

By: Barrientos

S.B. No. 98

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the administration of certain state assessment
3 instruments in Spanish to Spanish-speaking students of limited
4 English proficiency who are in special education programs.

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

6 SECTION 1. Section 39.023, Education Code, is amended by
7 adding Subsection (o) to read as follows:

8 (o) The State Board of Education shall adopt rules for the
9 administration of the assessment instruments adopted under
10 Subsection (b) in Spanish to students who are of limited English
11 proficiency, as defined by Section 29.052, whose primary language
12 is Spanish, and who are not otherwise exempt from the
13 administration of an assessment instrument under Section
14 39.027(a)(3) or (4). Each student of limited English proficiency
15 whose primary language is Spanish and who would otherwise be
16 assessed using an English language assessment instrument adopted
17 under Subsection (b) may be assessed using an assessment instrument
18 in Spanish under this subsection. The language proficiency
19 assessment committee established under Section 29.063 shall
20 determine which students are administered assessment instruments
21 in Spanish under this subsection.

22 SECTION 2. Beginning with the 2003-2004 school year, the
23 State Board of Education shall administer assessment instruments in
24 accordance with rules adopted under Section 39.023(o), Education

1 Code, as added by this Act.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2003.