

By: Miles

S.B. No. 393

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the consideration of certain student differentials
3 based on sex under the public school accountability system.

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

5 SECTION 1. Section 39.053, Education Code, is amended by
6 amending Subsections (c) and (e) and adding Subsection (i-1) to
7 read as follows:

8 (c) School districts and campuses must be evaluated based on
9 three domains of indicators of achievement adopted under this
10 section that include:

11 (1) in the student achievement domain, indicators of
12 student achievement that must include:

13 (A) for evaluating the performance of districts
14 and campuses generally:

15 (i) an indicator that accounts for the
16 results of assessment instruments required under Sections
17 39.023(a), (c), and (l), as applicable for the district and campus,
18 including the results of assessment instruments required for
19 graduation retaken by a student, aggregated across grade levels by
20 subject area, including:

21 (a) for the performance standard
22 determined by the commissioner under Section 39.0241(a), the
23 percentage of students who performed satisfactorily on the
24 assessment instruments, aggregated across grade levels by subject

1 area; and

2 (b) for the college readiness
3 performance standard as determined under Section 39.0241, the
4 percentage of students who performed satisfactorily on the
5 assessment instruments, aggregated across grade levels by subject
6 area; and

7 (ii) an indicator that accounts for the
8 results of assessment instruments required under Section
9 39.023(b), as applicable for the district and campus, including the
10 percentage of students who performed satisfactorily on the
11 assessment instruments, as determined by the performance standard
12 adopted by the agency, aggregated across grade levels by subject
13 area; and

14 (B) for evaluating the performance of high school
15 campuses and districts that include high school campuses,
16 indicators that account for:

17 (i) students who satisfy the Texas Success
18 Initiative (TSI) college readiness benchmarks prescribed by the
19 Texas Higher Education Coordinating Board under Section 51.334 on
20 an assessment instrument in reading or mathematics designated by
21 the coordinating board under that section;

22 (ii) students who satisfy relevant
23 performance standards on advanced placement tests or similar
24 assessments;

25 (iii) students who earn dual course credits
26 in the dual credit courses;

27 (iv) students who enlist in the armed

1 forces of the United States;

2 (v) students who earn industry
3 certifications;

4 (vi) students admitted into postsecondary
5 industry certification programs that require as a prerequisite for
6 entrance successful performance at the secondary level;

7 (vii) students whose successful completion
8 of a course or courses under Section 28.014 indicates the student's
9 preparation to enroll and succeed, without remediation, in an
10 entry-level general education course for a baccalaureate degree or
11 associate degree;

12 (viii) students who successfully met
13 standards on a composite of indicators that through research
14 indicates the student's preparation to enroll and succeed, without
15 remediation, in an entry-level general education course for a
16 baccalaureate degree or associate degree;

17 (ix) high school graduation rates, computed
18 in accordance with standards and definitions adopted in compliance
19 with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.)
20 subject to the exclusions provided by Subsections (g), (g-1),
21 (g-2), ~~and~~ (g-3), and (g-4);

22 (x) students who successfully completed an
23 OnRamps dual enrollment course;

24 (xi) students who successfully completed a
25 practicum or internship approved by the State Board of Education;
26 and

27 (xii) students who are awarded an associate

1 degree;

2 (2) in the school progress domain, indicators for
3 effectiveness in promoting student learning, which must include:

4 (A) for assessment instruments, including
5 assessment instruments under Subdivisions (1)(A)(i) and (ii), the
6 percentage of students who met the standard for improvement, as
7 determined by the commissioner; and

8 (B) for evaluating relative performance, the
9 performance of districts and campuses compared to similar districts
10 or campuses; and

11 (3) in the closing the gaps domain, the use of
12 disaggregated data to demonstrate the differentials among
13 students:

14 (A) from different:

15 (i) racial and ethnic groups, including
16 African American and Hispanic students:

17 (a) considered as a whole; and

18 (b) disaggregated by sex; and

19 (ii) socioeconomic backgrounds; [7] and

20 (B) based on other relevant factors not described
21 by Paragraph (A), including:

22 (i) [~~A~~] students formerly receiving
23 special education services;

24 (ii) [~~B~~] students continuously enrolled;

25 and

26 (iii) [~~C~~] students who are mobile.

27 (e) For purposes of Subsection (c)(3)(B)(i) [~~(c)(3)(A)~~], a

1 student formerly receiving special education services means a
2 student whose enrollment information:

3 (1) for the preceding school year, as reported through
4 the Public Education Information Management System (PEIMS),
5 indicates the student was enrolled at the campus and was
6 participating in a special education program; and

7 (2) for the current school year, as reported through
8 the Public Education Information Management System (PEIMS) and as
9 reported on assessment instruments administered to the student
10 under Section 39.023, indicates the student is enrolled at the
11 campus and is not participating in a special education program.

12 (i-1) Notwithstanding Subsection (c)(3)(A)(i)(b),
13 information reported under that sub-subparagraph may not be used by
14 the agency for accountability purposes before the accountability
15 ratings assigned for the 2024-2025 school year. This subsection
16 expires September 1, 2025.

17 SECTION 2. This Act applies beginning with the 2021-2022
18 school year.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2021.