 and

17 (3) permitting an educator to fulfill continuing  
18 education requirements by acquiring conversational skill in a  
19 language other than English as required by Section 21.054(c),  
20 Education Code, as added by this Act.

21 (d) Beginning with the 2006-2007 school year, the  
22 commissioner of education shall make grants under Section 21.416,  
23 Education Code, as added by this Act.

24 (e) The commissioner of education shall establish the  
25 international teacher exchange program required by Section 21.417,  
26 Education Code, as added by this Act, not later than April 1, 2006.

27 SECTION 9. This Act takes effect September 1, 2005.