

By: Flynn

H.B. No. 63

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a moratorium on administering assessment instruments to
3 public school students under the public school accountability
4 system.

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

6 SECTION 1. Subchapter B, Chapter 39, Education Code, is
7 amended by adding Section 39.0221 to read as follows:

8 Sec. 39.0221. TEMPORARY MORATORIUM ON ADMINISTERING
9 ASSESSMENT INSTRUMENTS. (a) The agency shall develop and
10 implement a plan for school districts to suspend the administration
11 of assessment instruments under Section 39.023 for the 2011-2012
12 and 2012-2013 school years.

13 (b) A superintendent of a school district may suspend
14 district administration of assessment instruments under Section
15 39.023 for the 2011-2012 and 2012-2013 school years if the
16 suspension is:

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

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

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

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

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

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

10 (e) This section expires September 1, 2013.

11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect on the 91st day after the last day of the
16 legislative session.