

By: Muñoz, Jr.

H.B. No. 3503

A BILL TO BE ENTITLED

AN ACT

relating to the administration of assessment instruments to certain students of limited English proficiency.

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

SECTION 1. Section 39.023(1), Education Code, as effective until on or before September 1, 2015, is amended to read as follows:

(1) The State Board of Education shall adopt rules for the administration of the assessment instruments adopted under Subsection (a) or the end-of-course assessment instruments adopted under Subsection (c) in Spanish to students in grades three through 12 [~~five~~] who are of limited English proficiency, as defined by Section 29.052, whose primary language is Spanish, and who are not otherwise exempt from the administration of an assessment instrument under Section 39.027(a)(1) or (2). Each student of limited English proficiency whose primary language is Spanish, other than a student to whom Subsection (b) applies, may be assessed using assessment instruments in Spanish under this subsection [~~for up to three years~~] or assessment instruments in English under Subsection (a) or end-of-course assessment instruments in English under Subsection (c). The language proficiency assessment committee established under Section 29.063 shall determine which students are administered assessment instruments in Spanish under this subsection.

SECTION 2. Section 39.023(1), Education Code, as effective

1 on or before September 1, 2015, is amended to read as follows:

2 (1) The State Board of Education shall adopt rules for the
3 administration of the assessment instruments adopted under
4 Subsection (a) or the end-of-course assessment instruments adopted
5 under Subsection (c) and, to the extent applicable, the assessment
6 instruments adopted under Subsection (a-4) in Spanish to students
7 in grades three through 12 [~~four, and five~~] who are of limited
8 English proficiency, as defined by Section 29.052, whose primary
9 language is Spanish, and who are not otherwise exempt from the
10 administration of an assessment instrument under Section
11 39.027(a)(1) or (2). Each student of limited English proficiency
12 whose primary language is Spanish, other than a student to whom
13 Subsection (b) applies, may be assessed using assessment
14 instruments in Spanish under this subsection [~~for up to three~~
15 ~~years~~] or assessment instruments in English under Subsection (a) or
16 end-of-course assessment instruments in English under Subsection
17 (c) and, as applicable, Subsection (a-4). The language
18 proficiency assessment committee established under Section 29.063
19 shall determine which students are administered assessment
20 instruments in Spanish under this subsection.

21 SECTION 3. Section 39.023(1), Education Code, as effective
22 September 1, 2017, is amended to read as follows:

23 (1) The State Board of Education shall adopt rules for the
24 administration of the assessment instruments adopted under
25 Subsection (a) or the end-of-course assessment instruments adopted
26 under Subsection (c) in Spanish to students in grades three through
27 12 [~~five~~] who are of limited English proficiency, as defined by

1 Section 29.052, whose primary language is Spanish, and who are not
2 otherwise exempt from the administration of an assessment
3 instrument under Section 39.027(a)(1) or (2). Each student of
4 limited English proficiency whose primary language is Spanish,
5 other than a student to whom Subsection (b) applies, may be assessed
6 using assessment instruments in Spanish under this subsection [~~for~~
7 ~~up to three years~~] or assessment instruments in English under
8 Subsection (a) or end-of-course assessment instruments in English
9 under Subsection (c). The language proficiency assessment
10 committee established under Section 29.063 shall determine which
11 students are administered assessment instruments in Spanish under
12 this subsection.

13 SECTION 4. This Act applies beginning with the 2015-2016
14 school year.

15 SECTION 5. 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, 2015.