

1-1 By: Bernal, Guillen, Burns H.B. No. 657  
1-2 (Senate Sponsor - Menéndez)  
1-3 (In the Senate - Received from the House May 1, 2017;  
1-4 May 5, 2017, read first time and referred to Committee on  
1-5 Education; May 16, 2017, reported favorably by the following vote:  
1-6 Yeas 11, Nays 0; May 16, 2017, sent to printer.)

1-7 COMMITTEE VOTE

| 1-8  | Yea                 | Nay | Absent | PNV |
|------|---------------------|-----|--------|-----|
| 1-9  | Taylor of Galveston | X   |        |     |
| 1-10 | Lucio               | X   |        |     |
| 1-11 | Bettencourt         | X   |        |     |
| 1-12 | Campbell            | X   |        |     |
| 1-13 | Hall                | X   |        |     |
| 1-14 | Huffines            | X   |        |     |
| 1-15 | Hughes              | X   |        |     |
| 1-16 | Seliger             | X   |        |     |
| 1-17 | Taylor of Collin    | X   |        |     |
| 1-18 | Uresti              | X   |        |     |
| 1-19 | West                | X   |        |     |

1-20 A BILL TO BE ENTITLED  
1-21 AN ACT

1-22 relating to procedures for a student enrolled in a special  
1-23 education program who fails to perform satisfactorily on certain  
1-24 assessment instruments.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 28.0211, Education Code, is amended by  
1-27 amending Subsection (i) and adding Subsections (i-1) and (i-2) to  
1-28 read as follows:

1-29 (i) The admission, review, and dismissal committee of a  
1-30 student who participates in a district's special education program  
1-31 under Subchapter A [B], Chapter 29, and who does not perform  
1-32 satisfactorily on an assessment instrument specified under  
1-33 Subsection (a) and administered under Section 39.023(a) or (b) must  
1-34 meet before the student is administered the assessment instrument  
1-35 for the second time. The committee shall determine:

1-36 (1) the manner in which the student will participate  
1-37 in an accelerated instruction program under this section; and

1-38 (2) whether the student will be promoted in accordance  
1-39 with Subsection (i-1) or retained under this section.

1-40 (i-1) At a meeting of the admission, review, and dismissal  
1-41 committee of a student under Subsection (i), the committee may  
1-42 promote the student to the next grade level if the committee  
1-43 concludes that the student has made sufficient progress in the  
1-44 measurable academic goals contained in the student's  
1-45 individualized education program developed under Section 29.005. A  
1-46 school district that promotes a student under this subsection is  
1-47 not required to provide an additional opportunity for the student  
1-48 to perform satisfactorily on the assessment instrument.

1-49 (i-2) Not later than September 1 of each school year, a  
1-50 school district must notify the parent or person standing in  
1-51 parental relation to a student enrolled in the district's special  
1-52 education program under Subchapter A, Chapter 29, of the options of  
1-53 the admission, review, and dismissal committee under Subsections  
1-54 (i) and (i-1) if the student does not perform satisfactorily on an  
1-55 assessment instrument.

1-56 SECTION 2. This Act takes effect immediately if it receives  
1-57 a vote of two-thirds of all the members elected to each house, as  
1-58 provided by Section 39, Article III, Texas Constitution. If this  
1-59 Act does not receive the vote necessary for immediate effect, this  
1-60 Act takes effect September 1, 2017.

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