

By: Aycock

H.B. No. 2349

A BILL TO BE ENTITLED

AN ACT

relating to public school assessment, performance standards, and course requirements.

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

SECTION 1. Section 28.025(c-5), Education Code, is amended to read as follows:

(c-5) A student may earn a performance acknowledgment on the student's diploma and transcript by satisfying the requirements for that acknowledgment adopted by the State Board of Education by rule. An acknowledgment under this subsection may be earned:

(1) for outstanding performance:

(A) in a dual credit course;

(B) in bilingualism and biliteracy;

(C) on a college advanced placement test or international baccalaureate examination; ~~or~~

(D) on an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or

(E) on an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process ~~[the PSAT, the ACT-Plan, the SAT, or the ACT]; or~~

(2) for earning a state recognized or nationally or

1 internationally recognized business or industry certification or
2 license.

3 SECTION 2. Section 39.023, Education Code, is amended by
4 adding Subsection (e-1) to read as follows:

5 (e-1) The agency may defer releasing assessment instrument
6 questions and answer keys as required by Subsection (e) to the
7 extent necessary to develop additional assessment instruments.

8 SECTION 3. Subchapter B, Chapter 39, Education Code, is
9 amended by adding Section 39.02315 to read as follows:

10 Sec. 39.02315. REPORTING RESULTS OF ASSESSMENT INSTRUMENTS
11 FOR OUT-OF-STATE TRANSFER STUDENTS. (a) For assessment
12 instruments required to be administered under Section 39.023, the
13 agency shall adopt procedures to ensure that the results of the
14 assessment instruments administered to students who transfer from a
15 school district in another state to a school district in this state
16 are reported to each school district separately from the results of
17 assessment instruments administered to other students.

18 (b) The commissioner by rule shall:

19 (1) ensure that the results of assessment instruments
20 administered to students who transfer from a school district in
21 another state to a school district in this state reported under
22 Subsection (a) are properly identified in agency systems that
23 report and track academic performance of students; and

24 (2) adopt procedures for reporting and tracking data
25 relating to students who transfer from a school district in another
26 state to a school district in this state.

27 SECTION 4. Sections 39.025(a), (f), and (g), Education

1 Code, are amended to read as follows:

2 (a) The commissioner shall adopt rules requiring a student
3 in the foundation high school program under Section 28.025 to be
4 administered an ~~[each]~~ end-of-course assessment instrument listed
5 in Section 39.023(c) only for a course in which the student is
6 enrolled and for which an end-of-course assessment instrument is
7 administered. A student is required to achieve a scale score that
8 indicates satisfactory performance, as determined by the
9 commissioner under Section 39.0241(a), on each end-of-course
10 assessment instrument administered to the student ~~[listed under~~
11 ~~Section 39.023(c)]~~. For each scale score required under this
12 subsection that is not based on a 100-point scale scoring system,
13 the commissioner shall provide for conversion, in accordance with
14 commissioner rule, of the scale score to an equivalent score based
15 on a 100-point scale scoring system. A student may not receive a
16 high school diploma until the student has performed satisfactorily
17 on end-of-course assessment instruments in the manner provided
18 under this subsection. This subsection does not require a student
19 to demonstrate readiness to enroll in an institution of higher
20 education.

21 (f) The commissioner shall by rule adopt a transition plan
22 to implement the amendments made by Chapter 1312 (S.B. No. 1031),
23 Acts of the 80th Legislature, Regular Session, 2007, replacing
24 general subject assessment instruments administered at the high
25 school level with end-of-course assessment instruments. The rules
26 must provide for the end-of-course assessment instruments adopted
27 under Section 39.023(c) to be administered beginning with students

1 entering the ninth grade during the 2011-2012 school year. During
2 the period under which the transition to end-of-course assessment
3 instruments is made:

4 (1) for students entering a grade above the ninth
5 grade during the 2011-2012 school year, the commissioner shall
6 retain, administer, and use for purposes of accreditation and other
7 campus and district accountability measures under this chapter the
8 assessment instruments required by Section 39.023(a) or (c), as
9 that section existed before amendment by Chapter 1312 (S.B.
10 No. 1031), Acts of the 80th Legislature, Regular Session, 2007; and

11 (2) a student subject to Subdivision (1) may not
12 receive a high school diploma unless the student has performed
13 satisfactorily on each required assessment instrument administered
14 under Section 39.023(c) as that section existed before amendment by
15 Chapter 1312 (S.B. No. 1031), Acts of the 80th Legislature, Regular
16 Session, 2007[~~, and~~

17 [~~(3) the agency may defer releasing assessment~~
18 ~~instrument questions and answer keys as required by Section~~
19 ~~39.023(c) to the extent necessary to develop additional assessment~~
20 ~~instruments].~~

21 (g) Rules adopted under Subsection (f) must require that
22 each student who will be subject to the requirements of Subsection
23 (a) is entitled to notice of the specific requirements applicable
24 to the student. Notice under this subsection must be provided not
25 later than the date the student enters the eighth grade.
26 [~~Subsection (f) and this subsection expire September 1, 2015.~~]

27 SECTION 5. Section 130.008, Education Code, is amended by

1 amending Subsection (f) and adding Subsection (g) to read as
2 follows:

3 (f) Except as provided by Subsection (g) [~~this section~~], a
4 public school student may not enroll in more than three courses
5 under this section at a junior college if the [~~junior college does~~
6 ~~not have a~~] service area of another junior college [~~that~~] includes
7 the student's high school.

8 (g) A public school student may enroll in a greater number
9 of courses than provided by Subsection (f) if:

10 (1) each junior college and the school district in
11 which the student is enrolled authorize by agreement the student's
12 enrollment; or

13 (2) the [A] student is enrolled at an early college
14 high school [~~may enroll in a greater number of courses to the extent~~
15 ~~approved by the commissioner of education~~].

16 SECTION 6. The following provisions of the Education Code
17 are repealed:

- 18 (1) Section 39.023(o);
- 19 (2) Section 39.0233(c); and
- 20 (3) Section 39.025(b-2).

21 SECTION 7. This Act applies beginning with the 2015-2016
22 school year.

23 SECTION 8. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect on the 91st day after the last day of the

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1 legislative session.