

By: Isaac

H.B. No. 3083

A BILL TO BE ENTITLED

1 AN ACT

2 relating to exemption from assessment instruments for students
3 attending public school campuses that are awarded certain
4 distinction designations.

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

6 SECTION 1. Sections 39.023(a) and (i), Education Code, are
7 amended to read as follows:

8 (a) The agency shall adopt or develop appropriate
9 criterion-referenced assessment instruments designed to assess
10 essential knowledge and skills in reading, writing, mathematics,
11 social studies, and science. All students, except students assessed
12 under Subsection (b) or (l) or exempted under Section 39.027 or
13 39.0271, shall be assessed in:

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

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

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

20 (4) social studies, in grade eight;

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

22 (6) any other subject and grade required by federal
23 law.

24 (i) The provisions of this section, except Subsection (d),

1 are subject to modification by rules adopted under Section 39.022.
2 A modification by rule under this section does not affect Section
3 39.0271. Each assessment instrument adopted under those rules and
4 each assessment instrument required under Subsection (d) must be
5 reliable and valid and must meet any applicable federal
6 requirements for measurement of student progress.

7 SECTION 2. The heading to Section 39.027, Education Code,
8 is amended to read as follows:

9 Sec. 39.027. STUDENT EXEMPTION.

10 SECTION 3. Subchapter B, Chapter 39, Education Code, is
11 amended by adding Section 39.0271 to read as follows:

12 Sec. 39.0271. CAMPUS EXEMPTION. (a) A student who attends
13 a campus that was awarded a recognized distinction designation
14 under Section 39.202 in the preceding school year is exempt from
15 the administration of an assessment instrument under Section
16 39.023(a), (b), (c), or (l) for the school year after the school
17 year the campus was awarded the distinction.

18 (b) A student who attends a campus that was awarded an
19 exemplary distinction designation under Section 39.202 is exempt
20 from the administration of an assessment instrument under Section
21 39.023(a), (b), (c), or (l) for the two school years after the
22 school year the campus was awarded the distinction.

23 (c) Notwithstanding Sections 28.025(c)(1) and 39.025, a
24 student enrolled at a campus at which students are exempt from
25 administration of assessment instruments under this section who
26 would otherwise take an end-of-course assessment instrument under
27 Section 39.023(c) may graduate and receive a high school diploma

1 without being administered the assessment instrument.

2 SECTION 4. Section 39.052, Education Code, is amended by
3 adding Subsection (h) to read as follows:

4 (h) In determining the accreditation status of a school
5 district, the commissioner may not consider a campus whose students
6 are exempt from assessment instruments under Section 39.0271 in
7 evaluating the performance of the district on the assessment
8 instruments.

9 SECTION 5. Section 39.054, Education Code, is amended by
10 adding Subsection (g) to read as follows:

11 (g) In evaluating school district and campus performance
12 under this section, the commissioner may not consider assessment
13 instruments for a campus whose students are exempt under Section
14 39.0271 from administration of those assessment instruments.

15 SECTION 6. This Act applies to campuses that are awarded
16 distinction designations beginning with the 2011-2012 school year.

17 SECTION 7. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2011.