

By: Shapleigh

S.B. No. 2179

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

(b) Using any procedure required by Chapter 21 or other law, a school district shall act to terminate the employment of a district or campus administrator if, after a thorough investigation 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.