

House Bill 2814
Senate Amendments
Section-by-Section Analysis

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SECTION 1. Chapter 29, Education Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. LANGUAGE IMMERSION PILOT PROJECT

Sec. 29.351. ESTABLISHMENT OF PILOT PROJECT.

The commissioner shall establish a pilot project under which the agency 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. The commissioner shall select to participate in the pilot project established under this subchapter:

- (1) school districts; and
- (2) campuses for which a charter is granted under Subchapter C, Chapter 12.

Sec. 29.352. PILOT PROJECT ADMINISTRATION.

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

Sec. 28.0052. DUAL LANGUAGE EDUCATION PILOT PROJECT.

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

(b) In selecting school districts under Subsection (a), the commissioner shall:

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

(A) for at least three years; and

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

(2) give preference to a district that:

(A) demonstrates the potential:

(i) for expanding the program through middle school

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(a) The commissioner shall establish a procedure and adopt criteria for the agency to administer the pilot project.

(b) In adopting criteria under this section, the commissioner shall require the agency to select only school districts or campuses that:

(1) demonstrate parent, teacher, and community support for a language immersion program;

(2) will commit to:

(A) a language immersion program in English and a language other than English as selected by the district for a minimum of three years in elementary grades; and

(B) a requirement that the English immersion component of the program will comprise at least 50 percent of the average instructional time;

(3) will offer in secondary grades at least one language program in addition to the language other than English used in the language immersion program provided under Subdivision (2); and

(4) demonstrate the potential for expanding the programs provided under Subdivisions (2) and (3) across primary and secondary grades, including:

(A) incorporating the program provided under Subdivision (2) in kindergarten; and

(B) offering the program provided under Subdivision (3) for four years in high school.

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

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and high school; and

(ii) to offer at least one language program in addition to the language other than English used in the pilot program;

(B) will implement the program at the kindergarten level; and

(C) demonstrates parent, teacher, and community support for the program.

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Sec. 29.353. PILOT PROJECT IMPLEMENTATION.

(a) The commissioner by rule shall require a school district or campus to limit activities of the language immersion program during the first year of the program to:

(1) planning activities, including:

(A) hiring and training teachers and other professional development activities as determined by the commissioner; and

(B) acquiring adequate instructional and technological materials in each program language, including software; and

(2) expanding or improving existing language immersion programs.

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

Sec. 29.354. SCHOOL DISTRICT OR CAMPUS SELECTION.

(a) The agency shall select school districts and campuses to participate in the pilot 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) In selecting participants, the agency shall consider geographic diversity.

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(c) The agency shall select not more than 10 school districts and not more than 30 campuses to participate in the pilot project.

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

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

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

(1) hiring and training teachers and ensuring teacher certification;

(2) establishing parental and community support for the program; and

(3) acquiring adequate learning materials in both program languages.

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

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

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

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a final report not later than January 1, 2013.
(h) This section expires August 1, 2013.

Sec. 29.355. PILOT PROJECT FUNDING. (a) To implement the pilot project, the agency may use only undedicated and unobligated money from the general revenue fund for purposes of the pilot project.

(b) The agency may not spend an amount more than \$5 million per year for the language immersion pilot project under this subchapter. The spending limitation imposed by this subsection does not apply to an expenditure made by the commissioner under Section 29.356(c).

(c) To supplement the funding for the pilot project, the agency may use any gift, grant, or donation given for the pilot project. The agency may 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 pilot project.

(d) Funds for the pilot project may not be used for the construction of a building or other facility.

(e) The agency shall use funds under this subchapter for:

(1) teacher training in implementing the language immersion programs;

(2) hiring technical support staff for school districts or campuses participating in the pilot project; and

(3) purchasing technology-based instructional materials and resources.

Sec. 29.356. PILOT PROJECT GRANTS. (a) From amounts appropriated to the agency, including foundation school program funds, the commissioner shall

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award grants to school districts and campuses that participate in the program. A grant under this section must be in an amount sufficient to pay the costs to the district or campus of participating in the program, as determined by the commissioner. A determination of the commissioner under this subsection is final and may not be appealed.

(b) During the 2007-2008 school year, the commissioner may award grants to school 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) To expand language learning opportunities for all public school students and school district or campus employees, including students and employees in school districts or campuses not participating in the pilot project, the commissioner shall enter into a contract to license language-learning software using language immersion methods. Expenditures under this subsection must be sufficient to support language learning opportunities for a maximum of one million public school students and employees for a maximum of three years. The commissioner shall make the software available online to public school students and employees across the state not later than January 1, 2008. The commissioner may not spend more than \$4 million each year to comply with this subsection.

