

**Texas League of United Latin  
American Citizens**



Testimony in Favor of SB 53—Judith Zaffirini  
as Presented by Velma Ybarra, LULAC State Education Chair  
to the Education Committee March 31, 2011

LULAC of Texas acknowledges the many efforts, programs, and initiatives to improve the education of all students in our State. Successful bilingual education and ESL (English as a Second Language) teaching models have been and continue to be identified.

However, the data\* continues to cite dropout rates that are unacceptable and growing for large numbers of ELLs in our State. This special population group continues to increase in number in Texas schools, but lags further behind each academic year.

In 2008, a Federal District Court ruled that services for LEP (ELL) students in Texas schools are inadequate. However, the Texas Attorney General appealed the ruling, and in March, 2010, the Fifth Circuit Court ruled in favor of the TEA appeal, and failed to respond to the needs of ELLs in our State.

SB 53 will provide for a positive response to meeting the needs of limited English proficient students by providing more accurate data on the academic attainment for this special population group.

**The need to approve a bill like SB53 is urgent.** We are aware of the negative economic impact for Texas if the dropout rates continue as currently recorded for ELLs in our high schools. Limited English proficient students continue to constitute almost 20% of the total student population in Texas and have the lowest academic achievement rate, lowest graduation rate, and lowest college readiness rate among all special population groups.

**LULAC supports SB 53 BECAUSE IT PROVIDES FOR THE ACCOUNTABILITY NEEDED TO ASSESS THE EFFECTIVENESS OF ESL PROGRAMS IN GRADES 9-12**

1. SB 53 calls for the comparison of data of English Language (ELLs) vs. that of non-ELLs for every performance indicator in the current accountability system, including AEIS and PBMAS.
2. SB 53 requires reporting of dropout rates for LEPs in comparison to those who are not LEPs
3. SB 53 requires that those who monitor ineffective programs at the individual campus level be certified in ESL.

**LULAC believes that support for SB 53 is necessary because of the demonstrated lack of support by TEA in aggressively monitoring the effectiveness of education for ELLs and poor children in Texas.**

**SB 53 provides the focus that is needed at the high school level that is needed to improve graduation rates for ELLs.**

**It is time to revise ESL Education Laws in the state of Texas. SB 53 will provide for more accurate reporting of ELLs success in meeting state accountability indicators at the individual campus level.**

**CLEAN, UNADJUSTED, STRAIGHT-FORWARD, DATA ON HIGH SCHOOL DROPOUT RATES FOR ELLs is imperative and SB 53 will provide that data.**

**LULAC would even further support the setting of long and short term targets for graduation rates for ELL students that are aggressive and attainable.**

**Accurate reporting and auditing of the performance of ELLs is imperative. SB 53 will eliminate the loopholes in the current accountability system that lump scores of ELLs at the district rather than at the campus level.**

LULAC supports the reporting process in SB 53 that would require ineffective campuses or districts to report the number of non-ESL certified or non-certified teachers assigned to ESL students. This is essential because we all know about **the connection between poor districts, non-certified staff, and low performance of children -- a formula destined for failure.** (Fuller, et al.)

**Through its accounting mechanism, SB 53 can lead to the identification and expansion of successful and appropriate ESL instructional and scheduling models for ELLs in our high schools.**

LULAC would further suggest that ESCs (Education Service Centers) report to the TEA all services that they have offered to campuses or school districts found to have ineffective ESL programs as per accountability measures cited in SB53.

Finally, we are in full support of the SB 53 provisions that would require campuses or districts with ineffective ESL program to review and assess the number of parents of ELLs who deny, or turn down, services for ESL program services. Here again, LULAC suggest that the Education Service Centers report to the TEA the specific assistance provided to member districts on how to improve the participation rates of LEPs in ESL programs, including evidence that the number of parent denials is decreasing each year.

The specific statements of support for SB 53 are included, in concept, on a plan that LULAC has formulated on how to improve services of ELLs at all grade levels in the state of Texas. That document, entitled EL PLAN is available on the State LULAC website.

LULAC thanks Senator Judith Zaffirini and her staff for their work on this SB 53 and for their commitment to improving services for all children in Texas.