

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.

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

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

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

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

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

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

16       (d) Each school district shall:

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

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

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

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

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

27       SECTION 3. Section [29.054](#), Education Code, is amended by

1 adding Subsection (e) to read as follows:

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

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

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

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

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

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

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

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

27 (4) any other information required by the agency under

1 Section 29.068(b).

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

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

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

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

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

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

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

- 1           (1) bilingual education;
- 2           (2) English as a second language; or
- 3           (3) Spanish.

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

- 6           (1) the program of study developed under this section;
- 7 and
- 8           (2) the financial incentive program to prepare  
9 teachers to obtain certification to teach bilingual education,  
10 English as a second language, or Spanish administered by the Texas  
11 Higher Education Coordinating Board under Subchapter SS, Chapter  
12 61.

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

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

- 22           (1) the importance of postsecondary education;
- 23           (2) the advantages of earning an endorsement and a  
24 performance acknowledgment and completing the distinguished level  
25 of achievement under the foundation high school program under  
26 Section 28.025;
- 27           (3) the disadvantages of taking courses to prepare for

1 a high school equivalency examination relative to the benefits of  
2 taking courses leading to a high school diploma;

3 (4) financial aid eligibility;

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

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

8 (7) the automatic admission of certain students to  
9 general academic teaching institutions as provided by Section  
10 51.803;

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

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

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

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

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

4                   (A) the program of study developed under Section  
5 29.1831; and

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

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

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

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

19                           (A) 0.1; or

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

25                   (2) for a student not described by Subdivision (1),  
26 0.05 if the student is in a bilingual education program or an  
27 alternative language method offered by a school district and

1 approved by the agency under Section 29.054(d) using a dual  
2 language immersion/two-way program model.

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

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

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

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

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

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

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

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

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



1 language, or Spanish;

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

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

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

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

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

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

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

1 second language, or Spanish.

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

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

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

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

18 SECTION 10. The Texas Education Agency shall develop the  
19 program of study for use in a school district's career and  
20 technology education program to teach bilingual education, English  
21 as a second language, or Spanish as required by Section 29.1831,  
22 Education Code, as added by this Act, beginning not later than the  
23 2024-2025 school year.

24 SECTION 11. The Texas Higher Education Coordinating Board  
25 shall adopt rules for the administration of Subchapter SS, Chapter  
26 61, Education Code, as added by this Act, as soon as practicable  
27 after this Act takes effect.

1           SECTION 12. This Act takes effect immediately if it  
2 receives a vote of two-thirds of all the members elected to each  
3 house, as provided by Section 39, Article III, Texas Constitution.  
4 If this Act does not receive the vote necessary for immediate  
5 effect, this Act takes effect September 1, 2023.