

By: Hochberg

H.B. No. 2135

A BILL TO BE ENTITLED

1 AN ACT
2 relating to certain assessment requirements for public school
3 students.

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

5 SECTION 1. Section 28.021(c), Education Code is amended to
6 read as follows:

7 (c) In determining promotion under Subsection (a), a school
8 district shall consider:

9 (1) the recommendation of the student's teacher;

10 (2) the student's grade in each subject or course;

11 (3) the student's score on an assessment instrument
12 administered under Section 39.023(a), (b), or (l), as applicable;
13 and

14 (4) any other necessary academic information, as
15 determined by the district.

16 SECTION 2. Section 28.0211, Education Code, is amended by
17 adding Subsection (o) to read as follows:

18 (o) This section does not require a student to be assessed
19 on a fifth or eighth grade assessment instrument in a subject if the
20 student is completing a course in the subject for high school credit
21 and being administered an end-of-course assessment in the subject.

22 SECTION 3. Section 39.023, Education Code, is amended by
23 amending Subsection (a) and adding Subsection (a-1) to read as
24 follows:

1 (a) The agency shall adopt or develop appropriate
2 criterion-referenced assessment instruments designed to assess
3 essential knowledge and skills in reading, writing, mathematics,
4 social studies, and science. All students, except students assessed
5 under Subsection (a-1), (b), or (1) or exempted under Section
6 39.027, shall be assessed in:

7 (1) mathematics, annually in grades three through
8 seven without the aid of technology and in grade eight with the aid
9 of technology on any assessment instrument that includes algebra;

10 (2) reading, annually in grades three through eight;

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

13 (4) social studies, in grade eight;

14 (5) science, in grades five and eight; and

15 (6) any other subject and grade required by federal
16 law.

17 (a-1) This section does not require a student to be assessed
18 in a subject under Subsection (a) if the student is:

19 (1) completing a course in the subject for high school
20 credit; and

21 (2) being administered an end-of-course assessment
22 instrument in the subject.

23 SECTION 4. Section 39.025, Education Code, is amended by
24 adding Subsection (h) to read as follows:

25 (h) Nothing in this section shall prevent a student who is
26 in a grade level below high school and who is completing a course
27 for high school credit in a subject from being administered an

1 end-of-course assessment instrument in the subject. The
2 commissioner shall make rules to ensure that the student's score is
3 counted in the manner provided by this section.

4 SECTION 5. Section 39.053, Education Code, is amended by
5 adding Subsection (j) to read as follows:

6 (j) For purposes of Subsection (c)(1), scores are
7 aggregated across grade levels by subject area regardless of
8 whether a student in a grade level below high school is completing a
9 course for high school credit and being administered an
10 end-of-course assessment instrument in the subject. Such student's
11 score in the subject area shall be aggregated with the scores of
12 other students in the same grade level.

13 SECTION 6. Section 39.203, Education Code, is amended by
14 adding Subsection (d) to read as follows:

15 (d) In addition to the distinction designations in this
16 section, the commissioner may award a distinction designation to a
17 school that has significant numbers of students performing
18 satisfactorily on end-of-course assessment instruments.

19 SECTION 7. The changes in law made by this Act apply
20 beginning with the 2011-2012 school year.

21 SECTION 8. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2011.