

BILL ANALYSIS

Senate Research Center

S.B. 1097
By: Van de Putte
Education
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As Filed

DIGEST AND PURPOSE

Currently, school districts are required to provide accelerated instruction at a 1-to-10 ratio to every third grade child who fails the Texas assessment instrument and requires that every third grade child who fails the test three times not be allowed to advance to the fourth grade. As proposed, S.B. 1097 requires accelerated instruction to be provided to students before the students may be retained at the third grade level in public schools.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 28.0211(c) and (e), Education Code, as follows:

(c) Requires the commissioner of education (commissioner), for purposes of determining the performance of a district on the academic excellence indicator adopted under Section 39.051(b)(7), to include evaluation of a district's provision of accelerated instruction in accordance with this subsection to students at the third grade level and to impose sanctions under Chapter 39G, on a district that fails to comply with this subsection in providing accelerated instruction to those students.

(e) Requires a student, who, after at least three attempts, fails to perform satisfactorily on an assessment instrument specified under Subsection (a) to be retained at the same grade level for the next school year in accordance with Subsection (a), except as otherwise provided by this subsection. Makes a nonsubstantive change. Prohibits a student from being retained at the third grade level under this section unless a district has provided the student with the accelerated instruction required for the student under Subsection (c) in a manner that satisfies the student/teacher ratio prescribed by Subsection (c) and has provided any accelerated reading instruction required for the student under Section 28.006(g).

SECTION 2. Amends Section 28.006(j), Education Code, to require the commissioner to evaluate the programs that fail to provide accelerated reading instruction as required under Subsection (g) or to meet the standard of performance under Section 39.051(b)(7) and to implement sanctions under Chapter 39G.

SECTION 3. Provides that this Act applies to retention at the third grade level in public schools based on assessment instruments administered during or after the 2002-2003 school year.

SECTION 4. Effective date: upon passage or September 1, 2003.