88R14428 DIO-D

By:  Guerra H.B. No. 4508

A BILL TO BE ENTITLED

AN ACT

relating to bilingual education in public schools.

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

SECTION 1.  Subchapter J, Chapter 21, Education Code, is amended by adding Section 21.4572 to read as follows:

Sec. 21.4572.  TRAINING FOR SCHOOL ADMINISTRATORS: BILINGUAL EDUCATION AND DUAL LANGUAGE IMMERSION. The commissioner, in collaboration with relevant stakeholders, shall develop and make available training materials and other training resources to increase school administrators' understanding of and improve student outcomes for:

(1)  bilingual education programs offered under Section 29.053; and

(2)  dual language immersion programs described by Section 28.0051.

SECTION 2.  Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.028 to read as follows:

Sec. 28.028.  TEXAS STATE SEAL OF BILINGUALISM AND BILITERACY. (a) In this section, "seal" means the Texas State Seal of Bilingualism and Biliteracy established under Subsection (b).

(b) The agency shall establish a seal to recognize high school graduates who have attained a high level of proficiency in comprehending, speaking, reading, and writing in both English and a language other than English.

(c)  The agency, in consultation with appropriate stakeholders, shall:

(1)  determine minimum requirements for earning the seal, which:

(A)  must be sufficiently rigorous to indicate to an employer or postsecondary institution that a student who has earned the seal is biliterate;

(B)  may include completion of a project, activity, or portfolio; and

(C)  may not condition receipt of the seal on an examination created for that purpose; and

(2)  prepare and deliver to each school district an insignia that can be affixed or stamped on the diploma of and adopt a designation to be included on the transcript of a student who has satisfied requirements for earning the seal.

(d)  Each school district shall:

(1)  maintain appropriate records to identify students who have earned the seal; and

(2)  for each student who has satisfied requirements for earning the seal:

(A)  affix the seal's insignia to the student's diploma; and

(B)  include in the student's transcript that the student earned the seal.

(e)  The commissioner shall adopt rules as necessary to administer this section.

SECTION 3.  Section 29.054, Education Code, is amended by adding Subsection (e) to read as follows:

(e)  Notwithstanding Section 29.066(c), the agency may require, for purposes of implementing Section 48.105, a school district that is granted an exception under this section to:

(1)  include in the district's Public Education Information Management System (PEIMS) report additional information specified by the agency and relating to the alternative language education methods used by the district; and

(2)  classify the alternative language education method used by the district under the Public Education Information Management System (PEIMS) report as specified by the agency.

SECTION 4.  Section 29.066(a), Education Code, is amended to read as follows:

(a)  A school district that is required to offer bilingual education or special language programs shall include the following information in the district's Public Education Information Management System (PEIMS) report:

(1)  demographic information, as determined by the commissioner, on students enrolled in district bilingual education or special language programs;

(2)  the number and percentage of students enrolled in each instructional model of a bilingual education or special language program offered by the district; [~~and~~]

(3)  the number and percentage of students identified as emergent bilingual students who do not receive specialized instruction; and

(4)  any other information required by the agency under Section 29.068(b).

SECTION 5.  Subchapter B, Chapter 29, Education Code, is amended by adding Section 29.068 to read as follows:

Sec. 29.068.  AGENCY MONITORING. (a) The agency shall adopt rules providing for robust monitoring of bilingual education and special language programs. The rules must require the agency to:

(1)  review bilingual education and special language program requirements to ensure those requirements prioritize meeting student needs and closing learning gaps for emergent bilingual students; and

(2)  engage directly with school districts offering bilingual education or special language programs to improve outcomes for emergent bilingual students, including by identifying districts offering programs with deficiencies and providing technical assistance to those districts.

(b)  Rules adopted under Subsection (a) may include requiring school districts that offer bilingual education or special language programs to provide additional information relevant to the programs through the Public Education Information Management System (PEIMS) under Section 29.066.

SECTION 6.  Subchapter F, Chapter 29, Education Code, is amended by adding Section 29.1831 to read as follows:

Sec. 29.1831.  PROGRAM OF STUDY IN BILINGUAL EDUCATION, ENGLISH AS A SECOND LANGUAGE, AND SPANISH. (a) The agency shall develop a program of study for use in career and technology education programs that prepares and assists students in pursuing a career teaching:

(1)  bilingual education;

(2)  English as a second language; or

(3)  Spanish.

(b)  The agency shall post on the agency's Internet website information regarding:

(1)  the program of study developed under this section; and

(2)  the financial incentive program to prepare teachers to obtain certification to teach bilingual education, English as a second language, or Spanish administered by the Texas Higher Education Coordinating Board under Subchapter SS, Chapter 61.

