

By: Luna

H.B. No. 32

A BILL TO BE ENTITLED

AN ACT

relating to the reenrollment of a student in a bilingual education or special language program in a public school.

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

SECTION 1. Section 29.056(g), Education Code, is amended to read as follows:

(g) A district may transfer a student of limited English proficiency out of a bilingual education or special language program for the first time or a subsequent time if the student is able to participate equally in a regular all-English instructional program as determined by:

(1) tests administered at the end of each school year to determine the extent to which the student has developed oral and written language proficiency and specific language skills in both the student's primary language and English;

(2) an achievement score at or above the 40th percentile in the reading and language arts sections of an English standardized test approved by the agency; and

(3) other indications of a student's overall progress, including criterion-referenced test scores, subjective teacher evaluation, and parental evaluation.

SECTION 2. Subchapter B, Chapter 29, Education Code, is amended by adding Section 29.0561 to read as follows:

Sec. 29.0561. CONSIDERATION; REENROLLMENT. (a) For the

1 first two school years after a student is transferred out of a
2 bilingual education or special language program under Section
3 29.056(g), the language proficiency assessment committee shall
4 consider:

5 (1) the total amount of time the student has been
6 enrolled in a bilingual education or special language program;

7 (2) the student's grades each grading period in each
8 subject in the foundation curriculum under Section 28.002(a)(1);

9 (3) the student's performance on each assessment
10 instrument required under Section 39.023(a) or (c);

11 (4) the number of credits toward high school
12 graduation the student has earned, as applicable; and

13 (5) any disciplinary actions taken against the student
14 under Subchapter A, Chapter 37.

15 (b) If, during any grading period during the first two
16 school years after a student is transferred out of a bilingual
17 education or special language program under Section 29.056(g), the
18 student earns a failing grade in a subject in the foundation
19 curriculum under Section 28.002(a)(1), the language proficiency
20 assessment committee shall reevaluate the student to determine if
21 the student should reenroll in the bilingual education or special
22 language program. Based on the reevaluation, the committee may
23 arrange for intensive instruction for the student or may reenroll
24 the student in the program.

25 SECTION 3. Section 29.056(h), Education Code, is repealed.

26 SECTION 4. This Act applies beginning with the 2005-2006
27 school year.

1 SECTION 5. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect on the 91st day after the last day of the
6 legislative session.