

By: Ratliff

H.B. No. 670

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to state and school district assessment of public school  
3 students.

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

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

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

21 (f) To the extent applicable, the commissioner shall draw  
22 from curricula and instructional materials developed under Section  
23 [~~Sections~~] 28.008 [~~and 61.0763~~] in developing a course and related  
24 instructional materials under this section. Not later than

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

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

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

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

14 SECTION 3. Section 39.025, Education Code, is amended by  
15 amending Subsection (a-1) and adding Subsection (a-4) to read as  
16 follows:

17 (a-1) The commissioner [~~by rule~~] shall determine a method by  
18 which a student's satisfactory performance on an advanced placement  
19 test, an international baccalaureate examination, an SAT Subject  
20 Test, or any nationally recognized norm-referenced [~~another~~]  
21 assessment instrument used by institutions of higher education to  
22 award course credit based on satisfactory performance on the  
23 [~~determined by the commissioner to be at least as rigorous as an~~  
24 ~~end-of-course~~] assessment instrument [~~adopted under Section~~  
25 ~~39.023(c)~~] may be used to satisfy [~~as a factor in determining~~  
26 ~~whether the student satisfies~~] the requirements concerning an  
27 end-of-course assessment instrument in an equivalent subject as

1 prescribed by ~~[of]~~ Subsection (a), including the cumulative score  
2 requirement of that subsection. The commissioner shall ~~[by rule~~  
3 ~~may]~~ determine a method by which a student's satisfactory  
4 performance on a Preliminary Scholastic Assessment Test (PSAT)  
5 ~~[assessment]~~ or a preliminary American College Test (ACT)  
6 ~~[assessment]~~ may be used to satisfy ~~[as a factor in determining~~  
7 ~~whether the student satisfies]~~ the requirements concerning an  
8 end-of-course assessment instrument in an equivalent subject as  
9 prescribed by ~~[of]~~ Subsection (a), including the cumulative score  
10 requirement of that subsection. A student who fails to perform  
11 satisfactorily on a test or other assessment instrument authorized  
12 under this subsection, other than a Preliminary Scholastic  
13 Assessment Test (PSAT) or a preliminary American College Test  
14 (ACT), may retake that assessment instrument for purposes of this  
15 subsection or may take the appropriate end-of-course assessment  
16 instrument. A student who fails to perform satisfactorily on a  
17 Preliminary Scholastic Assessment Test (PSAT) or a preliminary  
18 American College Test (ACT) must take the appropriate end-of-course  
19 assessment instrument. The commissioner shall adopt rules as  
20 necessary for the administration of this subsection.

21 (a-4) The commissioner shall determine a method by which a  
22 student's successful completion of a dual credit course, as  
23 determined in accordance with commissioner rule, provided through  
24 an institution of higher education, may be used to satisfy the  
25 requirements concerning an end-of-course assessment instrument in  
26 an equivalent subject as prescribed by Subsection (a), including  
27 the cumulative score requirement of that subsection. A student who

1 fails to successfully complete a dual credit course may retake the  
2 course in an effort to successfully complete the course for  
3 purposes of this subsection or may take the appropriate  
4 end-of-course assessment instrument. The commissioner shall adopt  
5 rules as necessary for the administration of this subsection.

6 SECTION 4. Section 39.026, Education Code, is amended to  
7 read as follows:

8 Sec. 39.026. LOCAL OPTION. Notwithstanding any other  
9 provision of this title, in place of [~~In addition to~~] the assessment  
10 instruments adopted by the agency and administered by the State  
11 Board of Education, a school district board of trustees may adopt  
12 and provide for administration by district employees of  
13 [~~administer~~] criterion-referenced or norm-referenced assessment  
14 instruments[~~, or both,~~] at any grade level for which administration  
15 of assessment instruments is required under Section 39.023. A  
16 norm-referenced assessment instrument adopted and administered  
17 under this section must be economical, nationally recognized, and  
18 state-approved. A district shall document and report to the agency  
19 the results of assessment instruments adopted and administered  
20 under this section. The commissioner shall adopt rules as  
21 necessary for the administration of this section, including rules  
22 for documenting and reporting results of assessment instruments  
23 adopted and administered under this section and for using the  
24 assessment instruments for purposes of this code in place of the  
25 assessment instruments otherwise required under this subchapter.

26 SECTION 5. Section 39.023(o), Education Code, is repealed.

27 SECTION 6. This Act applies beginning with the 2013-2014

1 school year.

2           SECTION 7. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2013.