

By: Villarreal

H.B. No. 1320

A BILL TO BE ENTITLED

AN ACT

relating to the administration of certain assessment instruments to public school students under the statewide assessment program.

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

SECTION 1. Section 39.023, Education Code, is amended by amending Subsections (a), (c), and (i) and adding Subsection (o) 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. All students, except students assessed under Subsection (b) or (l) or exempted under Section 39.027, shall, through an assessment instrument administered to students in September, be assessed in:

(1) mathematics, annually in grades three through seven without the aid of technology and in grades eight through 11 with the aid of technology on any assessment instruments that include algebra;

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

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

(4) English language arts, in grade 10;

(5) social studies, in grades eight and 10;

(6) science, in grades five, eight, and 10; and

(7) any other subject and grade required by federal law.

(c) The agency shall also adopt secondary exit-level assessment instruments designed to be administered to students in grade 11 to assess essential knowledge and skills in mathematics, English language arts, social studies, and science. The mathematics section must include at least Algebra I and geometry with the aid of technology. The English language arts section must include at least English III and must include the assessment of essential knowledge and skills in writing. The social studies section must include early American and United States history. The science section must include at least biology and integrated chemistry and physics. The assessment instruments must be designed to assess a student's mastery of minimum skills necessary for high school graduation and readiness to enroll in an institution of higher education. If a student is in a special education program under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee shall determine whether any allowable modification is necessary in administering to the student an assessment instrument required under this subsection or whether the student should be exempted under Section 39.027(a)(2). The State Board of Education shall administer the assessment instruments in September. ~~[The State Board of Education shall adopt a schedule for the administration of secondary exit-level assessment instruments.]~~ Each student who did not perform satisfactorily on any secondary exit-level assessment instrument when initially tested shall be given multiple opportunities to retake that

1 assessment instrument. A student who performs at or above a level
2 established by the Texas Higher Education Coordinating Board on the
3 secondary exit-level assessment instruments is exempt from the
4 requirements of Section 51.3062 [~~51.306~~].

5 (i) The provisions of this section, except Subsection (d)
6 and any provision requiring the administration of an assessment
7 instrument in September, are subject to modification by rules
8 adopted under Section 39.022. Each assessment instrument adopted
9 under those rules and each assessment instrument required under
10 Subsection (d) must be reliable and valid and must meet any
11 applicable federal requirements for measurement of student
12 progress.

13 (o) The requirement that assessment instruments
14 administered under Subsections (a) and (c) be administered in
15 September does not preclude the additional administration of the
16 assessment instruments on one or more subsequent dates in the
17 school year.

18 SECTION 2. This Act applies beginning with the 2007-2008
19 school year.

20 SECTION 3. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2007.