

## **BILL ANALYSIS**

Senate Research Center

S.B. 1871  
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Education  
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Enrolled

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

Texas school districts, with an enrollment of 20 or more students of limited English proficiency in any language classification in the same grade level, have the discretion to choose from a number of different instruction models to educate English language learners. These models include Early-exit Transitional, English as a Second Language Pull-out, One-way Dual Language Immersion, Two-way Dual Language Immersion, and Late-exit Transitional Bilingual Education. There is currently no system in place, however, that links bilingual education and special language program instruction models with student outcome data. As a result, districts and schools do not have the critical information they need to determine which models are working most effectively and to make the best decisions for their English language learners.

S.B. 1871 evaluates the effectiveness of different bilingual education and special language program models by improving data collection and analysis. The bill directs the Texas Education Agency to collect and report linguistic English language, reading, mathematics, and science achievement data, and drop-out and graduation data disaggregated according to the instruction model for each current and former English language learner served in the state bilingual or English as a Second Language program.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 2 (Section 29.066, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 28.006, Education Code, by amending Subsection (d) and adding Subsection (d-1), as follows:

(d) Requires the superintendent of each school district (district), using the school readiness certification system provided to the school district in accordance with Section 29.161(e), to report electronically each student's raw score on the reading instrument to the Texas Education Agency (TEA) for use in the school readiness certification system.

(d-1) Requires TEA to contract with the State Center for Early Childhood Development (center) to receive and use scores under Subsection (d)(3) on behalf of TEA.

SECTION 2. Amends Subchapter B, Chapter 29, Education Code, by adding Section 29.066, as follows:

Sec. 29.066. PEIMS REPORTING REQUIREMENTS. (a) Requires a district that is required to offer bilingual education or special language programs to include certain information in the district's Public Education Information Management System PEIMS report.

(b) Requires the commissioner of education, for purposes of this section, to adopt rules to classify programs under this section in a certain manner.

(c) Requires the program to be classified under the PEIMS report in a certain manner if the school district has received a waiver and is not required to offer a

bilingual education or special language program in a student's native language or if the student's parents have refused to approve the student's entry into a program as provided by Section 29.056.

SECTION 3. Amends Section 29.161, Education Code, by amending Subsection (c) and adding Subsections (d), (e), and (f), as follows:

(c) Requires the school readiness certification system (system) to be capable of fulfilling the reporting and notice requirements of Sections 28.006(d) and (g).

(d) Requires TEA to collect each student's raw score results on the reading instrument administered under Section 28.006 (Reading Diagnosis) from each district using the system created under Subsection (a) and to contract with the center for purposes of this section.

(e) Requires the center, using funds appropriated for the system, to provide the system created under Subsection (a) to each district to report each student's raw score results on the reading instrument administered under Section 28.006.

(f) Requires TEA to provide assistance to the center in developing and adopting the system under this section, including providing access to data for the purpose of locating the teacher and campus of record for students, and to require confidentiality and other security measures for student data provided to the center as TEA's agent, consistent with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).

SECTION 4. Amends Section 39.027(e), Education Code, to require certain information to be provided in a manner that is disaggregated by the bilingual education or special language program, if any, in which the student is enrolled.

SECTION 5. Amends Section 39.051, Education Code, by adding Subsection (b-1), as follows:

(b-1) Requires performance on the indicators described by Subsections (b)(1) (relating to assessment instrument results), (b)(2) (relating to dropout rates), (b)(3) (relating to graduation rates), (b)(8) (relating to the percentage of students provided with accelerated instruction), (b)(9) (relating to the progress rate of students who have performed poorly on certain assessment instruments), and (b)(14) (relating to certain measures of progress toward dual language proficiency) to be based on longitudinal student data that is disaggregated by the bilingual education or special language program, if any, in which students of limited English proficiency, as defined by Section 29.052 (Definitions), are or former students of limited English proficiency were enrolled. Requires the number and percentage of those students described by this subsection who are not or were not enrolled in specialized language instruction to be provided.

SECTION 6. Amends Section 39.182, Education Code, by amending Subsections (a) and (b) and adding Subsection (b-1), as follows:

(a) Requires TEA to deliver an annual report to certain individuals and public officials that includes among the required contents a summary compilation of overall student performance under the assessment system developed to evaluate the longitudinal academic progress as required by Section 39.027(e), disaggregated by bilingual education or special language program instructional model, if any.

(b) Authorizes TEA, in reporting the information required by Subsection (a)(3) or (4), to separately aggregate the performance data of students enrolled in a special education program under Subchapter A, Chapter, rather than data of students enrolled in that program or a bilingual education or special language program under Subchapter B, Chapter 29.

(b-1) Requires TEA, in reporting the information required by Subsections (a)(3), (5), and (7), to aggregate separately the longitudinal performance data of all students identified as students of limited English proficiency, as defined by Section 29.052, or former students

of limited English proficiency, disaggregated by bilingual education or special language program instructional model, if any, in which the students are or were enrolled.

SECTION 7. Amends Section 42.006(c), Education Code, to make a conforming change.

SECTION 8. Makes application of this Act prospective to the 2008-2009 school year.

SECTION 9. Effective date: upon passage or September 1, 2007.