

By: Anchia

H.B. No. 3429

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the application of state school accountability  
3 standards to a public school campus that has met adequate yearly  
4 progress standards under the No Child Left Behind Act of 2001.

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

6 SECTION 1. Section 39.051, Education Code, is amended by  
7 adding Subsection (d-1) to read as follows:

8 (d-1) The commissioner shall define unacceptable  
9 performance for the academic excellence indicator under Subsection  
10 (b)(1) in a manner that excludes a campus that has met adequate  
11 yearly progress standards adopted by the commissioner as required  
12 by the No Child Left Behind Act of 2001 (Pub. L. No. 107-110) but has  
13 otherwise failed to satisfy state performance standards under that  
14 indicator solely on the basis of the campus's performance on an  
15 assessment instrument administered under Section 39.023 in  
16 mathematics, reading, or English language arts.

17 SECTION 2. Section 39.072, Education Code, is amended by  
18 adding Subsection (e) to read as follows:

19 (e) A campus that has met adequate yearly progress standards  
20 adopted by the commissioner as required by the No Child Left Behind  
21 Act of 2001 (Pub. L. No. 107-110) may not receive a performance  
22 rating of academically unacceptable if the rating is based solely  
23 on the failure of the campus to satisfy state performance standards  
24 under Section 39.051(b)(1) on an assessment instrument

1 administered under Section 39.023 in mathematics, reading, or  
2 English language arts.

3 SECTION 3. Section 39.1322, Education Code, is amended by  
4 adding Subsection (e) to read as follows:

5 (e) A campus may receive technical assistance as provided by  
6 this section if the campus has met adequate yearly progress  
7 standards adopted by the commissioner as required by the No Child  
8 Left Behind Act of 2001 (Pub. L. No. 107-110) but for the current  
9 school year has failed to satisfy state performance standards under  
10 Section 39.051(b)(1) on an assessment instrument administered  
11 under Section 39.023 in mathematics, reading, or English language  
12 arts.

13 SECTION 4. This Act applies beginning with the 2007-2008  
14 school year.

15 SECTION 5. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2007.