By: Van de Putte   S.B. No. 2002

A BILL TO BE ENTITLED

1   AN ACT

2   relating to a secondary-level English language learners' program

3   for public school students of limited English proficiency.

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

5   SECTION 1. Section 29.053(d), Education Code, is amended to

6   read as follows:

7   (d) Each district that is required to offer bilingual

8   education and special language programs under this section shall

9   offer the following for students of limited English proficiency:

10   (1) bilingual education in kindergarten through the

11   elementary grades;

12   (2) bilingual education, instruction in English as a

13   second language, or other transitional language instruction

14   approved by the agency in post-elementary grades through grade 8;

15   and

16   (3) a secondary-level [instruction in] English [as a

17   second] language learners' program, as provided by Sections

18   29.055(b-1) and (b-2), in grades 9 through 12.

19   SECTION 2. Section 29.055, Education Code, is amended by

20   adding Subsections (b-1), (b-2), and (g) to read as follows:

21   (b-1) A secondary-level English language learners' program

22   required by Section 29.053(d)(3) must include the following

23   components:

24   (1) consistent with Section 29.056 and any other law:

1   (A) identification and placement procedures

2 that are based on information concerning a student's proficiency in

3 English and in the student's primary language; and

4   (B) specialized identification and placement

5 procedures and instructional support services for students who are

6 recent immigrants, as determined under commissioner rule, that take

7 into consideration a student's previous school experience;

8   (2) assessment, approved by the agency, that:

9   (A) is administered in English and, in

10 appropriate cases as determined under commissioner rule, in a

11 student's primary language; and

12   (B) measures a student's progress toward state

13 and district academic performance standards or mastery of subject

14 matter content;

15   (3) instruction in English as a second language that

16 is aligned with the various levels of English language proficiency

17 of students of limited English proficiency;

18   (4) in each subject in the required curriculum under

19 Section 28.002 that is designated as a core content area by

20 commissioner rule:

21   (A) use of sheltered instruction to teach

22 students, using the English language in a manner that enables

23 students to learn both the subject area material and the English

24 language; and

25   (B) adaptation of the standard curriculum in a

26 manner that results in a curriculum that:

27   (i) is consistent with and is as rigorous as

the standard secondary-level curriculum; and

(ii) is consistent with a student's level of proficiency in English;

(5) instruction by:

(A) teachers who are appropriately certified for English as a second language; and

(B) subject area teachers who are trained in adapting instruction for students of limited English proficiency;

(6) a strategy that involves parents of secondary-level students of limited English proficiency and, as appropriate, interested members of the community in assessment of the effectiveness of the program provided under this subsection; and

(7) access to supplemental instructional services for any student of limited English proficiency who does not reach state, district, or campus academic performance standards.

(b-2) An educator, including an administrator, associated with a secondary-level English language learners' program under Subsection (b-1) must, as provided by State Board for Educator Certification rule, participate in ongoing professional development in effective, research-based practices for serving students of limited English proficiency. In satisfying the professional development requirements adopted under this subsection, a subject area teacher serving students of limited English proficiency must:

(1) not later than the second anniversary of the date the teacher begins teaching students of limited English

1 proficiency, complete:

2   (A) at least six semester credit hours of higher

3 education coursework in English as a second language contact

4 methodology; or

5   (B) professional development, equivalent as

6 determined under State Board for Educator Certification rule in the

7 time commitment necessary for satisfying the requirement under

8 Paragraph (A), in using sheltered instruction to teach a subject

9 area; and

10   (2) after completing the requirement prescribed by

11 Subdivision (1)(A) or (B), annually complete at least 12 hours of

12 professional development in research-based strategies for teaching

13 English as a second language.

14   (g) The commissioner and the State Board for Educator

15 Certification, as applicable, shall adopt rules as necessary to

16 administer this section.

17   SECTION 3. (a) Not later than March 1, 2010:

18   (1) the commissioner of education shall adopt rules as

19 necessary to administer Section 29.055(b-1), Education Code, as

20 added by this Act; and

21   (2) the State Board for Educator Certification shall

22 adopt rules as necessary to administer Section 29.055(b-2),

23 Education Code, as added by this Act.

24   (b) Beginning with the 2010-2011 school year, each school

25 district shall provide a secondary-level English language

26 learners' program as provided by Sections 29.055(b-1) and (b-2),

27 Education Code, as added by this Act.

1   (c) Notwithstanding Section 29.055(b-2)(1), a public school

2 teacher teaching students of limited English proficiency on or

3 before March 1, 2010, must comply with the educational or

4 professional development requirements of that provision not later

5 than March 1, 2012.

6   SECTION 4. This Act takes effect immediately if it receives

7 a vote of two-thirds of all the members elected to each house, as

8 provided by Section 39, Article III, Texas Constitution. If this

9 Act does not receive the vote necessary for immediate effect, this

10 Act takes effect September 1, 2009.