

By: Van de Putte

S.B. No. 1622

A BILL TO BE ENTITLED

AN ACT

relating to a secondary-level English language learners' program for public school students of limited English proficiency.

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

SECTION 1. Section 29.053(d), Education Code, is amended to read as follows:

(d) Each district that is required to offer bilingual education and special language programs under this section shall offer the following for students of limited English proficiency:

(1) bilingual education in kindergarten through the elementary grades;

(2) bilingual education, instruction in English as a second language, or other transitional language instruction approved by the agency in post-elementary grades through grade 8; and

(3) a secondary-level [instruction in] English [as a second] language learners' program, as provided by Sections 29.055(b-1) and (b-2), in grades 9 through 12.

SECTION 2. Section 29.055, Education Code, is amended by adding Subsections (b-1), (b-2), and (g) to read as follows:

(b-1) A language program for students of limited English proficiency in post-elementary grades through grade 12, as applicable, as required by Section 29.053(d)(2) or (3), other than a bilingual education program, must include the following

1 components:

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

3 (A) identification and placement procedures
4 that are based on information concerning a student's proficiency in
5 English and in the student's primary language; and

6 (B) specialized identification and placement
7 procedures and instructional support services for students who are
8 recent immigrants, as determined under commissioner rule, that take
9 into consideration a student's previous school experience;

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

11 (A) is administered in English and, in
12 appropriate cases as determined under commissioner rule, in a
13 student's primary language; and

14 (B) measures a student's progress toward state
15 and district academic performance standards or mastery of subject
16 matter content;

17 (3) instruction in English as a second language that
18 is aligned with the various levels of English language proficiency
19 of students of limited English proficiency;

20 (4) in each subject in the required curriculum under
21 Section 28.002 that is designated as a core content area by
22 commissioner rule:

23 (A) use of sheltered instruction to teach
24 students, using the English language in a manner that enables
25 students to learn both the subject area material and the English
26 language; and

27 (B) adaptation of the standard curriculum in a

1 manner that results in a curriculum that:

2 (i) is consistent with and is as rigorous as
3 the standard secondary-level curriculum; and

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

6 (5) instruction by:

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

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

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

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

19 (b-2) For a campus performing unsatisfactorily, as
20 determined by commissioner rule and consistent with applicable
21 performance standards under the agency's Performance-Based
22 Monitoring Analysis System, in offering language programs to which
23 Subsection (b-1) applies, a school district shall require campus
24 educators, including appropriate administrators, associated with
25 such a program to, as provided by State Board for Educator
26 Certification rule, participate in ongoing professional
27 development in effective, research-based practices for serving

1 students of limited English proficiency. In satisfying the
2 professional development requirements adopted under this
3 subsection, a subject area teacher and an administrator serving
4 students of limited English proficiency on the campus must
5 complete:

6 (1) at least six semester credit hours of higher
7 education coursework in English as a second language contact
8 methodology; or

9 (2) professional development, equivalent as
10 determined under State Board for Educator Certification rule in the
11 time commitment necessary for satisfying the requirement under
12 Subdivision (1), in using sheltered instruction to teach a subject
13 area.

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, 2012:

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 2011-2012 school year, each school
25 district shall provide programs as provided by Sections 29.055(b-1)
26 and (b-2), Education Code, as added by this Act.

27 (c) A public school teacher teaching students of limited

1 English proficiency on or before March 1, 2012, must comply with the
2 educational or professional development requirements of that
3 provision not later than March 1, 2014.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2011.