

By: Seliger

S.B. No. 792

A BILL TO BE ENTITLED

AN ACT

relating to end-of-course assessment requirements for high school graduation.

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

SECTION 1. Subsections (c) and (f), Section 28.014, Education Code, are amended to read as follows:

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

(f) To the extent applicable, the commissioner shall draw from curricula and instructional materials developed under Section ~~[Sections]~~ 28.008 ~~[and 61.0763]~~ in developing a course and related 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. Subsection (c), Section 39.023, Education Code,
13 is amended to 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. Subsections (a), (a-1), and (b-2), Section
15 39.025, Education Code, are amended to read as follows:

16 (a) The commissioner shall adopt rules requiring a student
17 participating in the recommended or advanced high school program to
18 be administered each end-of-course assessment instrument listed in
19 Section 39.023(c) and requiring a student participating in the
20 minimum high school program to be administered an end-of-course
21 assessment instrument listed in Section 39.023(c) only for a course
22 in which the student is enrolled and for which an end-of-course
23 assessment instrument is administered. A student is required to
24 achieve[~~, in each subject in the foundation curriculum under~~
25 ~~Section 28.002(a)(1), a cumulative score that is at least equal to~~
26 ~~the product of the number of end-of-course assessment instruments~~
27 ~~administered to the student in that subject and] a scale score that~~

1 indicates satisfactory performance, as determined by the
2 commissioner under Section 39.0241(a), on the Algebra I, English
3 III, biology, and United States history end-of-course assessment
4 instruments administered under Section 39.023(c). [~~A student must~~
5 ~~achieve a minimum score as determined by the commissioner to be~~
6 ~~within a reasonable range of the scale score under Section~~
7 ~~39.0241(a) on an end-of-course assessment instrument for the score~~
8 ~~to count towards the student's cumulative score. For purposes of~~
9 ~~this subsection, a student's cumulative score is determined using~~
10 ~~the student's highest score on each end-of-course assessment~~
11 ~~instrument administered to the student.] A student may not receive
12 a high school diploma until the student has performed
13 satisfactorily on [~~the~~] end-of-course assessment instruments in
14 the manner provided under this subsection. This subsection does
15 not require a student to demonstrate readiness to enroll in an
16 institution of higher education.~~

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, international baccalaureate examination, an SAT Subject
20 Test, or another assessment instrument determined by the
21 commissioner to be at least as rigorous as an end-of-course
22 assessment instrument adopted under Section 39.023(c) may be used
23 to satisfy [~~as a factor in determining whether the student~~
24 ~~satisfies~~] the requirements of Subsection (a) [~~, including the~~
25 ~~cumulative score requirement of that subsection~~]. The
26 commissioner by rule may determine a method by which a student's
27 satisfactory performance on a Preliminary Scholastic Assessment

1 Test (PSAT) [~~assessment~~] or a preliminary American College Test
 2 (ACT) [~~assessment~~] may be used as a factor in determining whether
 3 the student satisfies the requirements of Subsection (a).

4 (b-2) If a school district determines that a student, on
 5 completion of grade 11, is unlikely to achieve the [~~cumulative~~]
 6 score requirement under this section [~~requirements~~] for one or more
 7 end-of-course assessment instruments [~~subjects~~] prescribed under
 8 [~~by~~] Subsection (a) for receiving a high school diploma, the
 9 district shall require the student to enroll in a corresponding
 10 content-area college preparatory course for which an end-of-course
 11 assessment instrument has been adopted, if available. A student
 12 who enrolls in a college preparatory course described by this
 13 subsection shall be administered an end-of-course assessment
 14 instrument for the course, with the end-of-course assessment
 15 instrument scored on a scale as determined by the commissioner [~~not~~
 16 ~~to exceed 20 percent of the cumulative score requirements required~~
 17 ~~to graduate as determined under Subsection (a)~~]. A student may use
 18 the student's score on the end-of-course assessment instrument for
 19 the college preparatory course towards satisfying the [~~cumulative~~]
 20 score requirement under this section [~~requirements prescribed by~~
 21 ~~Subsection (a)~~].

22 SECTION 4. Effective September 1, 2014, Subsection (a),
 23 Section 39.025, Education Code, is amended to read as follows:

24 (a) The commissioner shall adopt rules requiring a student
 25 [~~participating~~] in the foundation [~~recommended or advanced~~] high
 26 school program under Section 28.025 to be administered [~~each~~
 27 ~~end-of-course assessment instrument listed in Section 39.023(c)~~]

1 ~~and requiring a student participating in the minimum high school~~
2 ~~program to be administered]~~ an end-of-course assessment instrument
3 listed in Section 39.023(c) only for a course in which the student
4 is enrolled and for which an end-of-course assessment instrument is
5 administered. A student is required to achieve [~~, in each subject in~~
6 ~~the foundation curriculum under Section 28.002(a)(1), a cumulative~~
7 ~~score that is at least equal to the product of the number of~~
8 ~~end-of-course assessment instruments administered to the student~~
9 ~~in that subject and]~~ a scale score that indicates satisfactory
10 performance, as determined by the commissioner under Section
11 39.0241(a), on the Algebra I, English III, biology, and United
12 States history end-of-course assessment instruments administered
13 under Section 39.023(c). [~~A student must achieve a minimum score~~
14 ~~as determined by the commissioner to be within a reasonable range of~~
15 ~~the scale score under Section 39.0241(a) on an end-of-course~~
16 ~~assessment instrument for the score to count towards the student's~~
17 ~~cumulative score. For purposes of this subsection, a student's~~
18 ~~cumulative score is determined using the student's highest score on~~
19 ~~each end-of-course assessment instrument administered to the~~
20 ~~student.~~] A student may not receive a high school diploma until
21 the student has performed satisfactorily on [~~the~~] end-of-course
22 assessment instruments in the manner provided under this
23 subsection. This subsection does not require a student to
24 demonstrate readiness to enroll in an institution of higher
25 education.

26 SECTION 5. Subsections (a-2) and (a-3), Section 39.025,
27 Education Code, are repealed.

1 SECTION 6. The changes in law made by this Act to Section
2 39.025, Education Code, apply only to students who have entered or
3 will enter the ninth grade during the 2011-2012 school year or a
4 later school year.

5 SECTION 7. Except as otherwise provided by this Act, this
6 Act applies beginning with the 2013-2014 school year.

7 SECTION 8. Except as otherwise provided by this Act:

8 (1) this Act takes effect immediately if it receives a
9 vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution; and

11 (2) if this Act does not receive the vote necessary for
12 immediate effect, this Act takes effect September 1, 2013.