

## **BILL ANALYSIS**

Senate Research Center  
78R1360 SLO-D

S.B. 98  
By: Barrientos  
Education  
2/7/2003  
As Filed

### **DIGEST AND PURPOSE**

Under current Texas law, the State-Developed Alternate Assessment (SDAA) test--a state mandated test administered to students with disabilities--is not required to be given in Spanish. As proposed, S.B. 98 requires the creation of a Spanish version to be administered to Spanish speaking students who have limited English proficiency.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the State Board of Education in SECTION 1 (Section 39.023, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 39.023, Education Code, by adding Subsection (o), as follows:

(o) Requires the State Board of Education (SBOE) to adopt rules for the administration of the assessment instruments adopted under Subsection (b) in Spanish to students who are of limited English proficiency, whose primary language is Spanish, and who are not otherwise exempt from the administration of an assessment instrument under Section 39.027(a)(3) or (4). Authorizes each student of limited English proficiency whose otherwise primary language is Spanish and who would otherwise be assessed using an English language assessment instrument adopted under Section (b) to be assessed using an assessment instrument in Spanish under this subsection. Requires the language proficiency assessment committee to determine which students are administered assessment instruments in Spanish under this subsection.

SECTION 2. Requires the SBOE, beginning with the 2003-2004 school year, to administer assessment instruments in accordance with rules adopted under Section 39.023(o), Education Code, as added by this bill.

SECTION 3. Effective date: upon passage or September 1, 2003.