

By: Lucio III

H.B. No. 172

A BILL TO BE ENTITLED

AN ACT

relating to the consideration of the performance of students of limited English proficiency on state assessment instruments and inclusion of related information in campus report cards.

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

SECTION 1. Section 39.027(a-2), Education Code, is amended to read as follows:

(a-2) Unless a student is enrolled in a school in the United States for a period of at least 120 ~~[60]~~ consecutive days during a year, the student may not be considered to be enrolled in a school in the United States for that year for the purpose of determining a number of years under Subsection (a)(1), (2), or (3).

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

(d) Except as provided by Subsection (d-1), in evaluating performance under Subsection (c), the commissioner may not lower a performance rating for purposes of this chapter based on unsatisfactory performance on an assessment instrument administered under Section 39.023 to a student for a period of two years after the student's initial enrollment in a school in the United States if the student is a student of limited English proficiency, as defined by Section 29.052. This subsection does not apply to a performance rating for purposes of:

(1) compliance monitoring under Section 7.028; or

1 (2) public school accountability under federal law.

2 (d-1) Subsection (d) does not apply if the assessment
3 instrument administered to a student of limited English proficiency
4 is in the student's native language.

5 SECTION 3. Section 39.305(b), Education Code, is amended to
6 read as follows:

7 (b) The report card shall include the following
8 information:

9 (1) where applicable, the achievement indicators
10 described by Section 39.053(c) and the reporting indicators
11 described by Sections 39.301(c)(1) through (5);

12 (2) average class size by grade level and subject;

13 (3) the administrative and instructional costs per
14 student, computed in a manner consistent with Section 44.0071;
15 ~~[and]~~

16 (4) the district's instructional expenditures ratio
17 and instructional employees ratio computed under Section 44.0071,
18 and the statewide average of those ratios, as determined by the
19 commissioner; and

20 (5) the performance of students of limited English
21 proficiency, as defined by Section 29.052, on assessment
22 instruments administered under Section 39.023.

23 SECTION 4. Section 39.027(a-2), Education Code, as amended
24 by this Act, and Section 39.054(d), Education Code, as added by this
25 Act, apply to a student regardless of the date on which the student
26 initially enrolled in a school in the United States.

27 SECTION 5. This Act takes effect September 1, 2017.