

By: Flynn

H.B. No. 2491

A BILL TO BE ENTITLED

AN ACT

1  
2 Relating to a moratorium on certain testing and assessments of  
3 certain public school students under the public school  
4 accountability 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. MORATORIUM ON CERTAIN TESTING AND  
9 ASSESSMENTS.

10 (a) The agency shall develop and implement a plan to suspend  
11 all state mandated testing and assessments for a period of two  
12 fiscal years ending September 30, 2013 in accordance with this  
13 section.

14 (b) Superintendents of Independent School Districts are  
15 authorized to suspend all state mandated testing and assessments  
16 for a period ending September 30, 2013 with concurrence from the  
17 Independent School District School Board.

18 (c) Superintendents of an Independent School District may  
19 apply funds or appropriations originally intended for this testing  
20 to the retention of teachers or positions with direct student  
21 contact and involvement or consumable resources requested for  
22 classroom instruction.

23 (d) Funding for an Independent School District shall not be  
24 contingent upon the decision to administer or not administer this

1 change in law.

2           SECTION 2. 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, 2011.