

Amend CSSB 1 by adding the appropriately numbered sections:

SECTION _____. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.0221 to read as follows:

Sec. 39.0221. TEMPORARY MORATORIUM ON ADMINISTERING ASSESSMENT INSTRUMENTS. (a) The agency shall:

(1) develop a plan for school districts to suspend the administration of assessment instruments under Section 39.023 for the 2011-2012 and 2012-2013 school years;

(2) determine whether implementation of a plan under Subdivision (1) would result in the loss of any federal education funding under the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et seq.) or other federal law; and

(3) advise districts regarding any potential loss of federal education funding.

(b) A superintendent of a school district may suspend district administration of assessment instruments under Section 39.023 for the 2011-2012 and 2012-2013 school years if the suspension is:

(1) approved by the board of trustees of the district;
and

(2) consistent with the plan developed by the agency under Subsection (a).

(c) A superintendent of a school district may apply funds the superintendent identifies as savings from expenditures otherwise required for assessment instruments or the administration of assessment instruments only to:

(1) the retention of teachers or other district personnel with direct student contact and involvement; or

(2) consumable resources requested by classroom teachers for classroom instruction.

(d) The amount of state funding a school district receives each school year is not contingent on a superintendent's decision under this section concerning the administration of assessment instruments under Section 39.023 for the 2011-2012 and 2012-2013 school years.

(e) This section expires September 1, 2013.