

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. The heading to Section 28.0211, Education Code, is amended to read as follows:

Sec. 28.0211. ACCELERATED LEARNING COMMITTEE [~~SATISFACTORY PERFORMANCE ON ASSESSMENT INSTRUMENTS REQUIRED~~]; ACCELERATED INSTRUCTION.

SECTION 2. Section 28.0211, Education Code, is amended by amending Subsections (a), (a-1), (a-3), (c), (f), (i), (k), and (n) and adding Subsections (f-1) and (f-2) to read as follows:

(a) A district shall establish an accelerated learning committee described by Subsection (c) for each student who does not perform satisfactorily on:

(1) the third grade mathematics or reading assessment instrument under Section 39.023;

(2) [Except as provided by Subsection (b) or (e), a student may not be promoted to:

[(1) the sixth grade program to which the student would otherwise be assigned if the student does not perform satisfactorily on] the fifth grade mathematics or [and] reading assessment instrument [instruments] under Section 39.023; or

(3) [(2) the ninth grade program to which the student would otherwise be assigned if the student does not perform satisfactorily on] the eighth grade mathematics or [and] reading assessment instrument [instruments] under Section 39.023.

(a-1) Each time a student fails to perform satisfactorily on an assessment instrument administered under Section 39.023(a) in the third, fourth, fifth, sixth, seventh, or eighth grade, the school district in which the student attends school shall provide to the student accelerated instruction in the applicable

SENATE VERSION (CS)

No equivalent provision.

No equivalent provision.

CONFERENCE

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

subject area. Accelerated instruction may require participation of the student before or after normal school hours, ~~and~~ may include participation at times of the year outside normal school operations, and may be provided to the student during the subsequent school year.

(a-3) The commissioner shall provide guidelines to districts on research-based best practices and effective strategies that a district may use in developing an accelerated instruction program. The commissioner may provide to districts available resources concerning research-based best practices and effective strategies that a district may use in developing an accelerated instruction program.

(c) ~~[Each time a student fails to perform satisfactorily on an assessment instrument specified under Subsection (a), the school district in which the student attends school shall provide to the student accelerated instruction in the applicable subject area, including reading instruction for a student who fails to perform satisfactorily on a reading assessment instrument.]~~ After a student fails to perform satisfactorily on an assessment instrument specified under Subsection (a) ~~[a second time]~~, an accelerated learning ~~[a grade placement]~~ committee shall be established ~~[to prescribe the accelerated instruction the district shall provide to the student before the student is administered the assessment instrument the third time]~~. The accelerated learning ~~[grade placement]~~ committee shall be composed of the principal or the principal's designee, the student's parent or guardian, and the teacher of the subject of an assessment instrument on which the student failed to perform satisfactorily. The district shall notify the parent or guardian of the time and place for convening the accelerated learning ~~[grade placement]~~ committee and the purpose of the committee. ~~[An accelerated instruction group administered by~~

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

~~a school district under this section may not have a ratio of more than 10 students for each teacher.]~~

~~(f) An accelerated learning [A school district shall provide to a student who, after three attempts, has failed to perform satisfactorily on an assessment instrument specified under Subsection (a) accelerated instruction during the next school year as prescribed by an educational plan developed for the student by the student's grade placement] committee described by [established under] Subsection (c) shall:~~

~~(1) develop an educational plan for the student that provides the necessary accelerated instruction for the student to achieve appropriate grade level performance; and~~

~~(2) provide other assistance to the student in accordance with a policy adopted by the district board of trustees prescribing the role of accelerated learning committees in that district. [The district shall provide that accelerated instruction regardless of whether the student has been promoted or retained.]~~

~~(f-1) The educational plan developed under Subsection (f)(1) must be designed to enable the student to perform at the appropriate grade level by the conclusion of the subsequent school year. During the school year, the student shall be monitored to ensure that the student is progressing in accordance with the plan. The district shall administer to the student the assessment instrument for the grade level in which the student is placed at the time the district regularly administers the assessment instruments for that school year.~~

~~(f-2) If a student who fails to perform satisfactorily on an assessment instrument specified under Subsection (a) fails in the subsequent school year to perform satisfactorily on an assessment instrument in the same subject, the superintendent of the district or the superintendent's designee shall meet with~~

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

the student's accelerated learning committee to:

(1) identify the reason the student did not perform satisfactorily; and

(2) determine, in order to ensure the student performs satisfactorily on the assessment instrument at the next opportunity for the student to be administered the assessment instrument, whether:

(A) the educational plan developed for the student under Subsection (f) must be modified to provide the necessary accelerated instruction for that student; and

(B) any additional resources are required for that student.

