

By: Ratliff

H.B. No. 23

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to certain state-adopted or state-developed assessment  
3 instruments for public school students and to a certain indicator  
4 of student achievement.

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

6 SECTION 1. Section 39.023, Education Code, is amended by  
7 adding Subsections (a-12), (a-13), (a-14), and (a-15) to read as  
8 follows:

9 (a-12) Before an assessment instrument adopted or developed  
10 under Subsection (a) may be administered under that subsection, the  
11 assessment instrument must, on the basis of empirical evidence, be  
12 determined to be valid and reliable by an entity that is independent  
13 of the agency and of any other entity that developed the assessment  
14 instrument.

15 (a-13) The agency shall ensure that an assessment  
16 instrument adopted or developed under Subsection (a) is designed to  
17 primarily assess the essential knowledge and skills identified by  
18 the State Board of Education under Section 28.002 of the subject and  
19 for the grade level for which the assessment instrument is  
20 administered. Only to the extent necessary or helpful for  
21 diagnostic or reporting purposes, the assessment instrument may  
22 also assess supporting knowledge or skills that are introduced or  
23 referenced in the subject and for the grade level for which the  
24 assessment instrument is administered but that are identified as

1 essential knowledge or skills primarily of a different subject or  
2 for a different grade level.

3 (a-14) An assessment instrument adopted or developed under  
4 Subsection (a) must be designed so that:

5 (1) if administered to students in grades three  
6 through five, 85 percent of students will be able to complete the  
7 assessment instrument within 120 minutes; and

8 (2) if administered to students in grades six through  
9 eight, 85 percent of students will be able to complete the  
10 assessment instrument within 180 minutes.

11 (a-15) The amount of time allowed for administration of an  
12 assessment instrument adopted or developed under Subsection (a) may  
13 not exceed eight hours, and the administration may occur on only one  
14 day.

15 SECTION 2. Section 39.053, Education Code, is amended by  
16 adding Subsection (c-3) to read as follows:

17 (c-3) The indicator of student achievement under Subsection  
18 (c)(1) may not include student performance as to supporting  
19 knowledge or skills as described by Section 39.023(a-13).

20 SECTION 3. This Act applies beginning with the 2013-2014  
21 school year.

22 SECTION 4. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect on the 91st day after the last day of the  
27 legislative session.