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HOUSE OF REPRESENTATIVES



FLOOR AMENDMENT NO. _____

BY: Diane Patrick

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 2, line 20, strike "Sections 28.014(a), (c),"
3 and substitute "Sections 28.014(c)".

4 (2) Strike page 2, line 22, through page 3, line 6.

5 (3) Strike page 21, line 24, through page 22, line 10, and
6 renumber subsequent SECTIONS of the bill accordingly.

7 (4) On page 22, line 11, strike ", (c-2),".

8 (5) On page 23, line 12, strike "specified in this
9 subsection and Subsection (c-2)".

10 (6) Strike page 23, line 14, through page 24, line 17, and
11 substitute the following:

12 (c-3) In adopting a schedule for the administration of
13 assessment instruments under this section, the State Board of
14 Education shall require:

15 (1) assessment instruments administered under
16 Subsection (a) to be administered on a schedule so that the first
17 assessment instrument is administered at least two weeks later than
18 the date on which the first assessment instrument was administered
19 under Subsection (a) during the 2006-2007 school year; and

20 (2) the spring administration of end-of-course
21 assessment instruments under Subsection (c) or an assessment
22 instrument under Section 39.02611 to occur in each school district
23 not earlier than the first full week in May, except that the spring
24 administration of the end-of-course assessment instrument
25 [~~instruments~~] in [~~English I,~~] English II [~~, and English III~~] must be
26 permitted to occur at an earlier date.

27 (7) On page 24, lines 20-21, strike "Sections 39.0233(a) and
28 (b), Education Code, are" and substitute "Section 39.0233(a),
29 Education Code, is".

1 (8) On page 24, line 25, strike "Sections [~~Section~~
2 39.023(c) and (c-2)" and substitute "Section 39.023(c)".

3 (9) On page 25, strike lines 3-14.

4 (10) Strike page 25, line 17, through page 28, line 11, and
5 renumber subsequent SECTIONS of the bill accordingly.

6 (11) On page 31, strike lines 3-8 and substitute the
7 following:

8 (a) may [~~shall~~] retake the assessment instrument. [~~A student who
9 fails to perform satisfactorily on an Algebra II or English III
10 end-of-course assessment instrument under the college readiness
11 performance standard, as provided under Section 39.024(b), may
12 retake the assessment instrument. Any other student may retake an
13 end-of-course assessment instrument for any reason.~~] A student is

14 (12) On page 33, between lines 12 and 13, insert the
15 following appropriately numbered SECTION and renumber subsequent
16 SECTIONS of the bill accordingly:

17 SECTION _____. (a) Subchapter B, Chapter 39, Education
18 Code, is amended by adding Section 39.02611 to read as follows:

19 Sec. 39.02611. ADDITIONAL OPTIONAL COLLEGE PREPARATION
20 ASSESSMENT. (a) In addition to the college preparation assessment
21 instruments authorized or required by Section 39.0261, the agency,
22 in consultation with the Texas Higher Education Coordinating Board,
23 shall coordinate the administration to a student at the student's
24 option of an assessment designated under Section 51.3062(c) for
25 purposes of determining the student's readiness to enroll in
26 freshman-level academic coursework at an institution of higher
27 education.

28 (b) If a student fails to satisfy the applicable college
29 readiness benchmarks prescribed by the Texas Higher Education
30 Coordinating Board under Section 51.3062(f), the school district or
31 open-enrollment charter school in which the student is enrolled

1 may, in consultation with an institution of higher education,
2 develop a plan to prepare the student for success in performing
3 freshman-level academic coursework.

4 (c) A student's performance on an assessment instrument
5 administered under this section may not be used:

6 (1) for the purpose of determining admission into an
7 institution of higher education; or

8 (2) in determining a student's class rank for the
9 purpose of high school graduation.

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

12 (13) Strike page 33, line 13, through page 34, line 11, and
13 renumber subsequent SECTIONS of the bill accordingly.

14 (14) On page 46, lines 18-19 and lines 23-25, strike "or on
15 end-of-course assessment instruments adopted under Section
16 39.023(c-2)" each place it appears.

17 (15) On page 52, lines 4-5, strike "Section 51.3062(q-1),
18 Education Code, is amended" and substitute "Section 51.3062,
19 Education Code, is amended by amending Subsection (i) and adding
20 Subsection (q-2)".

21 (16) On page 52, strike lines 6-16 and substitute the
22 following:

23 (i) The institution of higher education may refer a student
24 to developmental coursework as considered necessary by the
25 institution to address a student's deficiencies in the student's
26 readiness to perform freshman-level academic coursework, except
27 that the institution may not require enrollment in developmental
28 coursework with respect to a student [~~previously determined under~~
29 ~~Subsection (q-1) or~~] determined by any institution of higher
30 education to have met college-readiness standards. An institution
31 that requires a student to enroll in developmental coursework must

1 offer a range of developmental coursework, including online
2 coursework, or instructional support that includes the integration
3 of technology to efficiently address the particular developmental
4 needs of the student.

5 (q-2) A student who satisfies the applicable college
6 readiness benchmarks prescribed by the board under Subsection (f)
7 on an assessment administered under Section 39.02611 is exempt from
8 the requirements of this section with respect to the applicable
9 content area. The commissioner of higher education by rule shall
10 establish the period for which an exemption under this subsection
11 is valid.

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

14 (17) On page 58, line 9, strike "51.3062(p), (q), or (q-1)"
15 and substitute "51.3062(p) or [~~r~~] (q) [~~, or (q-1)~~]".

16 (18) Strike page 68, line 26, through page 69, line 1, and
17 substitute the following:

- 18 (1) Sections 39.024(b), (c), (d), (e), (f), (g), (h),
19 and (i);
20 (2) Section 39.0241(a-2);
21 (3) Section 39.0242;
22 (4) Section 39.025(a-2), (a-3), and (c-2);
23 (5) Section 39.0822;
24 (6) Sections 39.0823(b) and (c); and
25 (7) Section 51.3062(q-1).