

Amend **HB 2** as follows:

(1) On page 147, between lines 20 and 21, insert the following appropriately numbered section and renumber the subsequent sections accordingly:

SECTION 2D.\_\_\_. Effective August 1, 2006, Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.036 to read as follows:

Sec. 39.036. DIAGNOSTIC EXAMINATION FOR CERTAIN STUDENTS.

(a) The commissioner shall adopt a diagnostic examination to assess each student entering a public charter district. The examination must be designed to determine the grade level at which a student is performing.

(b) Not later than one month after a student enrolls in a public charter district, the public charter district must administer to the student the diagnostic examination adopted by the commissioner under this section.

(2) On page 148, line 4, between "(1)" and "the", insert "except as provided by Section 39.0511,".

(3) On page 151, between lines 19 and 20, insert the following appropriately numbered section and renumber the subsequent sections accordingly:

SECTION 2D.\_\_\_. Effective August 1, 2006, Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0511 to read as follows:

Sec. 39.0511. INDICATOR FOR CERTAIN STUDENTS. (a) The academic excellence indicator described by Section 39.051(b)(1) is not considered in determining the performance of a public charter district.

(b) In determining the performance of a public charter district, the commissioner shall consider the growth in student achievement of students enrolled at the public charter district, as determined by comparing student performance on the diagnostic examinations administered under Section 39.036 and student performance on assessment instruments required under Section 39.023(a), (c), and (1).