

By: González

H.B. No. 407

A BILL TO BE ENTITLED

AN ACT

relating to school district selection of an alternative assessment method in place of state-administered assessment instruments.

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

SECTION 1. Section 39.026, Education Code, is amended to read as follows:

Sec. 39.026. LOCAL OPTION. (a) This subsection applies only to administration of assessment instruments to students at the third, fourth, fifth, sixth, seventh, or eighth grade level. Notwithstanding any other provision of this title, the board of trustees of a school district, in place of [In addition to] the assessment instruments required under Section 39.023 that are adopted by the agency and administered by the State Board of Education, [a school district] may provide for performance-based or portfolio assessment to evaluate student learning [adopt and administer criterion-referenced or norm-referenced assessment instruments, or both,] at any grade level.

(b) The board of trustees must submit to the commissioner a detailed plan designed to support improved student instruction and learning and provide evidence of the method for accurate assessment of the quality of learning to be used on district campuses. The plan must include a clear description of each assessed curricular goal included in the district's learning standards.

(c) The commissioner shall adopt rules as necessary for the

1 administration of Subsection (a), including rules for using  
2 performance-based or portfolio assessment.

3 (d) If there is a conflict between Subsection (a) and  
4 federal law or regulations as a result of the use of  
5 performance-based or portfolio assessment, the agency shall seek a  
6 waiver from the application of conflicting federal law or  
7 regulations.

8 (e) A performance-based or portfolio [A norm-referenced]  
9 assessment method [instrument adopted] under this section must be  
10 approved by the commissioner [economical, nationally recognized,  
11 and state-approved].

12 SECTION 2. This Act applies beginning with the 2015-2016  
13 school year.

14 SECTION 3. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2015.