

By: West

S.B. No. 1615

A BILL TO BE ENTITLED

AN ACT

relating to the administration of accelerated instruction programs.

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

SECTION 1. Section 28.0211, Education Code, is amended by amending Subsections (c) and (m) and adding Subsections (m-1) and (q) to read as follows:

(c) Each time a student fails to perform satisfactorily on an assessment instrument specified under Subsection (a), the school district in which the student attends school shall provide to the student accelerated instruction in the applicable subject area, including reading instruction for a student who fails to perform satisfactorily on a reading assessment instrument. After a student fails to perform satisfactorily on an assessment instrument a second time, a grade placement committee shall be established to prescribe the accelerated instruction the district shall provide to the student before the student is administered the assessment instrument the third time. The grade placement committee shall be composed of the principal or the principal's designee, the student's parent or guardian, and the teacher of the subject of an assessment instrument on which the student failed to perform satisfactorily. The district shall notify the parent or guardian of the time and place for convening the grade placement committee and the purpose of the committee. ~~[An accelerated instruction~~

~~group administered by a school district under this section may not have a ratio of more than 10 students for each teacher.]~~

(m) The commissioner shall certify, not later than July 1 of each school year or as soon as practicable thereafter, whether sufficient funds have been appropriated statewide for the purposes of this section. A determination by the commissioner is final and may not be appealed. For purposes of certification, the commissioner may consider the availability of:

(1) peer-reviewed and research-based instructional tools;

(2) individualized instruction for students;

(3) diagnostic instruments to assess gaps in student learning;

(4) current student performance information for parents and teachers;

(5) information that allows administrators and teachers to customize individual student remediation plans; and

(6) differentiated instruction for students.

(m-1) For purposes of certification under Subsection (m), the commissioner may not consider Foundation School Program funds. This section may be implemented only if the commissioner certifies that sufficient funds have been appropriated during a school year for administering the accelerated instruction programs specified under this section, including teacher training for that purpose.

(q) In fulfilling the requirements of this section, a school district may provide Internet access to students beyond the school

1 day.

2         SECTION 2. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2013.