

By: Davis of Dallas

H.B. No. 4000

A BILL TO BE ENTITLED

1 AN ACT

2 relating to participation by certain students in bilingual and
3 special language programs provided by school districts.

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

5 SECTION 1. Section 29.052(1), Education Code, is amended to
6 read as follows:

7 (1) "Student of limited English proficiency" means a
8 student:

9 (A) whose primary language is other than English
10 and whose English language skills are such that the student has
11 difficulty performing ordinary classwork in English; or

12 (B) whose primary language is English, but whose
13 English language skills do not reflect a proficiency in standard
14 usage of the English language.

15 SECTION 2. Section 29.053, Education Code, is amended by
16 adding Subsection (c-1) to read as follows:

17 (c-1) Students described by Section 29.052(1)(B) are not
18 included in determining whether a district is required to offer a
19 bilingual or special language program. If a district offers a
20 bilingual or special language program, the district shall permit
21 students described by Section 29.052(1)(B) to participate in the
22 program and shall make reasonable modifications to the program as
23 necessary to reflect the inclusion of those students.

24 SECTION 3. This Act applies beginning with the 2009-2010

1 school year.

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