

BILL ANALYSIS

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S.B. 61
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Education
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Texas has been plagued by a shortage of certified teachers, especially bilingual and English as a second language (ESL) teachers. According to State Board for Educator Certification (SBEC) data, as many as one in three new teachers hired to work in bilingual or ESL classes do not have the credentials required for that position. This persistent shortage contributes to competition for qualified available teachers.

As proposed, S.B. 61 enhances teacher quality, recruitment, preparation, and retention by providing state grants to the educator preparation programs of Texas public colleges in order to pay tuition and textbook expenses for students seeking teacher certification in bilingual education, including dual language instruction and ESL, with minimal financial need requirements. S.B. 61 also establishes a Master Teacher in Dual-Language/Bilingual Education Program for school districts that apply and qualify for state grants.

This bill also allows teachers to satisfy their continuing professional education (CPE) requirements by acquiring conversational skills in one or more additional languages on an optional basis. S.B. 61 provides for notification to an educational paraprofessional (teacher aide), upon issuance or renewal of a certificate, of the aide's potential eligibility for an educational aide tuition exemption from the Texas Higher Education Coordinating Board, which may be used to obtain teacher certification in bilingual or dual language. This bill establishes an international teacher exchange training program using private-sector funding and allows public school students who receive non-English instruction in the primary and middle-school grade levels the option of obtaining foreign-language credit in high school by passing an examination that meets adequate standards.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 21.0451, Education Code), and SECTION 5 (Sections 21.416 and 21.417, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 21, Education Code, by adding Sections 21.0451 and 21.0485, as follows:

Sec. 21.0451. GRANTS FOR CERTIFICATION IN BILINGUAL EDUCATION, DUAL LANGUAGE INSTRUCTION, OR ENGLISH AS A SECOND LANGUAGE.

(a) Requires the commissioner of education (commissioner) to make grants, from funds appropriated for that purpose, to educator preparation programs offered by public senior colleges or universities to allow the programs to provide certain financial benefits for students seeking certification.

(b) Requires the commissioner, by rule, to establish certain criteria and procedures for administering financial exemptions.

Sec. 21.0485. MASTER LANGUAGE TEACHER CERTIFICATION. (a) Requires the State Board for Educator Certification (board) to establish certain master language teacher certificates to ensure that there are teachers with special training to work with

other teachers and students in order to improve student performance in English and other languages.

(b) Requires the board to issue master language teacher certificates to each eligible person.

(c) Sets forth requirements for master language teacher certificate eligibility.

SECTION 2. Amends Section 21.050(b), Education Code, to authorize the board to propose rules requiring additional credit hours for certification in dual language instruction.

SECTION 3. Amends Section 21.054, Education Code, by adding Subsection (c) to require that rules proposed under Subsection (a) permit an educator to fulfill continuing education requirements by acquiring conversational skills in one or more languages other than English. Provides that the rules must permit educators to obtain language instruction through a variety of methods.

SECTION 4. Amends Subchapter B, Chapter 21, Education Code, by adding Sections 21.060 and 21.061, as follows:

Sec. 21.060. NOTICE OF EDUCATIONAL AIDE TUITION EXEMPTION. Requires the board, upon issuing an educator certificate, to provide certain notifications to the person to whom the certificate is issued.

Sec. 21.061. FINANCIAL ASSISTANCE TO EDUCATIONAL AIDES SEEKING CERTIFICATION AS LANGUAGE TEACHERS. (a) Authorizes a school district to use state or local funds to supplement or reimburse tuition and fees for an educational aide seeking certification as a bilingual education, dual language instruction, or English as a second language teacher.

(b) Provides that a school district and an educational aide must enter into a written agreement that includes certain guidelines and requirements before the district may provide financial assistance to the aide.

SECTION 5. Amends Subchapter I, Chapter 21, Education Code, by adding Sections 21.416 and 21.417, as follows:

Sec. 21.416. MASTER LANGUAGE TEACHER GRANT PROGRAM. (a) Requires the commissioner to establish a master language teacher grant program to encourage teachers to become certified as a master teacher and to work with other teachers and students in order to improve general language performance.

(b) Requires the commissioner to make grants, from funds appropriated for the purpose, to school districts to pay fees incurred by teachers seeking certification as master language teachers. Authorizes the grants to provide for the payment of certain fees.

(c) Authorizes any school district to apply to the commissioner for grants to be used to pay fees in accordance with this section. Requires the commissioner to approve the application if the district meets certain requirements.

(d) Authorizes a school district to pay an annual stipend to a master language teacher. Provides that a stipend a teacher receives under this section is not considered in determining whether the district is paying the teacher the minimum monthly salary under Section 21.402 (Minimum salary schedule for certain professional staff).

(e) Provides that a decision made by the commissioner concerning the amount of money to which a school district is entitled is final and may not be appealed. Authorizes the commissioner to audit the expenditure of money

appropriated for purposes of this section. Requires a district's use of the money appropriated for purposes of this section to be verified as part of the district audit under Section 44.008 (Annual Audit; Report).

(f) Authorizes the commissioner to adopt other rules, as necessary, to implement this section.

Sec. 21.417. INTERNATIONAL EXCHANGE PROGRAM FOR LANGUAGE TEACHERS. (a) Requires the commissioner to establish an international teacher exchange program to enable travel between Texas and foreign countries for the purpose of teaching English and foreign languages.

(b) Requires the commissioner to solicit and authorizes the commissioner to accept gifts and grants for purposes of the international exchange program.

(c) Authorizes the commissioner to adopt rules prescribing eligibility requirements and the amount of assistance to be provided for teacher participation in the exchange program.

SECTION 6. Amends Section 28.0051, Education Code, by adding Subsection (d) to require that the board provide for the issuance of teaching certificates appropriate for dual language instruction to teachers who meet certain requirements.

SECTION 7. Amends Section 28.023, Education Code, by adding Subsection (a-1) to require a school district to develop or select examinations under Subsection (a) (board review examinations testing comprehension of a subject) for granting high school credit for a language other than English to a student who receives instruction in that language in elementary, middle, or junior high school.

SECTION 8. (a) Requires the commissioner to adopt rules relating to grants to educator preparation programs under Section 21.0451, Education Code, as added by this Act, not later than January 1, 2006.

(b) Requires the commissioner to make grants under Section 21.0451, Education Code, beginning with the 2006 fall semester.

(c) Requires the board to establish certain requirements regarding teacher certification and continuing education not later than January 1, 2006.

(d) Requires the commissioner to make grants under Section 21.416, Education Code, as added by this Act, beginning with the 2006-2007 school year.

(e) Requires the commissioner to establish the international teacher exchange program required by Section 21.417, Education Code, as added by this Act, not later than April 1, 2006.

SECTION 9. Effective date: September 1, 2005.