

By: González

H.B. No. 66

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the consideration of the performance of certain
3 students of limited English proficiency on state assessment
4 instruments.

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

6 SECTION 1. Section 39.054, Education Code, is amended by
7 adding Subsections (d-2) and (d-3) to read as follows:

8 (d-2) Except as provided by Subsection (d-3), in evaluating
9 performance under Subsection (c), the commissioner may not lower a
10 performance rating for purposes of this chapter based on
11 unsatisfactory performance on an assessment instrument
12 administered under Section 39.023(a), (b), (c), (l), or (n) to a
13 student for a period of three years after the student's initial
14 enrollment in a school in the United States if the student is a
15 student of limited English proficiency, as defined by Section
16 29.052. Unless a student is enrolled in a school in the United
17 States for a period of at least 60 consecutive days during a year,
18 the student may not be considered to be enrolled in a school in the
19 United States for that year for purposes of this subsection. This
20 subsection does not apply to a performance rating for purposes of:

21 (1) compliance monitoring under Section 7.028; or

22 (2) public school accountability under federal law.

23 (d-3) Subsection (d-2) does not apply if the assessment
24 instrument administered to a student of limited English proficiency

1 is in the student's native language.

2 SECTION 2. Section 39.054(d-2), Education Code, as added by
3 this Act, applies to a student regardless of the date on which the
4 student initially enrolled in a school in the United States.

5 SECTION 3. This Act takes effect September 1, 2015.