(i) The admission, review, and dismissal committee of a student who participates in a district's special education program under Subchapter ~~A~~ [B], Chapter 29, and who does not perform satisfactorily on an assessment instrument specified under Subsection (a) and administered under Section 39.023(a) or (b) shall determine[:

~~(1)] the manner in which the student will participate in an accelerated instruction program under this section[; and~~

~~(2) whether the student will be promoted or retained under this section].~~

(k) The commissioner shall adopt rules as necessary to implement this section[; ~~including rules concerning when school districts shall administer assessment instruments required under this section and which administration of the assessment instruments will be used for purposes of Section 39.054].~~

(n) A student who fails to perform satisfactorily on an assessment instrument specified under Subsection (a) and is promoted to the next grade level ~~[by a grade placement committee under this section]~~ must be assigned at that next grade level in each subject in which the student failed to

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

perform satisfactorily on an assessment instrument specified under Subsection (a) to a teacher who meets all state and federal qualifications to teach that subject and grade.

SECTION 3. Section 28.025(c), Education Code, is amended to read as follows:

(c) A person may receive a diploma if the person is eligible for a diploma under Section 28.0251. In other cases, a student may graduate and receive a diploma only if:

(1) the student successfully completes the curriculum requirements identified by the State Board of Education under Subsection (a) and complies with Sections 39.02304 and [Section] 39.025; or

(2) the student successfully completes an individualized education program developed under Section 29.005.

SECTION 4. 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, 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) writing, including spelling and grammar, in grades four

SENATE VERSION (CS)

No equivalent provision.

No equivalent provision.

CONFERENCE

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

and seven; and

(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 5. Section 39.023(c), Education Code, is amended to read as follows:

(c) The agency shall also adopt end-of-course assessment instruments for secondary-level courses in Algebra I, biology, English I, and English II~~[-and United States history].~~ The Algebra I end-of-course assessment instrument must be administered with the aid of technology. The English I and English II end-of-course assessment instruments must each assess essential knowledge and skills in both reading and writing in the same assessment instrument and must provide a single score. A school district shall comply with State Board of Education rules regarding administration of the assessment instruments listed in this subsection. If a student is in a special education program under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee shall determine whether any allowable modification is necessary in administering to the student an assessment instrument required under this subsection. The agency ~~[State Board of Education]~~ shall administer the assessment instruments. The commissioner, with input from school districts, ~~[State Board of Education]~~ shall adopt a schedule for the administration of end-of-course assessment instruments that complies with the requirements of Subsection (c-3).

No equivalent provision.

SECTION 6. Section 39.023(c-3), Education Code, effective

No equivalent provision.

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

September 1, 2017, is amended to read as follows:

(c-3) The commissioner, with input from school districts, shall adopt ~~[In adopting]~~ a schedule for the administration of assessment instruments under this section ~~that[, the State Board of Education shall require]:~~

(1) minimizes the disruption of classroom instruction ~~[assessment instruments administered under Subsection (a) to be administered on a schedule so that the first assessment instrument is administered at least two weeks later than the date on which the first assessment instrument was administered under Subsection (a) during the 2006-2007 school year]; and~~

(2) maximizes available instruction time by scheduling the spring administration of ~~[end of course]~~ assessment instruments ~~[under Subsection (e)]~~ to occur as close to the end of the semester as possible ~~[in each school district not earlier than the first full week in May, except that the spring administration of the end of course assessment instruments in English I and English II must be permitted to occur at an earlier date].~~

No equivalent provision.

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

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

(1) United States history;

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

- (2) civics;
- (3) the operation of federal and state governments; and
- (4) the free enterprise system.
- (b) If, in conducting the review, the State Board of Education determines that the required social studies curriculum is not sufficient, the board shall develop recommendations to realign coursework and curriculum.
- (c) Not later than September 1, 2018, the State Board of Education shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over primary and secondary education a report on the results of the review conducted under Subsection (a) and any recommendations developed under Subsection (b).
- (d) This section expires September 1, 2019.

