

BILL ANALYSIS

S.B. 1818
By: Van de Putte
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Before each federal fiscal year, the President of the United States and the U.S. Congress set the number and nationalities of refugee arrivals to the country. For fiscal year 2009, the U.S. Department of State recommended an admissions ceiling of 80,000 refugees for permanent resettlement. The U.S. Department of State works with voluntary resettlement agencies (VOLAGs) in placing refugees throughout the country. According to the Texas Health and Human Services Commission, Texas receives approximately 4,500 refugees each year. The VOLAGs in Texas help resettle refugees in Amarillo, Austin, Dallas, El Paso, Fort Worth, Houston, San Antonio, and surrounding areas. The VOLAGs set up housing and social services for refugee families, as well as enroll the refugee children in public schools.

Refugee children often have had little or no formal schooling, and school districts in Texas may struggle to meet the educational needs of refugee children. Many refugee children have never held a pencil or written in their native language, do not know how to speak or write in English, and, until their arrival in the U.S., many refugee children have never had running water or seen a television. Current statute grants an exception from the administration of assessment instruments for up to three years if a student is deemed a recent, unschooled immigrant. Unfortunately for refugee children, a three-year exemption is not enough time to adequately prepare the student to pass the Texas Assessment of Knowledge and Skills (TAKS) test. The proposed legislation extends the period of time an unschooled asylee or refugee has to take an assessment instrument.

S.B. 1818 authorizes for a student whose initial enrollment in a school in the United States was as an unschooled asylee or refugee an exemption from statewide standardized tests and end-of-course tests for a period of up to four years in addition to the one-year exemption the student may receive on the basis of being a student of limited English proficiency.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1818 amends the Education Code to provide a student whose initial enrollment in a school in the United States was as an unschooled asylee or refugee an exemption from statewide standardized tests and end-of-course tests for a period of up to four years in addition to the one-year exemption the student may receive on the basis of being a student of limited English proficiency. The bill defines "unschooled asylee or refugee" to mean a student who initially enrolled in a school in the United States as an asylee or refugee as defined by federal law; has a visa issued by the U.S. Department of State with the appropriate arrival/departure record issued by the U.S. Citizenship and Immigration Services that is stamped with "Asylee," "Refugee," or "Asylum"; and, as a result of inadequate schooling outside the United States, lacks the necessary foundation in the essential knowledge and skills of the curriculum prescribed under state law as

determined by the school district's language proficiency assessment committee. The bill makes its provisions applicable beginning with the 2009-2010 school year.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.