

By: Guillen

H.C.R. No. 37

CONCURRENT RESOLUTION

1 WHEREAS, It is not surprising that students with limited
2 English proficiency (LEP) who are recent arrivals to the United
3 States score poorly in standardized testing during their initial
4 years of U.S. enrollment, yet their scores are excluded from state
5 adequate yearly progress (AYP) determinations for only one
6 year--not nearly enough time for LEP students to overcome language
7 barriers and master the required knowledge and skills; and

8 WHEREAS, A cornerstone of the No Child Left Behind Act of
9 2001, AYP measures student performance in reading/language arts,
10 mathematics, and either graduation or attendance rate; all public
11 school campuses and districts, as well as the entire state, are
12 evaluated for AYP, and those that receive Title I, Part A, funds and
13 do not meet AYP goals for two or more years in a row are subject to
14 consequences; and

15 WHEREAS, Title I, Part A, funds are allocated to local
16 education agencies and schools with high numbers or high
17 percentages of poor children; in Texas, some 70 percent of schools
18 receive these funds and risk having to take corrective action
19 should they not meet AYP goals due to the test scores of recently
20 arrived LEP students; although the mathematics and
21 reading/language arts assessment scores of these students may be
22 excluded from one cycle of AYP determinations, a year is not
23 sufficient for them to gain adequate English skills and to acquire
24 the necessary content knowledge; and

1 WHEREAS, An exclusion period of three years would make a
2 measurable difference in terms of student ability and would allow a
3 much greater degree of flexibility for campuses, school districts,
4 and the state; now, therefore, be it

5 RESOLVED, That the 82nd Legislature of the State of Texas
6 hereby respectfully urge the United States Congress to revise the
7 No Child Left Behind Act of 2001 so that the State of Texas may
8 exclude the assessment scores of recently arrived limited English
9 proficiency students from adequate yearly progress determinations
10 for a period of three years following the students' initial
11 enrollment and so that the exclusion period for LEP students who
12 enter Texas schools in grades 10 and higher concludes prior to the
13 students' final year of schooling; and, be it further

14 RESOLVED, That the Texas secretary of state forward official
15 copies of this resolution to the president of the United States, to
16 the president of the Senate and the speaker of the House of
17 Representatives of the United States Congress, and to all the
18 members of the Texas delegation to Congress with the request that
19 this resolution be entered in the Congressional Record as a
20 memorial to the Congress of the United States of America.