

1-1 By: VanDeaver, et al. H.B. No. 515
 1-2 (Senate Sponsor - Taylor of Galveston)
 1-3 (In the Senate - Received from the House May 5, 2017;
 1-4 May 11, 2017, read first time and referred to Committee on
 1-5 Education; May 23, 2017, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 10, Nays 0;
 1-7 May 23, 2017, sent to printer.)

1-8 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|-------------------------|-----|-----|--------|-----|
| 1-9 Taylor of Galveston | X | | | |
| 1-10 Lucio | X | | | |
| 1-11 Bettencourt | X | | | |
| 1-12 Campbell | X | | | |
| 1-13 Hall | X | | | |
| 1-14 Huffines | X | | | |
| 1-15 Hughes | | | X | |
| 1-16 Seliger | X | | | |
| 1-17 Taylor of Collin | X | | | |
| 1-18 Uresti | X | | | |
| 1-19 West | X | | | |

1-21 COMMITTEE SUBSTITUTE FOR H.B. No. 515 By: Taylor of Galveston

1-22 A BILL TO BE ENTITLED
 1-23 AN ACT

1-24 relating to assessment of public school students and providing
 1-25 accelerated instruction and eliminating performance requirements
 1-26 based on performance on certain assessment instruments.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Subchapter A, Chapter 28, Education Code, is
 1-29 amended by adding Section 28.018 to read as follows:

1-30 Sec. 28.0128. REVIEW AND REPORT ON SOCIAL STUDIES
 1-31 CURRICULUM. (a) The State Board of Education shall review the
 1-32 alignment and coursework included in the required social studies
 1-33 curriculum provided to students in grades 8 through 12 to ensure
 1-34 that all students graduating from public high school have a
 1-35 sufficient understanding of:

- 1-36 (1) United States history;
- 1-37 (2) civics;
- 1-38 (3) the operation of federal and state governments;

1-39 and

- 1-40 (4) the free enterprise system.

1-41 (b) If, in conducting the review, the State Board of
 1-42 Education determines that the required social studies curriculum is
 1-43 not sufficient, the board shall develop recommendations to realign
 1-44 coursework and curriculum.

1-45 (c) Not later than September 1, 2018, the State Board of
 1-46 Education shall submit to the governor, the lieutenant governor,
 1-47 the speaker of the house of representatives, and the standing
 1-48 legislative committees with primary jurisdiction over primary and
 1-49 secondary education a report on the results of the review conducted
 1-50 under Subsection (a) and any recommendations developed under
 1-51 Subsection (b).

1-52 (d) This section expires September 1, 2019.

1-53 SECTION 2. Section 39.023(e), Education Code, as effective
 1-54 September 1, 2017, is amended to read as follows:

1-55 (e) At least ~~Under rules adopted by the State Board of~~
 1-56 ~~Education,~~ every third year, the agency shall release the
 1-57 questions and answer keys to each assessment instrument
 1-58 administered under Subsection (a), (b), (c), (d), or (l), excluding
 1-59 any assessment instrument administered to a student for the purpose
 1-60 of retaking the assessment instrument, after the last time the

2-1 instrument is administered for that school year. To ensure a valid
 2-2 bank of questions for use each year, the agency is not required to
 2-3 release a question that is being field-tested and was not used to
 2-4 compute the student's score on the instrument. The agency shall
 2-5 also release~~[, under board rule,]~~ each question that is no longer
 2-6 being field-tested and that was not used to compute a student's
 2-7 score. ~~[During the 2014-2015 and 2015-2016 school years, the~~
 2-8 ~~agency shall release the questions and answer keys to assessment~~
 2-9 ~~instruments as described by this subsection each year.]~~

2-10 SECTION 3. Section 39.025, Education Code, is amended by
 2-11 amending Subsections (c-1) and (f) and adding Subsection (f-1) to
 2-12 read as follows:

2-13 (c-1) A school district may not administer a general subject
 2-14 ~~[an]~~ assessment instrument required for graduation administered
 2-15 under this section as this section existed before September 1, 2007
 2-16 ~~[1999]~~. A school district may administer to a student who failed to
 2-17 perform satisfactorily on an assessment instrument described by
 2-18 this subsection an alternate assessment instrument designated by
 2-19 the commissioner as required by Subsection (f)(2). The
 2-20 commissioner shall determine the level of performance considered to
 2-21 be satisfactory on an alternate assessment instrument. ~~[The~~
 2-22 ~~district may not administer to the student an assessment instrument~~
 2-23 ~~or a part of an assessment instrument that assesses a subject that~~
 2-24 ~~was not assessed in an assessment instrument required for~~
 2-25 ~~graduation administered under this section as this section existed~~
 2-26 ~~before September 1, 1999.]~~ The commissioner shall make available
 2-27 to districts information necessary to administer the alternate
 2-28 assessment instrument authorized by this subsection. The
 2-29 commissioner's determination regarding designation of an
 2-30 appropriate alternate assessment instrument under this subsection
 2-31 and the performance required on the assessment instrument is final
 2-32 and may not be appealed.