SECTION 7. Section 39.023(e), Education Code, as effective September 1, 2017, is amended to read as follows:

(e) ~~At least [Under rules adopted by the State Board of Education,]~~ every third year, the agency shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (d), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument, after the last time the instrument is administered for that school year. To ensure a valid bank of questions for use each year, the agency is not required to release a question that is being field-tested and was not used to compute the student's score on the instrument. The agency shall also release~~[, under board rule,]~~ each question that is no longer being field-tested and that was not used to compute a student's score. ~~[During~~

SECTION 2. Same as House version.

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

~~the 2014-2015 and 2015-2016 school years, the agency shall release the questions and answer keys to assessment instruments as described by this subsection each year.]~~

SECTION 8. Section 39.02301, Education Code, is amended by amending Subsections (a), (b), (h), and (j) and adding Subsection (k) to read as follows:

No equivalent provision.

(a) ~~The [During the 2015-2016 school year, the]~~ agency, in coordination with the entity that has been contracted to develop or implement assessment instruments under Section 39.023, shall conduct a study to develop a writing assessment method as an alternative to the writing assessment instruments required under Sections 39.023(a) and (c). The writing assessment method must be designed to assess:

- (1) a student's mastery of the essential knowledge and skills in writing through timed writing samples;
- (2) improvement of a student's writing skills from the beginning of the school year to the end of the school year;
- (3) a student's ability to follow the writing process from rough draft to final product; and
- (4) a student's ability to produce more than one type of writing style.

(b) ~~The [During the 2016-2017 and 2017-2018 school years, the]~~ agency shall establish a pilot program as provided by this section to implement in designated school districts the writing assessment method developed under Subsection (a).

(h) ~~[Not later than September 1, 2016, the agency shall prepare and deliver to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each legislative standing committee with primary jurisdiction over primary and secondary education a report~~

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

~~covering the study of the development of the writing assessment method under Subsection (a).]~~ Not later than September 1 of each even-numbered year [~~in 2017 and 2018~~], the agency shall prepare and deliver to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each legislative standing committee with primary jurisdiction over primary and secondary education a report that:

(1) evaluates the implementation and progress of the pilot program under this section; and

(2) makes recommendations regarding the continuation or expansion of the pilot program.

(j) Not later than September 1, 2021, the agency, with input from school districts participating in the pilot program, shall modify the method for assessing students in writing in grades four and seven and in English I and English II secondary-level courses, based on the writing assessment method developed under this section.

(k) This section expires September 1, 2021 [~~2019~~].

SECTION 9. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.02304 to read as follows:

Sec. 39.02304. CIVICS TEST. (a) The commissioner shall adopt rules requiring a school district to administer a civics test to a student in the foundation high school program under Section 28.025. A student may not receive a high school diploma until the student has performed satisfactorily on the civics test.

(b) The civics test must consist of all of the questions on the civics test administered by the United States Citizenship and Immigration Services as part of the naturalization process

SENATE VERSION (CS)

CONFERENCE

No equivalent provision.

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

under the federal Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.). The questions must be presented in a multiple-choice format.

(c) To perform satisfactorily on the civics test, a student must answer at least 70 percent of the questions correctly.

(d) A school district shall administer the civics test to a student when the school counselor or the teacher of the United States history course in which the student is enrolled, if applicable, determines that the student is prepared for the test.

(e) The admission, review, and dismissal committee of a student in a special education program under Subchapter A, Chapter 29, shall determine:

(1) whether any allowable modification is necessary in administering the civics test to the student to appropriately measure the student's achievement; and

(2) if the committee determines that the civics test, even with allowable modifications, would not provide an appropriate measure of the student's achievement, whether the student is required to achieve satisfactory performance on the civics test to receive a high school diploma.

(f) The commissioner shall adopt rules regarding the administration of the civics test. The rules:

(1) must require:

(A) the test to be administered electronically in the presence of a teacher, teacher's aide, proctor, or campus testing coordinator and be scored by that person or by the school district; and

(B) the results of the test to be submitted to the agency not later than the last instructional day of the school year in which the test is administered; and

(2) may not:

(A) restrict the high school grade level at which a student

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

may take the civics test; or

(B) limit the number of attempts a student may make to perform satisfactorily on the test.

