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HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: *[Signature]*

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

4 SECTION _____. (a) Section 7.056(e), Education Code, is
5 amended to read as follows:

6 (e) Except as provided by Subsection (f), a school campus or
7 district may not receive an exemption or waiver under this section
8 from:

9 (1) a prohibition on conduct that constitutes a
10 criminal offense;

11 (2) a requirement imposed by federal law or rule,
12 including a requirement for special education or bilingual
13 education programs; or

14 (3) a requirement, restriction, or prohibition
15 relating to:

16 (A) essential knowledge or skills under Section
17 28.002 or high school graduation requirements under Section 28.025;

18 (B) public school accountability as provided by
19 Subchapters B, C, D, E, and J, Chapter 39;

20 (C) extracurricular activities under Section
21 33.081 or participation in a University Interscholastic League
22 area, regional, or state competition under Section 33.0812;

23 (D) health and safety under Chapter 38;

24 (E) purchasing under Subchapter B, Chapter 44;

25 (F) elementary school class size limits, except
26 as provided by Section 25.112;

27 (G) removal of a disruptive student from the
28 classroom under Subchapter A, Chapter 37;

29 (H) at-risk programs under Subchapter C, Chapter

1 29;

2 (I) prekindergarten programs under Subchapter E,
3 Chapter 29;

4 (J) educator rights and benefits under
5 Subchapters A, C, D, E, F, G, and I, Chapter 21, or under Subchapter
6 A, Chapter 22;

7 (K) special education programs under Subchapter
8 A, Chapter 29;

9 (L) bilingual education programs under
10 Subchapter B, Chapter 29; ~~[or]~~

11 (M) the requirements for the first day of
12 instruction under Section 25.0811; or

13 (N) assignment of a student to a teacher under
14 Section 28.0215, except as provided by Subsection (f) of that
15 section.

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

18 SECTION _____. (a) Subchapter B, Chapter 28, Education Code,
19 is amended by adding Section 28.0215 to read as follows:

20 Sec. 28.0215. REQUIREMENTS FOR ASSIGNMENT OF STUDENTS TO
21 TEACHERS. (a) This section applies only to a school district with
22 an enrollment of 5,000 or more students.

23 (b) A student in kindergarten through grade six may not be
24 assigned for two consecutive school years to a teacher who:

25 (1) has less than one year of teaching experience; or

26 (2) does not hold the appropriate certificate required
27 under Section 21.003.

28 (c) In a subject for which a student is assessed under
29 Section 39.023(a) or (c), a student in grades 7 through 12 may not
30 be assigned for two consecutive years to a teacher who:

31 (1) has less than one year of teaching experience; or

1 (2) does not hold the appropriate certificate required
2 under Section 21.003.

3 (d) The requirement imposed by Subsection (b) or (c) does
4 not apply if the student's parent or other person standing in
5 parental relation to the student and a school counselor or school
6 administrator agree otherwise regarding assignment of the student
7 to a teacher.

8 (e) Subsection (b) or (c) does not apply to the first year a
9 student transfers into a school district.

10 (f) The commissioner may grant a waiver from the
11 requirements of this section to a school district if the
12 commissioner finds that extreme circumstances in the district
13 warrant the waiver. The commissioner may adopt rules as necessary
14 to implement this section.

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