

Suspending limitations on conference committee jurisdiction,
S.B. No. 1031 (Shapiro/Eissler)

By: Shapiro

S.R. No. 1172

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 80th Legislature, Regular Session, 2007, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on Senate Bill No. 1031 (public school accountability and the administration of certain assessment instruments in public schools; providing a criminal penalty) to consider and take action on the following matters:

(1) Senate Rule 12.03(3) is suspended to permit the committee to change the text of amended Subsection (c), Section 39.023, Education Code, to add the following language:

If a student retakes an end-of-course assessment instrument for a course listed in this subsection, as provided by Section 39.025, a school district is not required to use the student's performance on the subsequent administration or administrations of the assessment instrument to determine the student's final grade for the course.

Explanation: The change is necessary to clarify that a school district is not required to use a student's performance on the subsequent administration or administrations of end-of-course assessment instruments to determine a student's final grade for a course.

(2) Senate Rule 12.03(4) is suspended to permit the

committee to add new Subsections (b-1) and (b-2) to amended Section 39.025, Education Code, to read as follows:

(b-1) A school district shall provide each student who fails to achieve a score of at least 70 on an end-of-course assessment instrument with accelerated instruction in the subject assessed by the assessment instrument.

(b-2) If a school district determines that a student, on completion of grade 11, is unlikely to achieve the cumulative score requirements for one or more subjects prescribed by Subsection (a) for receiving a high school diploma, the district shall require the student to enroll in a corresponding content-area college preparatory course for which an end-of-course assessment instrument has been adopted, if available. A student who enrolls in a college preparatory course described by this subsection shall be administered an end-of-course assessment instrument for the course, with the end-of-course assessment instrument scored on a scale of 40. A student may use the student's score on the end-of-course assessment instrument for the college preparatory course towards satisfying the cumulative score requirements prescribed by Subsection (a).

Explanation: The change is necessary to require a school district to provide accelerated instruction to a student who fails to score at least 70 on an end-of-course assessment instrument and to require certain students who appear unlikely to achieve the cumulative score required for graduation to enroll in an appropriate college preparatory course.

(3) Senate Rule 12.04(4) is suspended to permit the committee to add the following language in the SECTION of the bill that is renumbered in the conference committee report as SECTION 11 to read as follows:

Sec. 39.0262. ADMINISTRATION OF LOCAL ASSESSMENT INSTRUMENTS IN CERTAIN SUBJECT AREAS. (a) In a subject area for which assessment instruments are administered under Section 39.023, a school district may not administer local assessment instruments to any student on more than 10 percent of the instructional days in any school year.

(b) The prohibition prescribed by this section does not apply to the administration of a college preparation assessment instrument, an advanced placement test, an international baccalaureate examination, or an assessment instrument administered under Section 39.023.

Explanation: The change is necessary to prohibit a school district from administering certain assessment instruments to a student on more than 10 percent of the instructional days in a school year.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 26, 2007.

Secretary of the Senate