

Amend CSHB 5 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.0237 to read as follows:

Sec. 39.0237. PROHIBITED SCHOOL DISTRICT ACTION DURING ADMINISTRATION OF ASSESSMENT INSTRUMENTS. On a date on which an assessment instrument under Section 39.023 is administered, a school district may not:

(1) excuse or dismiss from school a student who is not administered an assessment instrument on that date;

(2) restrict the recess of a student who is not administered an assessment instrument on that date; or

(3) prohibit a student who is not administered an assessment instrument on that date from speaking during the student's lunch period, unless the district has adopted a policy that prohibits all students from speaking during the lunch period every day.

(b) This section applies beginning with the 2013-2014 school year.