

BILL ANALYSIS

Senate Research Center
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H.B. 2135
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the state is preparing to implement the new academic assessment program, the State of Texas Assessments of Academic Readiness (STAAR). Under the STAAR program, certain eighth-grade students who are enrolled in algebra for high school will be required to take the eighth-grade STAAR math test and the algebra end-of-course test. This has created a situation where algebra teachers are interrupting the algebra course to take up a review of the eighth-grade math course mid-year.

H.B. 2135 seeks to address this issue by allowing certain public school students enrolled in a class for high school credit to take an end-of-course test in place of the grade-level STAAR test.

H.B. 2135 amends current law relating to the administration of end-of-course assessment instruments to public school students enrolled below the high school level.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to commissioner of education in SECTION 4 (Section 39.025, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 28.021(c), Education Code, as follows:

(c) Requires a school district, in determining promotion under Subsection (a) (relating to promoting a student based on academic achievement) to consider:

- (1) the recommendation of the student's teacher;
- (2) the student's grade in each subject or course;
- (3) the student's score on an assessment instrument administered under Section 39.023(a), (b), or (1), to the extent applicable; and
- (4) any other necessary academic information, as determined by the district.

SECTION 2. Amends Section 28.0211, Education Code, by adding Subsections (o) and (p), as follows:

(o) Provides that this section does not require the administration of a fifth or eighth grade assessment in a subject under Section 39.023(a) to a student enrolled in the fifth or eighth grade, as applicable, if the student:

- (1) is enrolled in a course in the subject for which the student will receive high school academic credit; and
- (2) will be administered an end-of-course assessment instrument adopted under Section 39.023(c) (relating to requiring the Texas Education Agency to adopt end-of-course assessment instruments) for the course.

(p) Prohibits a student described by Subsection (o), notwithstanding any other provision of this section, from being denied promotion on the basis of failure to perform satisfactorily on an assessment instrument not required to be administered to the student in accordance with that subsection.

SECTION 3. Amends Section 39.023, Education Code, by amending Subsection (a) and adding Subsection (a-2), as follows:

(a) Requires, except as provided by Subsection (a-2), all students, other than, rather than except, students assessed under Subsection (b) (relating to requiring TEA to adopt assessment instruments) or (1) (relating to requiring SBOE to adopt rules for the administration of assessment instruments) or exempted under Section 39.027 (Exemption), be assessed in certain subjects..

(a-2) Provides that a student is not required to be assessed in a subject otherwise assessed at the student's grade level under Subsection (a) if the student:

(1) is enrolled in a course in the subject for which the student will receive high school academic credit; and

(2) will be administered an end-of-course assessment instrument adopted under Subsection (c) for the course.

SECTION 4. Amends Section 39.025, Education Code, by adding Subsection (e-1), to provide that nothing in this section has the effect of prohibiting the administration of an end-of-course assessment instrument listed in Section 39.023(c) to a student enrolled below the high school level who is enrolled in the course for which the assessments instrument is adopted. Requires the commissioner of education (commissioner) to adopt rules necessary to ensure that the student's performance on the assessment instrument is considered in the same manner for purposes of this section as the performance of a student enrolled at the high school level.

SECTION 5. Amends Section 39.053, Education Code, by adding Subsection (d-1), to provide that in aggregating results of assessment instruments across grade levels by subject in accordance with Subsection (c)(1), the performance of a student enrolled below the high school level on an assessment instrument required under Section 39.023(c) is included with results relating to other students enrolled at the same grade level.

SECTION 6. Amends Section 39.203, Education Code, by adding Subsection (d), to authorize the commissioner, in addition to the distinction designations otherwise described by this section, to award a distinction designation to a campus with a significant number of students below grade nine who perform satisfactorily on an end-of-course assessment instrument administered under Section 39.023(c).

SECTION 7. Provides that this Act applies beginning with the 2011-2012 school year.

SECTION 8. Effective date: upon passage or September 1, 2011.