

BILL ANALYSIS

C.S.H.B. 2836
By: Ratliff
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Education Agency (TEA) is currently required to adopt and develop statewide standardized tests that assess a student's knowledge and skills in reading, writing, mathematics, social studies, and science. Interested parties contend that under federal regulations only reading, mathematics, and science tests are required to be administered in grades three through eight and that the state is taking away invaluable instruction time and putting unnecessary stresses on teachers and students by requiring extra tests that are not federally mandated. There is additional concern that the use of both readiness standards and supporting standards in determining a school's accountability rating results in a teacher losing invaluable instruction time. C.S.H.B. 2836 seeks to make standardized tests developed by TEA more effective.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2836 amends the Education Code to remove social studies from the subjects for which statewide standardized tests are required to be adopted by the Texas Education Agency (TEA) and to remove the requirement that students be assessed in writing in grade seven. The bill requires statewide standardized tests adopted or developed by TEA, before being administered, to be determined to be valid and reliable, on the basis of empirical evidence, by an entity that is independent of TEA and of any other entity that developed the tests. The bill requires TEA to ensure that statewide standardized tests are designed to primarily assess the essential knowledge and skills identified by the State Board of Education of the subject and for the grade level for which the tests are administered. The bill authorizes such a test, only to the extent necessary or helpful for diagnostic or reporting purposes, to also assess supporting knowledge or skills that are introduced or referenced in the subject and for the grade level for which the test is administered but that are identified as essential knowledge or skills primarily of a different subject or for a different grade level. The bill prohibits the related student achievement indicator adopted by the commissioner of education from including student performance as to such supporting knowledge or skills.

C.S.H.B. 2836 requires standardized tests to be designed so that, if administered to students in grades three through five, 85 percent of students will be able to complete the test within 120 minutes and, if administered to students in grades six through eight, 85 percent of students will be able to complete the test within 180 minutes. The bill caps the amount of time allowed for administration of a test at eight hours and authorizes the administration to occur on only one day. The bill's provisions apply beginning with the 2013-2014 school year.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2836 may differ from the original in minor or nonsubstantive ways, the

following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 39.023(a), Education Code, is amended to read as follows:

(a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments, that are established empirically to be valid and reliable by an entity that is independent of the test developer and the agency, and designed to assess essential knowledge and skills in reading, writing, mathematics, ~~social studies~~, and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (l) or exempted under Section 39.027, shall be assessed in:

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

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

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

~~[(4)]~~ ~~[social studies, in grade eight;~~

(3) ~~[(5)]~~ science, in grades five and eight; and

(4) ~~[(6)]~~ any other subject and grade required by federal law.

(See amendment to Sec. 39.023(a), Education Code, above.)

~~(a-1) Criterion-referenced assessment instruments shall be designed to measure only readiness standards as identified by the agency for the purposes of determining passing rates for use in the school accountability ratings. The agency may also include supporting standards in the assessment for diagnostic and reporting purposes only and may not use the results of items related to supporting standards for~~

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 39.023, Education Code, is amended by amending Subsection (a) and adding Subsections (a-3), (a-4), (a-5), and (a-6) 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.

Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (l) or exempted under Section 39.027, shall be assessed in:

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

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

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

(4) ~~[social studies, in grade eight;~~

~~[(5)]~~ science, in grades five and eight; and

(5) ~~[(6)]~~ any other subject and grade required by federal law.

(a-3) Before an assessment instrument adopted or developed under Subsection (a) may be administered under that subsection, the assessment instrument must, on the basis of empirical evidence, be determined to be valid and reliable by an entity that is independent of the agency and of any other entity that developed the assessment instrument.

(a-4) The agency shall ensure that an assessment instrument adopted or developed under Subsection (a) is designed to primarily assess the essential knowledge and skills identified by the State Board of Education under Section 28.002 of the subject and for the grade level for which the assessment instrument is administered. Only to the extent necessary or helpful for diagnostic or reporting purposes, the

accountability rating purposes.

(1) In (a-1) "readiness standards" shall mean only those standards that are essential for success in the current grade or course

(2) In (a-2) "supporting standards" shall mean standards that are referenced or introduced in the current grade or course and are readiness standards in another grade or course

SECTION 2. Section 39.023(r), Education Code, is added to read as follows:

(r) Assessment instruments shall be designed and administered as follows:

(1) For grades 3 through 5 the assessment shall be designed such that 85% of students complete the assessment within 120 minutes.

(2) For grades 6 through 8 the assessment shall be designed such that 85% of students complete the assessment within 180 minutes

(3) The maximum time allowed for the test shall be 8 hours and it shall be administered in one calendar day.

No equivalent provision.

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

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

assessment instrument may also assess supporting knowledge or skills that are introduced or referenced in the subject and for the grade level for which the assessment instrument is administered but that are identified as essential knowledge or skills primarily of a different subject or for a different grade level.

(a-5) An assessment instrument adopted or developed under Subsection (a) must be designed so that:

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

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

(a-6) The amount of time allowed for administration of an assessment instrument adopted or developed under Subsection (a) may not exceed eight hours, and the administration may occur on only one day.

SECTION 2. Section 39.053, Education Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) The indicator of student achievement under Subsection (c)(1) may not include student performance as to supporting knowledge or skills as described by Section 39.023(a-4).

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.