

By: Reynolds

H.B. No. 378

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to eliminating certain state-required end-of-course  
3 assessment instruments not required by federal law.

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

5 SECTION 1. Section 39.023, Education Code, is amended by  
6 amending Subsection (c) and adding Subsection (q) to read as  
7 follows:

8 (c) The agency shall also adopt end-of-course assessment  
9 instruments for secondary-level courses in Algebra I, biology, and  
10 English I [~~, English II, and United States history~~]. The Algebra I  
11 end-of-course assessment instrument must be administered with the  
12 aid of technology, but may include one or more parts that prohibit  
13 the use of technology. The English I [~~and English II~~]  
14 end-of-course assessment instrument [~~instruments~~] must [~~each~~]  
15 assess essential knowledge and skills in both reading and writing  
16 and must provide a single score. A school district shall comply  
17 with State Board of Education rules regarding administration of the  
18 assessment instruments listed in this subsection. If a student is  
19 in a special education program under Subchapter A, Chapter 29, the  
20 student's admission, review, and dismissal committee shall  
21 determine whether any allowable modification is necessary in  
22 administering to the student an assessment instrument required  
23 under this subsection. The State Board of Education shall  
24 administer the assessment instruments. An end-of-course

1 assessment instrument may be administered in multiple parts over  
2 more than one day. The State Board of Education shall adopt a  
3 schedule for the administration of end-of-course assessment  
4 instruments that complies with the requirements of Subsection  
5 (c-3).

6 (g) This subsection applies to end-of-course assessment  
7 instruments adopted under Subsection (c) for secondary-level  
8 courses in English II and United States history, as that subsection  
9 existed before amendment by \_\_\_B. No.\_\_\_\_, Acts of the 87th  
10 Legislature, Regular Session, 2021. The agency may retain  
11 assessment instruments described by this subsection, but may not  
12 require a school district to administer those assessment  
13 instruments. A school district may choose to administer an  
14 assessment instrument described by this subsection. An assessment  
15 instrument described by this subsection administered by a school  
16 district may not be used for accountability purposes to measure the  
17 performance of the district or a district campus.

18 SECTION 2. Section 39.025(a-1), Education Code, is amended  
19 to read as follows:

20 (a-1) A student enrolled in a college preparatory  
21 mathematics or English language arts course under Section 28.014  
22 who satisfies the Texas Success Initiative (TSI) college readiness  
23 benchmarks prescribed by the Texas Higher Education Coordinating  
24 Board under Section 51.334 on an assessment instrument designated  
25 by the coordinating board under that section administered at the  
26 end of the college preparatory mathematics or English language arts  
27 course satisfies the requirements concerning and is exempt from the

1 administration of the Algebra I or the English I [~~and English II~~]  
2 end-of-course assessment instrument [~~instruments~~], as applicable,  
3 as prescribed by Section 39.023(c), even if the student did not  
4 perform satisfactorily on a previous administration of the  
5 applicable end-of-course assessment instrument. A student who  
6 fails to perform satisfactorily on the assessment instrument  
7 designated by the coordinating board under Section 51.334  
8 administered as provided by this subsection may retake that  
9 assessment instrument for purposes of this subsection or may take  
10 the appropriate end-of-course assessment instrument.

11 SECTION 3. This Act applies beginning with the 2021-2022  
12 school year.

13 SECTION 4. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2021.