

By: Huberty

H.B. No. 1469

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

1 on or before September 1, 2015, is amended to read as follows:

2 (a) The agency shall adopt or develop appropriate  
3 criterion-referenced assessment instruments designed to assess  
4 essential knowledge and skills in reading, English language arts  
5 [~~writing~~], mathematics, social studies, and science. Except as  
6 provided by Subsection (a-2), all students, other than students  
7 assessed under Subsection (b) or (1) or exempted under Section  
8 39.027, shall be assessed in:

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

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

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

15 (4) social studies, in grade eight; and

16 (5) science, in grades five and eight.

17 SECTION 3. Section 39.023(a), Education Code, as effective  
18 September 1, 2017, is amended to read as follows:

19 (a) The agency shall adopt or develop appropriate  
20 criterion-referenced assessment instruments designed to assess  
21 essential knowledge and skills in reading, English language arts  
22 [~~writing~~], mathematics, social studies, and science. Except as  
23 provided by Subsection (a-2), all students, other than students  
24 assessed under Subsection (b) or (1) or exempted under Section  
25 39.027, shall be assessed in:

26 (1) mathematics, annually in grades three through  
27 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

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

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

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

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

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

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

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

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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.