

By: Shapiro

S.B. No. 1394

A BILL TO BE ENTITLED

AN ACT

1
2 relating to performance standards for gifted and talented programs
3 in public schools.

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

5 SECTION 1. Subchapter D, Chapter 29, Education Code, is
6 amended by adding Section 29.124 to read as follows:

7 Sec. 29.124. PERFORMANCE STANDARDS; STATE FUNDING. (a)
8 The commissioner shall adopt the performance standards developed by
9 the agency under the pilot project required by Rider 52, page
10 III-17, Chapter 1330, Acts of the 78th Legislature, Regular
11 Session, 2003 (the General Appropriations Act), for assessing the
12 performance in English language arts, mathematics, science, and
13 social studies of students in a program for gifted and talented
14 students. The commissioner may adopt performance standards for
15 assessing the performance in other subjects or at other grade
16 levels of students in a program for gifted and talented students.
17 The commissioner shall establish the minimum level of student
18 performance necessary to comply with the performance standards and
19 may periodically raise the minimum level as the commissioner
20 determines necessary.

21 (b) A school district is not required to use the performance
22 standards adopted under Subsection (a).

23 (c) From funds appropriated for that purpose, for each
24 student who meets the minimum level of performance on the

1 performance standards adopted under Subsection (a), a school
2 district is entitled to \$100. A school district must use funds
3 received under this subsection in providing a program for gifted
4 and talented students under this subchapter. The amount
5 appropriated for any fiscal year for purposes of this subsection
6 may not exceed \$6 million.

7 (d) The commissioner may adopt rules necessary to
8 administer this section.

9 SECTION 2. This Act applies beginning with the 2005-2006
10 school year.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2005.