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HOUSE OF REPRESENTATIVES

*James Phillips*

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

1 Amend C.S.H.B. No. 5 (house committee report) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

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

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

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

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

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

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