

By: González of El Paso

H.B. No. 120

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the exemption of certain public school students of
3 limited English proficiency from certain state-administered
4 assessment instruments.

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

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

8 (a) A student may be administered an accommodated or
9 alternative assessment instrument or may be granted an exemption
10 from or a postponement of the administration of an assessment
11 instrument under:

12 (1) Section 39.023(a), (b), (c), or (l) for a period of
13 up to two years [~~one year~~] after initial enrollment in a school in
14 the United States if the student is of limited English proficiency,
15 as defined by Section 29.052, and has not demonstrated proficiency
16 in English as determined by the assessment system under Subsection
17 (e);

18 (2) Section 39.023(a), (b), (c), or (l) for a period of
19 up to two years in addition to the exemption period authorized by
20 Subdivision (1) if the student has received an exemption under
21 Subdivision (1) and:

22 (A) is a recent unschooled immigrant; or

23 (B) is in a grade for which no assessment
24 instrument in the primary language of the student is available; or

1 (3) Section 39.023(a), (b), (c), or (1) for a period of
2 up to four years, in addition to the exemption period authorized
3 under Subdivision (1), if the student's initial enrollment in a
4 school in the United States was as an unschooled asylee or refugee.

5 SECTION 2. This Act applies beginning with the 2019-2020
6 school year.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2019.