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Sec. 29.357. COMMUNITY EDUCATIONAL PIPELINE PROGRESS TEAM. (a) Each participating school district or campus shall establish a community educational pipeline progress team to assist in developing and implementing the language immersion pilot project.

(b) The board of trustees of a participating school district or of a school district in which a participating campus is located shall appoint individuals to the team. The team may be composed of:

- (1) educators;
- (2) district-level administrators;
- (3) community leaders;
- (4) parents of students who attend a participating campus; and
- (5) any other individual the board finds appropriate.

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

- (1) the educational problems in the district or at the campus that could be mitigated through the implementation of the pilot project; and
- (2) the technological and nontechnological resources that are necessary to ensure successful implementation of the pilot project.

(d) The team shall recommend to the board of trustees

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

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

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

- (1) the educational problems in the district or at the campus that could be mitigated through the implementation of the pilot project; and
- (2) the technological and nontechnological resources that are necessary to ensure successful implementation of the pilot project.

(d) The team shall recommend to the board of trustees

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the manner in which the pilot project funds should be used to implement the academic improvement plan developed under Subsection (c). Annually, the team may recommend to the board any necessary changes in the academic improvement plan. The agency must approve the academic improvement plan or any changes to the plan before disbursing pilot project funds to the board.

(e) The board of trustees of each district participating in the pilot project shall provide an annual progress report to the agency not later than August 1 of each year that the district or campus is participating in the pilot project. The report must 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:

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

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

(3) any elements of the pilot project that contribute to improved student performance on assessment instruments administered under Section 39.023 or any other assessment instrument required by the agency;

(4) any cost savings or improved efficiency relating to

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the manner in which the pilot project funds should be used to implement the academic improvement plan developed under Subsection (c). Annually, the team may recommend to the board any necessary changes in the academic improvement plan. The agency must approve the academic improvement plan or any changes to the plan before disbursing pilot project funds to the board.

(e) The board of trustees of each district participating in the pilot project shall provide an annual progress report to the agency not later than August 1 of each year that the district or campus is participating in the pilot project. The report must 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:

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

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

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school personnel or the maintenance of school facilities;

- (5) any effect on student attendance or dropout rates;
- (6) any effect on student enrollment in high school;
- (7) any effect on teacher performance or retention;
- (8) any improvement in communications among students, parents, teachers, and administrators;
- (9) any improvement in parental involvement in the education of the parent's child;
- (10) any effect on community involvement and support for the district or campus; and
- (11) any increase in student proficiency in technology that would help prepare students for becoming members of the workforce.

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

Sec. 29.359. PILOT PROJECT EVALUATION. (a) The agency shall perform an annual review of the language immersion pilot project based on the reports the agency receives from the board of trustees of participating school districts or campuses. The agency shall include a summary of the review of the pilot project in the comprehensive annual report required under Section 39.182.

(b) During the 2010-2011 school year, the agency shall contract with one or more educational research centers to evaluate the efficacy of the pilot project to determine whether the pilot project should be continued. The cost

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- (3) any effect on student attendance or dropout rates;
- (4) any effect on student enrollment in high school;
- (5) any effect on teacher performance or retention;
- (6) any improvement in communications among students, parents, teachers, and administrators;
- (7) any improvement in parental involvement in the education of the parent's child;
- (8) any effect on community involvement and support for the district or campus; and
- (9) any increase in student proficiency in technology that would help prepare students for becoming members of the workforce.

(f) This section expires August 1, 2013.

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of the evaluation may not exceed \$250,000.

Sec. 29.360. DUTIES AND RESPONSIBILITIES OF CHARTER CAMPUS GOVERNING BODY. 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 the board of trustees of a school district under Sections 29.357 and 29.359.

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

Sec. 28.0054. CONTRACT FOR LANGUAGE LEARNING SOFTWARE. (a) To expand language learning opportunities for all public school students and school district or campus employees, including students and employees in school districts or campuses not participating in the dual language education pilot project established under Section 28.0052, the commissioner shall enter into a contract to license language learning software using language immersion methods.

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

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

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

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

(f) This section expires August 1, 2013.

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

Same as House version.