

By: Delisi

H.B. No. 796

A BILL TO BE ENTITLED

AN ACT

relating to abolishing the Texas Academic Skills Program.

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

SECTION 1. Sections 51.306 and 51.3061, Education Code, are repealed.

SECTION 2. Section 29.903(d), Education Code, as added by Chapter 795, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

(d) A plan developed under this section:

(1) must establish clear, achievable goals for increasing the percentage of the school district's graduating seniors, particularly the graduating seniors attending a high school described by Subsection (a), who enroll in an institution of higher education for the academic year following graduation;

(2) must establish an accurate method of measuring progress toward the goals established under Subdivision (1) that may include the percentage of district high school students and the percentage of students attending a district high school described by Subsection (a) who:

(A) are enrolled in a course for which a student may earn college credit, such as an advanced placement or international baccalaureate course or a course offered through concurrent enrollment in high school and at an institution of higher education;

1 (B) are enrolled in courses that meet the  
2 curriculum requirements for the recommended or advanced high school  
3 program as determined under Section 28.025;

4 (C) have submitted a free application for federal  
5 student aid (FAFSA);

6 (D) [~~are exempt under Section 51.306(1) or (m)~~  
7 ~~from administration of a test instrument under Section 51.306 or~~  
8 ~~have performed successfully on a test instrument under Section~~  
9 ~~51.306;~~

10 [~~(E)~~] graduate from high school;

11 (E) [~~(F)~~] graduate from an institution of higher  
12 education; and

13 (F) [~~(G)~~] have taken college entrance  
14 examinations and the average score of those students on the  
15 examinations;

16 (3) must cover a period of at least five years; and

17 (4) may be directed at district students at any level  
18 of primary or secondary education.

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

21 (c) The agency shall also adopt secondary exit-level  
22 assessment instruments designed to be administered to students in  
23 grade 11 to assess essential knowledge and skills in mathematics,  
24 English language arts, social studies, and science. The  
25 mathematics section must include at least Algebra I and geometry  
26 with the aid of technology. The English language arts section must  
27 include at least English III and must include the assessment of

1 essential knowledge and skills in writing. The social studies  
2 section must include early American and United States history. The  
3 science section must include at least biology and integrated  
4 chemistry and physics. The assessment instruments must be designed  
5 to assess a student's mastery of minimum skills necessary for high  
6 school graduation and readiness to enroll in an institution of  
7 higher education. If a student is in a special education program  
8 under Subchapter A, Chapter 29, the student's admission, review,  
9 and dismissal committee shall determine whether any allowable  
10 modification is necessary in administering to the student an  
11 assessment instrument required under this subsection or whether the  
12 student should be exempted under Section 39.027(a)(2). The State  
13 Board of Education shall administer the assessment instruments. The  
14 State Board of Education shall adopt a schedule for the  
15 administration of secondary exit-level assessment instruments.  
16 Each student who did not perform satisfactorily on any secondary  
17 exit-level assessment instrument when initially tested shall be  
18 given multiple opportunities to retake that assessment instrument.  
19 ~~[A student who performs at or above a level established by the Texas~~  
20 ~~Higher Education Coordinating Board on the secondary exit-level~~  
21 ~~assessment instruments is exempt from the requirements of Section~~  
22 ~~51.306.]~~

23 SECTION 4. Section 39.051(b), Education Code, as amended by  
24 Chapters 8, 725, 834, and 1420, Acts of the 77th Legislature,  
25 Regular Session, 2001, is reenacted and amended to read as follows:

26 (b) Performance on the indicators adopted under this  
27 section shall be compared to state-established standards. The

1 degree of change from one school year to the next in performance on  
2 each indicator adopted under this section shall also be considered.  
3 The indicators must be based on information that is disaggregated  
4 by race, ethnicity, gender, and socioeconomic status and must  
5 include:

6 (1) the results of assessment instruments required  
7 under Sections 39.023(a), (c), and (1), aggregated by grade level  
8 and subject area;

9 (2) dropout rates, including dropout rates and  
10 district completion rates for grade levels 9 through 12;

11 (3) student attendance rates;

