

By: Pitts

H.B. No. 398

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the use of a public school student's performance on an
3 end-of-course assessment instrument in determining the student's
4 final grade for the course.

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

6 SECTION 1. Sections 28.014(c) and (f), Education Code, are
7 amended to read as follows:

8 (c) The agency, in consultation with the Texas Higher
9 Education Coordinating Board, shall adopt an end-of-course
10 assessment instrument for each course developed under this section
11 to ensure the rigor of the course. A school district shall, in
12 accordance with State Board of Education rules, administer the
13 end-of-course assessment instrument to a student enrolled in a
14 course developed under this section. [~~Each school district shall~~
15 ~~adopt a policy that requires a student's performance on the~~
16 ~~end-of-course assessment instrument to account for 15 percent of~~
17 ~~the student's final grade for the course.~~] A student's performance
18 on an end-of-course assessment instrument administered under this
19 subsection may be used, on a scale of 0-40, in calculating whether
20 the student satisfies the graduation requirements established
21 under Section 39.025.

22 (f) To the extent applicable, the commissioner shall draw
23 from curricula and instructional materials developed under Section
24 [~~Sections~~] 28.008 [~~and 61.0763~~] in developing a course and related

1 instructional materials under this section. Not later than
2 September 1, 2010, the State Board of Education shall adopt
3 essential knowledge and skills for each course developed under this
4 section. The State Board of Education shall make each course
5 developed under this section and the related instructional
6 materials available to school districts not later than the
7 2014-2015 school year. ~~[As required by Subsection (c), a school~~
8 ~~district shall adopt a policy requiring a student's performance on~~
9 ~~an end-of-course assessment instrument administered under that~~
10 ~~subsection to account for 15 percent of the student's grade for a~~
11 ~~course developed under this section not later than the 2014-2015~~
12 ~~school year.]~~ This subsection expires September 1, 2015.

13 SECTION 2. Section 39.023(c), Education Code, is amended to
14 read as follows:

15 (c) The agency shall also adopt end-of-course assessment
16 instruments for secondary-level courses in Algebra I, Algebra II,
17 geometry, biology, chemistry, physics, English I, English II,
18 English III, world geography, world history, and United States
19 history. The Algebra I, Algebra II, and geometry end-of-course
20 assessment instruments must be administered with the aid of
21 technology. A school district shall comply with State Board of
22 Education rules regarding administration of the assessment
23 instruments listed in this subsection ~~[and shall adopt a policy~~
24 ~~that requires a student's performance on an end-of-course~~
25 ~~assessment instrument for a course listed in this subsection in~~
26 ~~which the student is enrolled to account for 15 percent of the~~
27 ~~student's final grade for the course. If a student retakes an~~

1 ~~end-of-course assessment instrument for a course listed in this~~
2 ~~subsection, as provided by Section 39.025, a school district is not~~
3 ~~required to use the student's performance on the subsequent~~
4 ~~administration or administrations of the assessment instrument to~~
5 ~~determine the student's final grade for the course].~~ If a student
6 is in a special education program under Subchapter A, Chapter 29,
7 the student's admission, review, and dismissal committee shall
8 determine whether any allowable modification is necessary in
9 administering to the student an assessment instrument required
10 under this subsection. The State Board of Education shall
11 administer the assessment instruments. The State Board of
12 Education shall adopt a schedule for the administration of
13 end-of-course assessment instruments that complies with the
14 requirements of Subsection (c-3).

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

17 SECTION 4. 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, 2013.