

By: Murphy

H.B. No. 1219

A BILL TO BE ENTITLED

AN ACT

relating to removal of the parental approval requirement for a student's participation in a bilingual education program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 29.056(a), Education Code, is amended to read as follows:

(a) The agency shall establish standardized criteria for the identification, assessment, and classification of students of limited English proficiency eligible for entry into the program or exit from the program. ~~[The student's parent must approve a student's entry into the program, exit from the program, or placement in the program.]~~ The school district or the student's parent may appeal the decision under Section 29.064. The criteria for identification, assessment, and classification may include:

(1) results of a home language survey conducted within four weeks of each student's enrollment to determine the language normally used in the home and the language normally used by the student, conducted in English and the home language, signed by the student's parents if the student is in kindergarten through grade 8 or by the student if the student is in grades 9 through 12, and kept in the student's permanent folder by the language proficiency assessment committee;

(2) the results of an agency-approved English language proficiency test administered to all students identified through

1 the home survey as normally speaking a language other than English
2 to determine the level of English language proficiency, with
3 students in kindergarten or grade 1 being administered an oral
4 English proficiency test and students in grades 2 through 12 being
5 administered an oral and written English proficiency test; and

6 (3) the results of an agency-approved proficiency test
7 in the primary language administered to all students identified
8 under Subdivision (2) as being of limited English proficiency to
9 determine the level of primary language proficiency, with students
10 in kindergarten or grade 1 being administered an oral primary
11 language proficiency test and students in grades 2 through 12 being
12 administered an oral and written primary language proficiency test.

13 SECTION 2. This Act applies beginning with the 2013-2014
14 school year.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2013.