12 ~~(4) [the percentage of graduating students who attain~~  
13 ~~scores on the secondary exit-level assessment instruments required~~  
14 ~~under Subchapter B that are equivalent to a passing score on the~~  
15 ~~test instrument required under Section 51.306;~~

16 ~~[(5)]~~ the percentage of graduating students who meet  
17 the course requirements established for the recommended high school  
18 program by State Board of Education rule;

19 (5) ~~[(6)]~~ the results of the Scholastic Assessment  
20 Test (SAT), the American College Test (ACT), articulated  
21 postsecondary degree programs described by Section 61.852, and  
22 certified workforce training programs described by Chapter 311,  
23 Labor Code;

24 (6) ~~[(7)]~~ the percentage of students, aggregated by  
25 grade level, provided accelerated instruction under Section  
26 28.0211(c), the results of assessments administered under that  
27 section, the percentage of students promoted through the grade

1 placement committee process under Section 28.0211, the subject of  
2 the assessment instrument on which each student failed to perform  
3 satisfactorily, and the performance of those students in the school  
4 year following that promotion on the assessment instruments  
5 required under Section 39.023;

6 (7) [~~(8)~~] for students who have failed to perform  
7 satisfactorily on an assessment instrument required under Section  
8 39.023(a) or (c), the numerical progress of those students on  
9 subsequent assessment instruments required under those sections,  
10 aggregated by grade level and subject area;

11 (8) [~~(9)~~ the percentage of students taking  
12 ~~end-of-course assessment instruments adopted under Section~~  
13 ~~39.023(d)~~];

14 [~~(9)~~] the percentage of students exempted, by  
15 exemption category, from the assessment program generally  
16 applicable under this chapter [~~subchapter~~]; and

17 (9) [~~(11)~~] the percentage of students of limited  
18 English proficiency exempted from the administration of an  
19 assessment instrument under Sections 39.027(a)(3) and (4).

20 SECTION 5. Section 39.051(d), Education Code, is amended to  
21 read as follows:

22 (d) Annually, the commissioner shall define exemplary,  
23 recognized, and unacceptable performance for each academic  
24 excellence indicator included under Subsections (b)(1) through (5)  
25 [~~(6)~~] and shall project the standards for each of those levels of  
26 performance for succeeding years. For the indicator under  
27 Subsection (b)(6) [~~(b)(7)~~], the commissioner shall define

1 exemplary, recognized, and unacceptable performance based on  
2 student performance for the period covering both the current and  
3 preceding academic years. In defining exemplary, recognized, and  
4 unacceptable performance for the indicators under Subsections  
5 (b)(2) and (3), the commissioner may not consider as a dropout or as  
6 a student who has failed to attend school a student whose failure to  
7 attend school results from:

8 (1) the student's expulsion under Section 37.007; and

9 (2) as applicable:

10 (A) adjudication as having engaged in delinquent  
11 conduct or conduct indicating a need for supervision, as defined by  
12 Section 51.03, Family Code; or

13 (B) conviction of and sentencing for an offense  
14 under the Penal Code.

15 SECTION 6. Section 130.0035(b), Education Code, is amended  
16 to read as follows:

17 (b) The report must include the following information for  
18 the junior college district for the academic year covered by the  
19 report:

20 (1) the rate at which students completed courses  
21 attempted;

22 (2) the number and types of degrees and certificates  
23 awarded;

24 (3) the percentage of graduates who passed licensing  
25 exams related to the degree or certificate awarded, to the extent  
26 the information can be determined;

27 (4) the number of students or graduates who transfer

1 to or are admitted to a public university;

2 (5) [~~the passing rates for students required to be~~  
3 ~~tested under Section 51.306,~~

4 [~~(6)~~] the percentage of students enrolled who are  
5 academically disadvantaged;

6 (6) [~~(7)~~] the percentage of students enrolled who are  
7 economically disadvantaged;

8 (7) [~~(8)~~] the racial and ethnic composition of the  
9 district's student body; and

10 (8) [~~(9)~~] the percentage of student contact hours  
11 taught by full-time faculty.

12 SECTION 7. Section 51.930(e), Education Code, is repealed.

13 SECTION 8. This Act applies beginning with the 2003 fall  
14 semester.

15 SECTION 9. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2003.