

By: Hochberg

H.B. No. 39

A BILL TO BE ENTITLED

AN ACT

relating to instruments adopted for use in the public school
accountability system.

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

SECTION 1. Sections 39.023, Education Code, is amended to
by adding subsections (o) and (p) as follows:

(o) The Commissioner shall develop a plan to redesign the
instruments adopted under Subsections (a) and (c) to minimize the
benefits of teaching test-taking skills and gimmicks to increase
scores on those instruments. The Commissioner shall provide this
plan to the Legislature before the start of the 80th legislative
session. The plan shall include cost estimates for its
implementation and a means of measuring the impact of such a
redesign on the time spent on the teaching of test-taking skills and
gimmicks. This subsection expires September 1, 2007.

(p) In addition to the questions used to assess essential
knowledge and skills on the instruments adopted under Subsections
(a) and (c), the agency shall include questions that test a broader
range of knowledge and skills and questions that are at a higher
difficulty level, for the purpose of differentiating student
achievement. Students shall not be required to answer such
questions correctly in order to pass the test or to be advanced to
the next grade level, but the results of performance on such
questions shall be included in the reports required under

1 Subchapter C in a manner determined by rule by the State Board of
2 Education or the Commissioner, as applicable to each report.

3 SECTION 2. Subsection (p) as added by this Act applies
4 beginning with the 2008-09 school year.

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect on the 91st day after the last day of the
10 legislative session.