

By: Simmons

H.B. No. 3055

A BILL TO BE ENTITLED

AN ACT

1
2 relating to assessment of public school students enrolled in a
3 special education program.

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

5 SECTION 1. Section 39.023, Education Code, is amended by
6 adding Subsection (b-2) to read as follows:

7 (b-2) Notwithstanding Subsection (b), (b-1), or any other
8 law, and to the extent consistent with federal law, a student in a
9 special education program under Subchapter A, Chapter 29, may not
10 be administered an assessment instrument if the student's parent or
11 a person standing in parental relation to the student has submitted
12 to the district or school a written statement indicating that the
13 parent or person standing in parental relation to the student
14 elects to exempt the student from administration of an assessment
15 instrument. The student's admission, review, and dismissal
16 committee, in consultation with the student's parent or a person
17 standing in parental relation to the student, shall develop an
18 individual progress plan for a student exempt from administration
19 of an assessment instrument as provided by this subsection. The
20 commissioner shall adopt rules as necessary to administer this
21 subsection.

22 SECTION 2. This Act applies beginning with the 2015-2016
23 school year.

24 SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2015.