

By: Huberty

H.B. No. 1468

A BILL TO BE ENTITLED

AN ACT

relating to the assessment of fourth and seventh grade 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 adding Subsection (q) to read as follows:

11 (q) A writing sample submitted by a student in connection
12 with an assessment instrument administered under this section,
13 other than an English I or English II end-of-course assessment
14 instrument described by Subsection (c), may not be used to assess
15 the student's writing for purposes of accountability under this
16 chapter or for purposes of grade promotion criteria. Except as
17 provided by Subsection (c), the assessment of a student's writing
18 is governed by Section 39.0264.

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

21 Sec. 39.0264. LOCAL ASSESSMENT REQUIRED FOR WRITING IN
22 CERTAIN GRADES. (a) To evaluate student achievement in writing,
23 each school district shall assess students in grades four and seven
24 in accordance with the essential knowledge and skills for writing.
25 A district may use any method the district determines appropriate
26 for assessing students under this section, including portfolio
27 assessment.

1 (b) School districts shall report to the agency, as
2 determined by agency rule, the results of assessments required
3 under this section.

4 (c) The results of assessments required under this section
5 may not be used for purposes of accountability under this chapter or
6 for purposes of grade promotion criteria.

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

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

14 SECTION 8. 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.