

By: Lewis

H.B. No. 2403

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition of certain sanctions against public school districts and campuses based solely on student performance on assessment instruments.

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

SECTION 1. Subchapter G, Chapter 39, Education Code, is amended by adding Section 39.140 to read as follows:

Sec. 39.140. SANCTIONS BASED SOLELY ON ASSESSMENT INSTRUMENT RESULTS PROHIBITED. (a) Notwithstanding any other provision of this subchapter, but subject to Subsection (b), the commissioner may not take action under this subchapter against a school district or campus based solely on the performance of the district or campus on an academic excellence indicator described by Section 39.051(b)(1) or (8).

(b) The commissioner may take action under:

(1) Section 39.131(a)(1) or (2) based solely on the performance of a school district on an academic excellence indicator described by Section 39.051(b)(1) or (8); or

(2) Section 39.132(1) or (2) based solely on the performance of a campus on an academic excellence indicator described by Section 39.051(b)(1) or (8).

SECTION 2. Section 39.140, Education Code, as added by this Act, does not affect the authority of the commissioner of education to continue any action authorized under Subchapter G, Chapter 39,

1 Education Code, that was initiated before the effective date of
2 this Act.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2009.