



13 MAR 25 AM 10:15
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: *Mike Villanueva*

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

4 SECTION _____. (a) Section 29.062, Education Code, is amended
5 by amending Subsections (a) and (b) and adding Subsections (b-1)
6 and (b-2) to read as follows:

7 (a) The legislature recognizes that compliance with this
8 subchapter is an imperative public necessity. Therefore, in
9 accordance with the policy of the state, the agency shall evaluate
10 the effectiveness of programs under this subchapter based on the
11 following data, disaggregated by campus and school district or
12 open-enrollment charter school, which each district and
13 open-enrollment charter school shall collect and provide to the
14 agency:

15 (1) the student achievement indicators adopted under
16 Section 39.053, including the results of assessment instruments;

17 (2) the difference in grade-level retention rates
18 between students of limited English proficiency and students who
19 are not students of limited English proficiency;

20 (3) any significant difference in performance on
21 assessment instruments required under Sections 39.023(a), (c), and
22 (1), as applicable, between students of limited English proficiency
23 at the campus or in the district or open-enrollment charter school
24 being evaluated and the state average performance on those
25 assessment instruments of students who are not students of limited
26 English proficiency; and

27 (4) any significant difference in the dropout rate for
28 grade levels 9 through 12 between students of limited English
29 proficiency at the campus or in the district or open-enrollment

1 charter school being evaluated and the state average dropout rate
2 of students who are not students of limited English proficiency.

3 (b) Notwithstanding Subsection (a), for a school district
4 campus with fewer than 30 students enrolled in bilingual education
5 or English as a second language or other special language programs,
6 the agency shall evaluate information specified under Subsection
7 (a) only at the district level.

8 (b-1) The agency may combine but may not replace evaluations
9 under this section with federal accountability measures concerning
10 students of limited English proficiency.

11 (b-2) Each person considered by the agency to be the lead
12 monitor evaluating the effectiveness of programs under this
13 subchapter must be appropriately certified by the State Board for
14 Educator Certification as provided for under Section 29.061 for
15 teaching English as a second language. An emergency endorsement
16 issued under Section 29.061(a) is not considered appropriate
17 certification for purposes of this subsection. [~~(b) The areas to~~
18 be monitored shall include:

19 [~~(1) program content and design,~~

20 [~~(2) program coverage,~~

21 [~~(3) identification procedures,~~

22 [~~(4) classification procedures,~~

23 [~~(5) staffing,~~

24 [~~(6) learning materials,~~

25 [~~(7) testing materials,~~

26 [~~(8) reclassification of students for either entry~~
27 into regular classes conducted exclusively in English or reentry
28 into a bilingual education or special education program, and

29 [~~(9) activities of the language proficiency~~
30 assessment committees.]

31 (b) This section applies beginning with the 2014-2015

1 school year.

2 SECTION _____. (a) Section 42.006, Education Code, is amended
3 by adding Subsection (e) to read as follows:

4 (e) The commissioner shall adopt rules to ensure that,
5 through the Public Education Information Management System, the
6 agency collects and maintains data regarding:

7 (1) whether a student is or while enrolled in a public
8 school in this state has ever been classified as a student of
9 limited English proficiency;

10 (2) the school year in which a student described by
11 Subdivision (1) first entered ninth grade; and

12 (3) the status of a student described by Subdivision
13 (1) as:

14 (A) a continuing student;

15 (B) a high school graduate;

16 (C) a recipient of a high school equivalency
17 certificate; or

18 (D) a dropout.

19 (b) This section applies beginning with the 2014-2015
20 school year.

