

BILL ANALYSIS

Senate Research Center
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S.B. 377
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

English language learners (ELLs) face numerous challenges in Texas public schools. In many cases, they have limited schooling prior to enrolling in United States schools, they have insufficient content area knowledge in English and/or Spanish, and they have significant deficiencies in reading and writing skills. Because of these challenges, it is difficult for ELLs to learn English as a second language while simultaneously mastering core content taught in a language they do not understand. These difficulties are most pronounced when ELLs are expected to perform on state-mandated high-stakes tests.

S.B. 377 exempts a student from being included in the evaluation of a district's or campus's performance on student achievement indicators if the student's performance will lower a performance rating and the student is a student of limited English proficiency who has been enrolled in a school in the United States for three years or less.

As proposed, S.B. 377 amends current law relating to considering the performance of certain students on state assessment instruments in evaluating school district and campus performance.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 39.054, Education Code, by adding Subsection (d-2), as follows:

(d-2) Prohibits the commissioner of education (commissioner), in evaluating performance under Subsection (c) (relating to the commissioner's evaluation of school districts and campus performance on certain student achievement indicators), to lower a performance rating for purposes of this chapter based on unsatisfactory performance on an assessment instrument administered under Section 39.023(a) (relating to the Texas Education Agency's (TEA) adoption or development of appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in certain academic areas), (b) (relating to TEA's adoption or development of appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program), (c) (relating to TEA's adoption of end-of-course assessment instruments for secondary courses), (1) (relating to the State Board of Education adopting rules for the administration of the assessment instruments adopted in Subsection (a) to be in Spanish), or (n) (relating to TEA's adoption or development of appropriate criterion-referenced assessment instruments for a student who has been determined to have dyslexia or a related disorder and who is an individual with a disability) to a student for a period of three 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 (Definitions). Provides that this subsection does not apply to a performance rating for purposes of:

(1) compliance monitoring under Section 7.028 (Limitation on Compliance Monitoring); or

(2) public school accountability under federal law.

SECTION 2. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 3. Effective date: upon passage or September 1, 2013.