

By: Roberts

H.B. No. 2130

A BILL TO BE ENTITLED

AN ACT

relating to a study conducted by the Texas Education Agency regarding the impact of the statewide assessment program on students in special education programs.

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

SECTION 1. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.02302 to read as follows:

Sec. 39.02302. STUDY OF IMPACT OF STATEWIDE ASSESSMENT PROGRAM ON STUDENTS IN SPECIAL EDUCATION PROGRAMS. (a) The agency shall conduct a study of the impact of the statewide assessment program on students in a special education program under Subchapter A, Chapter 29.

(b) In conducting the study, the agency shall address:

(1) whether the agency has determined that the administration of alternate assessment instruments to students in a special education program under Subchapter A, Chapter 29, as provided by Section 39.023(b) complies with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.); and

(2) whether administering state-required assessment instruments, other than assessment instruments developed or adopted under Section 39.023(b), to students in a special education program under Subchapter A, Chapter 29, will:

(A) provide an accurate assessment of the academic achievement of the students;

1           (B) result in the administration of assessment  
2 instruments that are inappropriate for the educational capacity of  
3 the students; and

4           (C) result in an increase of grade-level  
5 regression for the students.

6           (c) In conducting the study the agency shall identify  
7 specific recommendations to improve the impact of the statewide  
8 assessment program on students in a special education program under  
9 Subchapter A, Chapter 29, including recommendations for areas for  
10 improvement in:

11           (1) any reforms or changes with respect to contracting  
12 with assessment instrument vendors;

13           (2) any changes to rules adopted by the State Board of  
14 Education or the commissioner relating to the development,  
15 adoption, or administration of assessment instruments; and

16           (3) any statutory changes to this code relating to the  
17 development, adoption, or administration of assessment  
18 instruments.

19           (d) Not later than October 1, 2018, the agency shall submit  
20 a report to each member of the legislature containing the agency's  
21 determinations and recommendations under this section.

22           (e) This section expires January 1, 2019.

23           SECTION 2. 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 September 1, 2017.