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HOUSE OF REPRESENTATIVES

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

BY: May E. Gonzalez

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

2 (1) On page 33, between lines 12 and 13, insert the  
3 following appropriately numbered SECTION:

4 SECTION \_\_\_\_\_. (a) Section 39.027, Education Code, is  
5 amended by adding Subsection (a-2) to read as follows:

6 (a-2) Unless a student is enrolled in a school in the United  
7 States for a period of at least 60 consecutive days during a year,  
8 the student may not be considered to be enrolled in a school in the  
9 United States for that year for the purpose of determining a number  
10 of years under Subsection (a)(1), (2), or (3).

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

13 (2) On page 36, lines 18 and 19, strike "Sections 39.054(a)  
14 and (b), Education Code, are amended" and substitute "Section  
15 39.054, Education Code, is amended by amending Subsections (a) and  
16 (b) and adding Subsection (d-2)".

17 (3) On page 37, between lines 14 and 15, insert the  
18 following:

19 (d-2) In evaluating performance under Subsection (c), the  
20 commissioner may not lower a performance rating for purposes of  
21 this chapter based on unsatisfactory performance on an assessment  
22 instrument administered under Section 39.023(a), (b), (c), (1), or  
23 (n) to a student for a period of three years after the student's  
24 initial enrollment in a school in the United States if the student  
25 is a student of limited English proficiency, as defined by Section  
26 29.052. Unless a student is enrolled in a school in the United  
27 States for a period of at least 60 consecutive days during a year,  
28 the student may not be considered to be enrolled in a school in the  
29 United States for that year for purposes of this subsection. This

1 subsection does not apply to a performance rating for purposes of:

2 (1) compliance monitoring under Section 7.028; or

3 (2) public school accountability under federal law.

4 (4) On page 69, between lines 21 and 22, insert the  
5 following appropriately numbered SECTION:

6 SECTION \_\_\_\_\_. Sections 39.027(a-2) and 39.054(d-2),  
7 Education Code, as added by this Act, apply to a student regardless  
8 of the date on which the student initially enrolled in a school in  
9 the United States.

10 (5) Renumber SECTIONS of the bill appropriately.