SECTION 7.  Section 33.007(b), Education Code, is amended to read as follows:

(b)  During the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during each year of a student's enrollment in high school or at the high school level, a school counselor shall provide information about postsecondary education to the student and the student's parent or guardian. The information must include information regarding:

(1)  the importance of postsecondary education;

(2)  the advantages of earning an endorsement and a performance acknowledgment and completing the distinguished level of achievement under the foundation high school program under Section 28.025;

(3)  the disadvantages of taking courses to prepare for a high school equivalency examination relative to the benefits of taking courses leading to a high school diploma;

(4)  financial aid eligibility;

(5)  instruction on how to apply for federal financial aid;

(6)  the center for financial aid information established under Section 61.0776;

(7)  the automatic admission of certain students to general academic teaching institutions as provided by Section 51.803;

(8)  the eligibility and academic performance requirements for the TEXAS Grant as provided by Subchapter M, Chapter 56;

(9)  the availability of programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs;

(10)  the availability of education and training vouchers and tuition and fee waivers to attend an institution of higher education as provided by Section 54.366 for a student who is or was previously in the conservatorship of the Department of Family and Protective Services; [~~and~~]

(11)  the availability of college credit awarded by institutions of higher education to veterans and military servicemembers for military experience, education, and training obtained during military service as described by the informational materials developed under Section 302.0031(h), Labor Code; and

(12)  the availability of programs that prepare students for teaching bilingual education, English as a second language, or Spanish, including:

(A)  the program of study developed under Section 29.1831; and

(B)  the financial incentive program administered by the Texas Higher Education Coordinating Board under Subchapter SS, Chapter 61.

SECTION 8.  Section 48.105(a), Education Code, is amended to read as follows:

(a)  For each student in average daily attendance in a bilingual education or special language program under Subchapter B, Chapter 29, or an alternative language method offered by a school district and approved by the agency under Section 29.054(d), a district is entitled to an annual allotment equal to the basic allotment multiplied by:

(1)  for an emergent bilingual student, as defined by Section 29.052:

(A)  0.1; or

(B)  0.15 if the student is in a bilingual education program or an alternative language method offered by a school district and approved by the agency under Section 29.054(d) using a dual language immersion/one-way or two-way program model; and

(2)  for a student not described by Subdivision (1), 0.05 if the student is in a bilingual education program or an alternative language method offered by a school district and approved by the agency under Section 29.054(d) using a dual language immersion/two-way program model.

SECTION 9.  Chapter 61, Education Code, is amended by adding Subchapter SS to read as follows:

SUBCHAPTER SS. FINANCIAL INCENTIVE PROGRAM TO PREPARE TEACHERS IN BILINGUAL EDUCATION, ENGLISH AS A SECOND LANGUAGE, AND SPANISH

Sec. 61.99991.  ESTABLISHMENT AND ADMINISTRATION OF PROGRAM. (a) The board shall establish a program to provide financial incentives such as tuition assistance or student loan repayment to:

(1)  assist persons in obtaining certification to teach bilingual education, English as a second language, or Spanish in a public elementary or secondary school in this state; and

(2)  facilitate the employment of those persons by a public elementary or secondary school in this state that has a shortage of teachers certified to teach in those fields.

(b)  In administering the program, the board shall give priority to awarding financial incentives to those eligible persons who demonstrate the greatest financial need.

Sec. 61.99992.  ELIGIBILITY. To be eligible to receive financial incentives under this subchapter, a person must:

(1)  apply to the board in the form and manner prescribed by board rule;

(2)  be admitted into an educator preparation program at an institution of higher education or at a private or independent institution of higher education that prepares students for certification to teach bilingual education, English as a second language, or Spanish;

(3)  enter into an agreement with the board as provided by Section 61.99993; and

(4)  satisfy any other criteria jointly prescribed by the board and the State Board for Educator Certification.

Sec. 61.99993.  AGREEMENT. To qualify for financial incentives under this subchapter, a person must enter into a written agreement with the board as provided by this section. The agreement must require the person to:

(1)  obtain, within the period prescribed by board rule, certification to teach bilingual education, English as a second language, or Spanish in a public elementary or secondary school in this state;

(2)  accept, during the first school year that begins after the date the person becomes certified as provided by Subdivision (1), an offer of full-time employment to teach bilingual education, English as a second language, or Spanish in a public elementary or secondary school in this state that has a shortage of teachers certified to teach in one or more of those fields; and

(3)  teach bilingual education, English as a second language, or Spanish at that school for at least two school years.

Sec. 61.99994.  FINANCIAL INCENTIVES. The board shall award financial incentives such as tuition assistance or student loan repayment to each participant in the program to assist with the cost of payment of mandatory tuition and fees for courses required to obtain certification to teach bilingual education, English as a second language, or Spanish.

Sec. 61.99995.  REIMBURSEMENT; EXCEPTIONS. (a) A program participant who fails to meet the requirements of Section 61.99993 shall reimburse the board for the amount of any assistance received by the participant under this subchapter.

(b)  The board by rule shall establish exceptions to the reimbursement requirement under this section for participants who are unable to meet the requirements of Section 61.99993 as a result of an unusual hardship.

Sec. 61.99996.  GIFTS, GRANTS, AND DONATIONS. In addition to money appropriated by the legislature, the board may solicit and accept gifts, grants, and donations for the purposes of this subchapter.

Sec. 61.99997.  RULES. The board shall adopt rules necessary for the administration of this subchapter, including a rule that sets the maximum amount of financial assistance that a person may receive under this subchapter in one year.

SECTION 10.  The Texas Education Agency shall develop the program of study for use in a school district's career and technology education program to teach bilingual education, English as a second language, or Spanish as required by Section 29.1831, Education Code, as added by this Act, beginning not later than the 2024-2025 school year.

SECTION 11.  The Texas Higher Education Coordinating Board shall adopt rules for the administration of Subchapter SS, Chapter 61, Education Code, as added by this Act, as soon as practicable after this Act takes effect.

SECTION 12.  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, 2023.