

Amend CSHB 764 (house committee printing) as follows:

(1) On page 20, line 15, strike "Section 39.02342" and substitute "Sections 39.02342 and 39.0239".

(2) On page 23, between lines 1 and 2, insert the following:

Sec. 39.0239. ADMINISTRATION OF ASSESSMENT INSTRUMENTS AND TEMPORARY SUSPENSION OF CERTAIN ACCOUNTABILITY MEASURES DURING DISASTER. (a) If, during a school year, a statewide disaster declared by the president of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Section 5121 et seq.) or by the governor under Chapter 418, Government Code, significantly disrupts school district operations, including in-person attendance, in a majority of school districts in this state, the commissioner shall apply to the United States Department of Education for a waiver of the requirement under the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) to administer assessment instruments during that school year.

(b) If the United States Department of Education fails to grant a waiver requested under Subsection (a), the assessment instruments shall be administered as required under Section 39.023 during the applicable school year, but, notwithstanding any other law, the commissioner may not consider the results of the assessment instruments for purposes of:

(1) evaluating school district or campus performance under this chapter for the applicable school year, including in determining:

(A) the performance rating to assign to each district or campus under Section 39.054; or

(B) whether to impose any intervention or sanction authorized by Chapter 39A after the applicable school year on each district or campus; or

(2) determining a student's qualification for promotion or graduation.

(3) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. As soon as practicable after the effective date of this Act, the commissioner of education shall apply to the United States Department of Education for a statewide waiver of the

annual assessment of students required under the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) for the 2020-2021 school year.