

By: VanDeaver

H.B. No. 1164

A BILL TO BE ENTITLED

AN ACT

relating to the assessment of public school students in writing and English language arts.

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

SECTION 1. Section 39.023(a), Education Code, as effective until on or before September 1, 2015, is amended 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, English language arts ~~[writing]~~, mathematics, social studies, and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (1) 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) English language arts ~~[writing]~~, including spelling and grammar, in grades four and seven;

(4) social studies, in grade eight;

(5) science, in grades five and eight; and

(6) any other subject and grade required by federal law.

SECTION 2. Section 39.023(a), Education Code, as effective

on or before September 1, 2015, is amended 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, English language arts ~~[writing]~~, mathematics, social studies, and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (1) or exempted under Section 39.027, shall be assessed in:

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

(2) reading, in grades three, five, and eight;

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

(4) social studies, in grade eight; and

(5) science, in grades five and eight.

SECTION 3. Section 39.023(a), Education Code, as effective September 1, 2017, is amended 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, English language arts ~~[writing]~~, mathematics, social studies, and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (1) 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

1 of technology on any assessment instrument that includes algebra;

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

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

5 (4) social studies, in grade eight;

6 (5) science, in grades five and eight; and

7 (6) any other subject and grade required by federal
8 law.

9 SECTION 4. Section 39.023, Education Code, is amended by
10 amending Subsection (c) and adding Subsection (q) to read as
11 follows:

12 (c) The agency shall also adopt end-of-course assessment
13 instruments for secondary-level courses in Algebra I, biology,
14 English I, English II, and United States history. The Algebra I
15 end-of-course assessment instrument must be administered with the
16 aid of technology. The English I and English II end-of-course
17 assessment instruments must each assess essential knowledge and
18 skills in both reading and language arts [~~writing~~] in the same
19 assessment instrument and must provide a single score. A school
20 district shall comply with State Board of Education rules regarding
21 administration of the assessment instruments listed in this
22 subsection. If a student is in a special education program under
23 Subchapter A, Chapter 29, the student's admission, review, and
24 dismissal committee shall determine whether any allowable
25 modification is necessary in administering to the student an
26 assessment instrument required under this subsection. The State
27 Board of Education shall administer the assessment

instruments. The State Board of Education shall adopt a schedule for the administration of end-of-course assessment instruments that complies with the requirements of Subsection (c-3).

(g) A writing sample submitted by a student in connection with an assessment instrument administered under this section may not be used to assess the student's writing for purposes of accountability under this chapter or for purposes of grade promotion or graduation criteria. The assessment of a student's writing is governed by Section 39.0264.

SECTION 5. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.0264 to read as follows:

Sec. 39.0264. LOCAL ASSESSMENT REQUIRED: WRITING. To evaluate student achievement in writing, each school district shall assess students in grades four and seven and at the end of English I and English II secondary-level courses in accordance with the essential knowledge and skills for writing. A district may use any method the district determines appropriate for assessing students under this section, including portfolio assessment.

SECTION 6. Not later than September 1, 2016, the Texas Education Agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in English language arts as required by Section 39.023, Education Code, as amended by this Act.

SECTION 7. This Act applies beginning with the 2016-2017 school year.

SECTION 8. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

H.B. No. 1164

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2015.