

## **BILL ANALYSIS**

Senate Research Center

H.B. 2814  
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Education  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Bilingualism is considered a marketable skill in this era of globalization. In order to maintain international competitiveness, language learning opportunities should be expanded.

Section 28.0015, Education Code, sets forth the requirements for dual language immersion programs, but does not create a dual language education program, which would provide instruction in both English and the native language of the non-English speaking students. Such programs promote bilingualism, biliteracy, and grade-level academic achievement by placing both native English speaking and non-English speaking students together in the same classroom.

Enhancing language immersion programs can influence student achievement and ensure that Texas school children are adequately prepared for higher education and the 21<sup>st</sup> century workforce. Several proven technology support systems for language immersion already exist and could be used to increase student achievement.

H.B. 2814 establishes a dual language education pilot program to study the effectiveness of dual language education. The bill also directs the commissioner of education to establish a pilot project to implement and study language immersion programs and their effects

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 29.353, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 29, Education Code, by adding Subchapter J, as follows:

#### **SUBCHAPTER J. LANGUAGE IMMERSION PILOT PROJECT**

Sec. 29.351. ESTABLISHMENT OF PILOT PROJECT. Requires the commissioner of education (commissioner) to establish a pilot project (project) under which the Texas Education Agency (TEA) examines language immersion programs and the effect of those programs on a student's ability to advance to high school, graduate from high school, or prepare for college course work or postgraduation employment. Requires the commissioner to select to participate in the project school districts (districts) and campuses for which a charter is granted under Subchapter C (Campus or Campus Program Charter), Chapter 12.

Sec. 29.352. PILOT PROJECT ADMINISTRATION. (a) Requires the commissioner to establish a procedure and adopt criteria for TEA to administer the project.

(b) Requires the commissioner, in adopting criteria under this section, to require TEA to select only certain districts or campuses set forth in this subsection.

(c) Requires TEA to require a school district or campus selected under this subchapter to provide annual self-evaluations of progress toward language immersion program goals.

Sec. 29.353. PILOT PROJECT IMPLEMENTATION. (a) Requires the commissioner by rule to require a district or campus to limit activities of the language immersion program during the first year of the program to certain activities set forth in this subsection.

(b) Requires the commissioner by rule to develop procedures to assign a technical assistance team that includes university faculty with expertise in language learning to assist participating districts and campuses in program development, implementation, and assessment.

Sec. 29.354. SCHOOL DISTRICT OR CAMPUS SELECTION. (a) Requires TEA to select districts and campuses to participate in the project using the criteria provided by Section 29.352(b) and based on the readiness of the district or campus to incorporate language immersion programs into classrooms as demonstrated by the past performance of the district or campus relating to language instruction.

(b) Requires TEA to consider geographic diversity in selecting participants.

(c) Prohibits TEA from selecting more than 10 districts and 30 campuses to participate in the project.

(d) Provides that a school district or campus that applies for the expansion of an existing language immersion program is eligible for a grant under this subchapter.

Sec. 29.355. PILOT PROJECT FUNDING. (a) Authorizes TEA to use only undedicated and unobligated money from the general revenue fund for purposes of implementing the project.

(b) Prohibits TEA from spending an amount more than \$5 million per year for the project under this subchapter. Provides that the spending limitation imposed by this subsection does not apply to an expenditure made by the commissioner under Section 29.356(c).

(c) Authorizes TEA to use any gift, grant, or donation given for the project to supplement the funding for the pilot project and to solicit and accept a gift, grant, or donation of any kind from any source, including from a foundation, private entity, governmental entity, or institution of higher education, for the implementation of the project.

(d) Prohibits funds for the project from being used for the construction of a building or other facility.

(e) Requires TEA to use funds under this subchapter for teacher training in implementing the language immersion programs, hiring technical support staff for districts or campuses participating in the project, and purchasing technology-based instructional materials and resources.

Sec. 29.356. PILOT PROJECT GRANTS. (a) Requires the commissioner to award grants to districts and campuses that participate in the program from amounts appropriated to TEA, including foundation school program funds. Requires a grant under this section to be in an amount sufficient to pay the costs to the district or campus of participating in the program, as determined by the commissioner. Provides that a determination of the commissioner under this subsection is final and prohibits it from being appealed.

(b) Authorizes the commissioner, during the 2007-2008 school year, to award grants to districts and campuses under this section only for the purpose of planning activities described by Section 29.355(e) in an amount not to exceed five percent of the total amount required to fully implement the pilot program for the 2008-2009 school year.

(c) Requires the commissioner to enter into a contract to license language-learning software using language immersion methods in order to expand language learning opportunities for all public school students and district or campus employees, including students and employees in districts or campuses not participating in the project. Requires expenditures under this subsection to be sufficient to support language learning opportunities for a maximum of one million public school students and employees for a maximum of three years. Requires the commissioner to make the software available online to public school students and employees across the state not later than January 1, 2008. Prohibits the commissioner from spending more than \$4 million each year to comply with this subsection.

Sec. 29.357. COMMUNITY EDUCATIONAL PIPELINE PROGRESS TEAM. (a) Requires each participating district or campus to establish a community educational pipeline progress team (team) to assist in developing and implementing the project.

(b) Requires the board of trustees (board) of a participating district or of a district in which a participating campus is located to appoint individuals to the team. Authorizes the team to be composed of certain individuals set forth in this subsection.

(c) Requires the team to develop an academic improvement plan (plan) that describes the manner in which the project should be implemented in the participating school district or campus. Requires the team, in developing the plan, to consider the educational problems in the district or at the campus that could be mitigated through the implementation of the project and the technological and nontechnological resources that are necessary to ensure successful implementation of the project.

(d) Requires the team to recommend to the board the manner in which the project funds should be used to implement the plan developed under Subsection (c). Authorizes the team to recommend to the board any necessary changes in the plan annually. Requires TEA to approve the academic improvement plan or any changes to the plan before disbursing pilot project funds to the board.

(e) Requires the boards of each district participating in the project to provide an annual progress report to TEA not later than August 1 of each year that the district or campus is participating in the project. Requires the report to state in detail the type of plan used in the district or at the campus and the effect of the pilot project on the district or campus, including certain information set forth in this subsection.

Sec. 29.358. PARENT OPTION. Authorizes the parent of a student to prevent the student from participating in a language immersion program under this subchapter.

Sec. 29.359. PILOT PROJECT EVALUATION. (a) Requires TEA to perform an annual review of the project based on the reports it receives from the boards of participating school districts or campuses. Requires TEA to include a summary of the review of the pilot project in the comprehensive annual report required under Section 39.182.

(b) Requires TEA, during the 2010-2011 school year, to contract with one or more educational research centers to evaluate the efficacy of the project to determine whether it should be continued. Prohibits the cost of the evaluation from exceeding \$250,000.

Sec. 29.360. DUTIES AND RESPONSIBILITIES OF CHARTER CAMPUS GOVERNING BODY. Provides that, for purposes of this subchapter, the governing body of a campus for which a charter is granted under Subchapter C, Chapter 12, has the duties and responsibilities assigned to a board under Sections 29.357 and 29.359.

Sec. 29.361. EXPIRATION. This subchapter expires September 1, 2011.

SECTION 2. Effective date: upon passage or September 1, 2007.