

BILL ANALYSIS

Senate Research Center
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S.B. 1818
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Before each federal fiscal year, the United States (U.S.) Congress and the President of the U.S. set the number and nationalities of refugee arrivals to the U.S. For fiscal year 2009, the U.S. Department of State recommended an admissions ceiling of 80,000 refugees for permanent resettlement in the U.S. The U.S. Department of State works with Voluntary Resettlement Agencies (VOLAGs) in placing refugees throughout the U.S.

According to the Texas Health and Human Services Commission, Texas receives approximately 4,500 refugees every 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.

Often refugee children have had little or no formal schooling. Many school districts in Texas struggle to meet the educational needs of refugee children. Many refugee children have never held a pencil or written in their native language. They 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.

Section 39.027 (Exemption), Education Code, 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. S.B. 1818 extends the period of time an unschooled asylee or refugee has to take an assessment instrument.

As proposed, S.B. 1818 authorizes an unschooled asylee or refugee to be exempt from the administration of a certain assessment instrument for up to four years, in addition to a one year exemption under Section 39.027(a)(3) (relating to an exemption from an assessment instrument for a period of one year after initial enrollment in a school in the United States if the student is of limited English proficiency), Education Code. This legislation also provides that the asylee or refugee have a visa issued by the U.S. Department of State or the U.S. Citizenship and Immigration Services to qualify for an exemption.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 39.027, Education Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

- (a) Authorizes a student to be exempted from the administration of an assessment instrument under Section 39.023(a) (relating to criterion-referenced assessment instruments designed to assess essential knowledge and skills in certain areas), (c) (relating to end-of-course assessment instruments for certain secondary-level courses), or (l) (relating to assessment of instruments adopted under Subsection (a) in Spanish to students in certain grades who are of limited English proficiency whose primary language

is Spanish) for a period of up to four years, in addition to the exemption period authorized by Subdivision (3) (relating to an exemption period if a student is of limited English proficiency), if the student's initial enrollment in a school in the United States was as an unschooled asylee or refugee. Makes a nonsubstantive change.

(a-1) Defines "unschooled asylee or refugee."

SECTION 2. Provides that this Act applies beginning with the 2009-2010 school year.

SECTION 3. Effective date: upon passage or September 1, 2009.