

1-1 By: Eissler, et al. (Senate Sponsor - Van de Putte) H.B. No. 2814  
1-2 (In the Senate - Received from the House April 26, 2007;  
1-3 May 1, 2007, read first time and referred to Committee on  
1-4 Education; May 21, 2007, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 7, Nays 1;  
1-6 May 21, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2814 By: Van de Putte

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to a pilot project in certain school districts for dual  
1-11 language education in English and another language.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter A, Chapter 28, Education Code, is  
1-14 amended by adding Sections 28.0052, 28.0053, and 28.0054 to read as  
1-15 follows:

1-16 Sec. 28.0052. DUAL LANGUAGE EDUCATION PILOT PROJECT.

1-17 (a) The commissioner shall establish a pilot project in school  
1-18 districts selected by the commissioner under which the agency  
1-19 examines dual language education programs and the effect of those  
1-20 programs on a student's ability to graduate from high school.

1-21 (b) In selecting school districts under Subsection (a), the  
1-22 commissioner shall:

1-23 (1) select districts that will commit to operate a  
1-24 dual language education program:

1-25 (A) for at least three years; and

1-26 (B) on one or more district campuses selected by  
1-27 the commissioner that demonstrate a substantially equal enrollment  
1-28 of students with limited English proficiency and students whose  
1-29 primary language is English or, if a district does not have a campus  
1-30 with a sufficient number of limited English proficiency students to  
1-31 meet the equal enrollment standard, on one or more district  
1-32 campuses selected by the commissioner that will include the  
1-33 enrollment of students with limited English proficiency, students  
1-34 whose primary language is English, and bilingual students; and

1-35 (2) give preference to a district that:

1-36 (A) demonstrates the potential:

1-37 (i) for expanding the program through  
1-38 middle school and high school; and

1-39 (ii) to offer at least one language program  
1-40 in addition to the language other than English used in the pilot  
1-41 program;

1-42 (B) will implement the program at the  
1-43 kindergarten level; and

1-44 (C) demonstrates parent, teacher, and community  
1-45 support for the program.

1-46 (c) The commissioner may select not more than 10 school  
1-47 districts and not more than 30 campuses to operate a dual language  
1-48 education program under this section.

1-49 (d) The commissioner by rule shall, except as provided by  
1-50 Subsection (e), require a district to limit activities of the dual  
1-51 language education program during the first year of the program to  
1-52 planning activities, including:

1-53 (1) hiring and training teachers and ensuring teacher  
1-54 certification;

1-55 (2) establishing parental and community support for  
1-56 the program; and

1-57 (3) acquiring adequate learning materials in both  
1-58 program languages.

1-59 (e) A program that applies for the expansion or improvement  
1-60 of an existing dual language education program is eligible for  
1-61 funding under the pilot project only to the extent authorized by the  
1-62 commissioner in compliance with Subsection (c). An existing dual  
1-63 language education program is not subject to the limitations on

2-1 activities imposed under Subsection (d).

2-2 (f) Funding provided for a dual language education program  
 2-3 may be used by a district for classroom materials.

2-4 (g) The agency shall report to the legislature describing  
 2-5 the agency's activities under the pilot project, the effect of the  
 2-6 project on grade-level completion and high school graduation rates,  
 2-7 and the recommendations arising from the project. The agency shall  
 2-8 submit an interim report under this subsection not later than  
 2-9 January 1, 2011, and a final report not later than January 1, 2013.

2-10 (h) This section expires August 1, 2013.

2-11 Sec. 28.0053. DUAL LANGUAGE EDUCATION PILOT PROJECT:  
 2-12 COMMUNITY EDUCATIONAL PIPELINE PROGRESS TEAM. (a) Each school  
 2-13 district or campus participating in the dual language education  
 2-14 pilot project under Section 28.0052 shall establish a community  
 2-15 educational pipeline progress team to assist in developing and  
 2-16 implementing the dual language education pilot project.

2-17 (b) The board of trustees of a participating school district  
 2-18 or of a school district in which a participating campus is located  
 2-19 shall appoint individuals to the team. The team must include  
 2-20 educators, district-level administrators, and parents of students  
 2-21 who attend a participating campus. The team may include community  
 2-22 leaders and any other persons identified by the board of trustees as  
 2-23 having research-based knowledge regarding second-language  
 2-24 learning.

