

By: Dean

H.B. No. 2800

A BILL TO BE ENTITLED

AN ACT

relating to the limitation on administration and use of certain assessment instruments in public schools.

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

SECTION 1. Section 39.023(a), Education Code, as effective until September 1, 2021, is amended to read as follows:

(a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in reading, ~~[writing,~~ mathematics, ~~[social studies,~~ and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (1) or exempted under Section 39.027, shall be assessed in:

(1) mathematics, annually in grades three through eight;

(2) reading, annually in grades three through eight;

(3) ~~[writing, including spelling and grammar, in grades four and seven,~~

~~[(4) social studies, in grade eight,~~

~~[(5)] science, in grades five and eight; and~~

(4) ~~[(6)]~~ any other subject and grade required by federal law.

SECTION 2. Section 39.023(a), Education Code, as effective September 1, 2021, is amended to read as follows:

(a) The agency shall adopt or develop appropriate

1 criterion-referenced assessment instruments designed to assess
2 essential knowledge and skills in reading, mathematics, [~~social~~
3 ~~studies,~~] and science. Except as provided by Subsection (a-2), all
4 students, other than students assessed under Subsection (b) or (1)
5 or exempted under Section 39.027, shall be assessed in:

6 (1) mathematics, annually in grades three through
7 eight;

8 (2) reading, annually in grades three through eight;

9 (3) [~~social studies, in grade eight,~~

10 [~~(4)~~] science, in grades five and eight; and

11 (4) [~~(5)~~] any other subject and grade required by
12 federal law.

13 SECTION 3. Section 39.023(c), Education Code, is amended to
14 read as follows:

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

1 any allowable modification is necessary in administering to the
2 student an assessment instrument required under this subsection.
3 The State Board of Education shall administer the assessment
4 instruments. An end-of-course assessment instrument may be
5 administered in multiple parts over more than one day. The State
6 Board of Education shall adopt a schedule for the administration of
7 end-of-course assessment instruments that complies with the
8 requirements of Subsection (c-3).

9 SECTION 4. Section 39.025(a-1), Education Code, is amended
10 to read as follows:

11 (a-1) A student enrolled in a college preparatory
12 mathematics or English language arts course under Section 28.014
13 who satisfies the Texas Success Initiative (TSI) college readiness
14 benchmarks prescribed by the Texas Higher Education Coordinating
15 Board under Section 51.334 on an assessment instrument designated
16 by the coordinating board under that section administered at the
17 end of the college preparatory mathematics or English language arts
18 course satisfies the requirements concerning and is exempt from the
19 administration of the Algebra I or the [~~English I and~~] English II
20 end-of-course assessment instrument [~~instruments~~], as applicable,
21 as prescribed by Section 39.023(c), even if the student did not
22 perform satisfactorily on a previous administration of the
23 applicable end-of-course assessment instrument. A student who
24 fails to perform satisfactorily on the assessment instrument
25 designated by the coordinating board under Section 51.334
26 administered as provided by this subsection may retake that
27 assessment instrument for purposes of this subsection or may take

1 the appropriate end-of-course assessment instrument.

2 SECTION 5. Section 39.203(c), Education Code, is amended to
3 read as follows:

4 (c) In addition to the distinction designations described
5 by Subsections (a) and (b), a campus that satisfies the criteria
6 developed under Section 39.204 shall be awarded a distinction
7 designation by the commissioner for outstanding performance in
8 academic achievement in English language arts, mathematics, or
9 science[~~, or social studies~~].

10 SECTION 6. Section 39.0238, Education Code, is repealed.

11 SECTION 7. This Act applies beginning with the 2021-2022
12 school year.

13 SECTION 8. 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.