

By: Bernal

H.B. No. 657

A BILL TO BE ENTITLED

1 AN ACT
2 relating to procedures for a student enrolled in a special
3 education program who fails to perform satisfactorily on certain
4 assessment instruments.

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

6 SECTION 1. Section 28.0211, Education Code, is amended by
7 amending Subsection (i) and adding Subsections (i-1) and (i-2) to
8 read as follows:

9 (i) The admission, review, and dismissal committee of a
10 student who participates in a district's special education program
11 under Subchapter A [B], Chapter 29, and who does not perform
12 satisfactorily on an assessment instrument specified under
13 Subsection (a) and administered under Section 39.023(a) or (b) must
14 set a meeting date not later than five days after the date the
15 district receives the results of the assessment instrument and must
16 meet before the student is administered the assessment instrument
17 for the second time. The committee shall determine:

18 (1) the manner in which the student will participate
19 in an accelerated instruction program under this section; and

20 (2) whether the student will be promoted in accordance
21 with Subsection (i-1) or retained under this section.

22 (i-1) At a meeting of the admission, review, and dismissal
23 committee of a student under Subsection (i), the committee may
24 promote the student to the next grade level if the committee

1 concludes that the student has made sufficient progress in the
2 measurable academic goals contained in the student's
3 individualized education program developed under Section 29.005. A
4 school district that promotes a student under this subsection is
5 not required to provide an additional opportunity for the student
6 to perform satisfactorily on the assessment instrument.

7 (i-2) Not later than September 1 of each school year, a
8 school district must notify the parent or person standing in
9 parental relation to a student enrolled in the district's special
10 education program under Subchapter A, Chapter 29, of the options of
11 the admission, review, and dismissal committee under Subsections
12 (i) and (i-1) if the student does not perform satisfactorily on an
13 assessment instrument.

14 SECTION 2. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2017.