2-25 (c) The team shall develop an academic improvement plan that  
 2-26 describes the manner in which the pilot project should be  
 2-27 implemented in the participating school district or campus. In  
 2-28 developing the academic improvement plan, the team shall consider:

2-29 (1) the educational problems in the district or at the  
 2-30 campus that could be mitigated through the implementation of the  
 2-31 pilot project; and

2-32 (2) the technological and nontechnological resources  
 2-33 that are necessary to ensure successful implementation of the pilot  
 2-34 project.

2-35 (d) The team shall recommend to the board of trustees the  
 2-36 manner in which the pilot project funds should be used to implement  
 2-37 the academic improvement plan developed under Subsection (c).  
 2-38 Annually, the team may recommend to the board any necessary changes  
 2-39 in the academic improvement plan. The agency must approve the  
 2-40 academic improvement plan or any changes to the plan before  
 2-41 disbursing pilot project funds to the board.

2-42 (e) The board of trustees of each district participating in  
 2-43 the pilot project shall provide an annual progress report to the  
 2-44 agency not later than August 1 of each year that the district or  
 2-45 campus is participating in the pilot project. The report must state  
 2-46 in detail the type of plan used in the district or at the campus and  
 2-47 the effect of the pilot project on the district or campus,  
 2-48 including:

2-49 (1) any effect on the academic progress of students  
 2-50 who are participating in a pilot project, as measured by  
 2-51 performance on assessment instruments, including assessment  
 2-52 instruments administered under Section 39.023;

2-53 (2) if applicable, a comparison of student progress at  
 2-54 a campus or in a classroom in a school district or campus that is  
 2-55 participating in the pilot project as compared to student progress  
 2-56 at a campus or in a classroom in that same district or campus that is  
 2-57 not participating in the pilot project;

2-58 (3) any effect on student attendance or dropout rates;

2-59 (4) any effect on student enrollment in high school;

2-60 (5) any effect on teacher performance or retention;

2-61 (6) any improvement in communications among students,  
 2-62 parents, teachers, and administrators;

2-63 (7) any improvement in parental involvement in the  
 2-64 education of the parent's child;

2-65 (8) any effect on community involvement and support  
 2-66 for the district or campus; and

2-67 (9) any increase in student proficiency in technology  
 2-68 that would help prepare students for becoming members of the  
 2-69 workforce.

3-1 (f) This section expires August 1, 2013.  
 3-2 Sec. 28.0054. CONTRACT FOR LANGUAGE LEARNING SOFTWARE. (a)  
 3-3 To expand language learning opportunities for all public school  
 3-4 students and school district or campus employees, including  
 3-5 students and employees in school districts or campuses not  
 3-6 participating in the dual language education pilot project  
 3-7 established under Section 28.0052, the commissioner shall enter  
 3-8 into a contract to license language learning software using  
 3-9 language immersion methods.

3-10 (b) Expenditures under this section must be sufficient to  
 3-11 support language learning opportunities for a maximum of one  
 3-12 million public school students and employees for a maximum of three  
 3-13 years. The commissioner shall make the software available online  
 3-14 to public school students and employees across the state not later  
 3-15 than January 1, 2008. A campus participating in the pilot project  
 3-16 established under Section 28.0052 may have access to the software.

3-17 (c) The commissioner may not spend more than \$4 million each  
 3-18 year to comply with this section.

3-19 (d) A school district may not use the language learning  
 3-20 software to supplant a bilingual education, English as a second  
 3-21 language, or dual language education program.

3-22 (e) Not later than January 1, 2013, the commissioner shall  
 3-23 report to the legislature on the utilization and effectiveness of  
 3-24 the language learning software.

3-25 (f) This section expires August 1, 2013.

3-26 SECTION 2. This Act takes effect immediately if it receives  
 3-27 a vote of two-thirds of all the members elected to each house, as  
 3-28 provided by Section 39, Article III, Texas Constitution. If this  
 3-29 Act does not receive the vote necessary for immediate effect, this  
 3-30 Act takes effect September 1, 2007.

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