2-33 (f) The commissioner shall by rule adopt a transition plan
 2-34 to implement the amendments made by Chapter 1312 (S.B. No. 1031),
 2-35 Acts of the 80th Legislature, Regular Session, 2007, replacing
 2-36 general subject assessment instruments administered at the high
 2-37 school level with end-of-course assessment instruments. The rules
 2-38 must provide for the end-of-course assessment instruments adopted
 2-39 under Section 39.023(c) to be administered beginning with students
 2-40 enrolled in [entering] the ninth grade for the first time during the
 2-41 2011-2012 school year. During the period under which the
 2-42 transition to end-of-course assessment instruments is made:

2-43 (1) for students entering a grade above the ninth
 2-44 grade during the 2011-2012 school year, the commissioner ~~shall~~ may
 2-45 retain, administer, and use for purposes of accreditation and other
 2-46 campus and district accountability measures under this chapter the
 2-47 assessment instruments required by Section 39.023(a) or (c), as
 2-48 that section existed before amendment by Chapter 1312 (S.B.
 2-49 No. 1031), Acts of the 80th Legislature, Regular Session, 2007; and

2-50 (2) a student subject to Subdivision (1) may not
 2-51 receive a high school diploma unless the student has performed
 2-52 satisfactorily, as determined by the commissioner under Subsection
 2-53 (f-1), on an assessment instrument designated by the commissioner
 2-54 which must include, to the extent feasible, the SAT, the ACT, or the
 2-55 Texas Success Initiative (TSI) diagnostic assessment, or the
 2-56 assessment or assessments currently administered for graduation
 2-57 purposes. [each required assessment instrument administered under
 2-58 Section 39.023(c) as that section existed before amendment by
 2-59 Chapter 1312 (S.B. No. 1031), Acts of the 80th Legislature, Regular
 2-60 Session, 2007]. The district shall determine the assessment to be
 2-61 administered.

2-62 (f-1) The commissioner shall determine the level of
 2-63 performance considered to be satisfactory on an assessment
 2-64 instrument designated by the commissioner which must include, to
 2-65 the extent feasible, the SAT, the ACT, the Texas Success Initiative
 2-66 (TSI) diagnostic assessment, and or the assessment or assessments
 2-67 currently administered for graduation purposes for a student
 2-68 described by Subsection (f)(1) to qualify for a high school
 2-69 diploma. In determining satisfactory performance, the

3-1 ~~commissioner shall ensure that the level of performance determined~~
3-2 ~~under this subsection as satisfactory is equivalent to the level of~~
3-3 ~~performance required under Subsection (a) for satisfactory~~
3-4 ~~performance on an end-of-course assessment instrument.~~
3-5 Notwithstanding Subsection (f), the commissioner is not required to
3-6 retain, administer, or use assessment instruments described by
3-7 Subsection (f)(1) after September 1, 2017.

3-8 SECTION 4. Section 51.3062(q-1), Education Code, is amended
3-9 to read as follows:

3-10 (q-1) A student who has demonstrated the performance
3-11 standard for college readiness as provided by Section 28.008 on the
3-12 postsecondary readiness assessment instruments adopted under
3-13 Section 39.0238 for Algebra II and English III, as that section
3-14 existed before repeal by H.B. 515, Acts of the 85th Legislature,
3-15 Regular Session, 2017, is exempt from the requirements of this
3-16 section with respect to those content areas. The commissioner of
3-17 higher education by rule shall establish the period for which an
3-18 exemption under this subsection is valid.

3-19 SECTION 5. The following provision of the Education Code is
3-20 repealed:

3-21 (1) Section 39.0238.

3-22 SECTION 6. This Act applies beginning with the 2017-2018
3-23 school year.

3-24 SECTION 7. This Act takes effect immediately if it receives
3-25 a vote of two-thirds of all the members elected to each house, as
3-26 provided by Section 39, Article III, Texas Constitution. If this
3-27 Act does not receive the vote necessary for immediate effect, this
3-28 Act takes effect September 1, 2017.

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