

Amend CSHB 515 (senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. The heading to Section 28.0211, Education Code, is amended to read as follows:

Sec. 28.0211. ACCELERATED LEARNING COMMITTEE [~~SATISFACTORY PERFORMANCE ON ASSESSMENT INSTRUMENTS REQUIRED~~]; ACCELERATED INSTRUCTION.

SECTION _____. Section 28.0211, Education Code, is amended by amending Subsections (a), (a-1), (a-3), (c), (f), (i), (k), and (n) and adding Subsections (f-1) and (f-2) to read as follows:

(a) A district shall establish an accelerated learning committee described by Subsection (c) for each student who does not perform satisfactorily on:

(1) the third grade mathematics or reading assessment instrument under Section 39.023;

(2) [~~Except as provided by Subsection (b) or (e), a student may not be promoted to:~~

~~[(1) the sixth grade program to which the student would otherwise be assigned if the student does not perform satisfactorily on]~~ the fifth grade mathematics or [~~and~~] reading assessment instrument [~~instruments~~] under Section 39.023; or

(3) [~~(2) the ninth grade program to which the student would otherwise be assigned if the student does not perform satisfactorily on]~~ the eighth grade mathematics or [~~and~~] reading assessment instrument [~~instruments~~] under Section 39.023.

(a-1) Each time a student fails to perform satisfactorily on an assessment instrument administered under Section 39.023(a) in the third, fourth, fifth, sixth, seventh, or eighth grade, the school district in which the student attends school shall provide to the student accelerated instruction in the applicable subject area. Accelerated instruction may require participation of the student before or after normal school hours, [~~and~~] may include participation at times of the year outside normal school operations, and may be provided to the student during the subsequent school year.

(a-3) The commissioner shall provide guidelines to

districts on research-based best practices and effective strategies that a district may use in developing an accelerated instruction program. The commissioner may provide to districts available resources concerning research-based best practices and effective strategies that a district may use in developing an accelerated instruction program.

(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 specified under Subsection (a) [a second time], an accelerated learning [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 accelerated learning [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 accelerated learning [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.]~~

(f) An accelerated learning [A school district shall provide to a student who, after three attempts, has failed to perform satisfactorily on an assessment instrument specified under Subsection (a) accelerated instruction during the next school year as prescribed by an educational plan developed for the student by the student's grade placement] committee described by [established under] Subsection (c) shall:

(1) develop an educational plan for the student that provides the necessary accelerated instruction for the student to achieve appropriate grade level performance; and

(2) provide other assistance to the student in accordance with a policy adopted by the district board of trustees prescribing the role of accelerated learning committees in that district. [The district shall provide that accelerated instruction regardless of whether the student has been promoted or retained.]

(f-1) The educational plan developed under Subsection (f)(1) must be designed to enable the student to perform at the appropriate grade level by the conclusion of the subsequent school year. During the school year, the student shall be monitored to ensure that the student is progressing in accordance with the plan. The district shall administer to the student the assessment instrument for the grade level in which the student is placed at the time the district regularly administers the assessment instruments for that school year.

(f-2) If a student who fails to perform satisfactorily on an assessment instrument specified under Subsection (a) fails in the subsequent school year to perform satisfactorily on an assessment instrument in the same subject, the superintendent of the district or the superintendent's designee shall meet with the student's accelerated learning committee to:

(1) identify the reason the student did not perform satisfactorily; and

(2) determine, in order to ensure the student performs satisfactorily on the assessment instrument at the next opportunity for the student to be administered the assessment instrument, whether:

(A) the educational plan developed for the student under Subsection (f) must be modified to provide the necessary accelerated instruction for that student; and

(B) any additional resources are required for that student.

(i) The admission, review, and dismissal committee of a student who participates in a district's special education program under Subchapter A [~~B~~], Chapter 29, and who does not perform satisfactorily on an assessment instrument specified under Subsection (a) and administered under Section 39.023(a) or (b) shall determine[+]

~~[(1)]~~ the manner in which the student will participate in an accelerated instruction program under this section~~[, and~~

~~[(2) whether the student will be promoted or retained under this section].~~

(k) The commissioner shall adopt rules as necessary to implement this section~~[, including rules concerning when school districts shall administer assessment instruments required under this section and which administration of the assessment instruments will be used for purposes of Section 39.054].~~

(n) A student who fails to perform satisfactorily on an assessment instrument specified under Subsection (a) and is promoted to the next grade level ~~[by a grade placement committee under this section]~~ must be assigned at that next grade level in each subject in which the student failed to perform satisfactorily on an assessment instrument specified under Subsection (a) to a teacher who meets all state and federal qualifications to teach that subject and grade.