

By: Shapleigh

S.B. No. 2179

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the termination of employment by school districts of
3 district or campus administrators who exempt students from
4 administration of statewide assessment instruments under certain
5 circumstances.

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

7 SECTION 1. Subchapter B, Chapter 39, Education Code, is
8 amended by adding Section 39.0271 to read as follows:

9 Sec. 39.0271. WRONGFUL EXEMPTION FROM ADMINISTRATION;
10 TERMINATION OF EMPLOYMENT. (a) Using the data prepared for the
11 comprehensive annual report under Section 39.182(a)(3), if the
12 commissioner determines, in accordance with commissioner rule,
13 that a campus or school district has granted an unusually high
14 number or percentage of exemptions or an unusually high number or
15 percentage of exemptions on a particular basis from the
16 administration of an assessment instrument under Section 39.023,
17 the commissioner shall order an investigation by the agency's
18 office of inspector general of the campus or district exemption
19 process, as applicable, and of each administrator with
20 responsibility for granting or approving an exemption.

21 (b) Using any procedure required by Chapter 21 or other law,
22 a school district shall act to terminate the employment of a
23 district or campus administrator if, after a thorough investigation
24 by the office of inspector general, the office determines that the

1 administrator has exempted a student from the administration of an
2 assessment instrument primarily to increase the percentage of
3 students who perform satisfactorily on the assessment instruments
4 in the district or at the campus.

5 SECTION 2. This Act applies beginning with the 2009-2010
6 school year.

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