(g) For purposes of the public school accountability system, a reference in this code to an assessment instrument under Section 39.023(c) includes the civics test. Performance at the level required under Subsection (c) of this section is considered satisfactory performance for purposes of Section 39.0241(a), and the commissioner shall determine the level of performance considered to indicate college readiness for purposes of Section 39.0241(a-1). To the extent of a conflict between this section and any other provision of law, this section controls.

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

(c-1) A school district may not administer a general subject ~~[~~an~~]~~ assessment instrument required for graduation administered under this section as this section existed before September 1, 2007 ~~[1999]~~. A school district may administer to a student who failed to perform satisfactorily on an assessment instrument described by this subsection an alternate assessment instrument designated by the commissioner. The commissioner shall determine the level of performance considered to be satisfactory on an alternate assessment instrument. ~~[The district may not administer to the student an assessment instrument or a part of an assessment instrument that assesses a subject that was not assessed in an assessment instrument required for graduation administered under this section as this section existed before September 1,~~

SENATE VERSION (CS)

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

(c-1) A school district may not administer a general subject ~~[~~an~~]~~ assessment instrument required for graduation administered under this section as this section existed before September 1, 2007 ~~[1999]~~. A school district may administer to a student who failed to perform satisfactorily on an assessment instrument described by this subsection an alternate assessment instrument designated by the commissioner as required by Subsection (f)(2). The commissioner shall determine the level of performance considered to be satisfactory on an alternate assessment instrument. ~~[The district may not administer to the student an assessment instrument or a part of an assessment instrument that assesses a subject that was not assessed in an assessment instrument required for graduation administered under this~~

CONFERENCE

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

~~1999.]~~ The commissioner shall make available to districts information necessary to administer the alternate assessment instrument authorized by this subsection. The commissioner's determination regarding designation of an appropriate alternate assessment instrument under this subsection and the performance required on the assessment instrument is final and may not be appealed.

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

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

(2) a student subject to Subdivision (1) may not receive a high school diploma unless the student has performed satisfactorily, as determined by the commissioner under Subsection (f-1), on the SAT, the ACT, or the Texas Success Initiative (TSI) diagnostic assessment ~~[each required~~

SENATE VERSION (CS)

~~section as this section existed before September 1, 1999.]~~ The commissioner shall make available to districts information necessary to administer the alternate assessment instrument authorized by this subsection. The commissioner's determination regarding designation of an appropriate alternate assessment instrument under this subsection and the performance required on the assessment instrument is final and may not be appealed.

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

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

(2) a student subject to Subdivision (1) may not receive a high school diploma unless the student has performed satisfactorily, as determined by the commissioner under Subsection (f-1), on an assessment instrument designated by the commissioner which must include, to the extent feasible,

CONFERENCE

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

~~assessment instrument administered under Section 39.023(e) as that section existed before amendment by Chapter 1312 (S.B. No. 1031), Acts of the 80th Legislature, Regular Session, 2007].~~

(f-1) The commissioner shall determine the level of performance considered to be satisfactory on the SAT, the ACT, and the Texas Success Initiative (TSI) diagnostic assessment for a student described by Subsection (f)(1) to qualify for a high school diploma. In determining satisfactory performance, the commissioner shall ensure that the level of performance determined under this subsection as satisfactory is equivalent to the level of performance required under Subsection (a) for satisfactory performance on an end-of-course assessment instrument. Notwithstanding Subsection (f), the commissioner is not required to retain, administer, or use assessment instruments described by Subsection (f)(1) after September 1, 2017.

SECTION 11. Section 39.203(c), Education Code, is amended to read as follows:

(c) In addition to the distinction designations described by Subsections (a) and (b), a campus that satisfies the criteria developed under Section 39.204 shall be awarded a distinction designation by the commissioner for outstanding performance

SENATE VERSION (CS)

~~the SAT, the ACT, or the Texas Success Initiative (TSI) diagnostic assessment, or the assessment or assessments currently administered for graduation purposes. [each required assessment instrument administered under Section 39.023(e) as that section existed before amendment by Chapter 1312 (S.B. No. 1031), Acts of the 80th Legislature, Regular Session, 2007]. The district shall determine the assessment to be administered.~~

(f-1) The commissioner shall determine the level of performance considered to be satisfactory on an assessment instrument designated by the commissioner which must include, to the extent feasible, the SAT, the ACT, the Texas Success Initiative (TSI) diagnostic assessment, and or the assessment or assessments currently administered for graduation purposes for a student described by Subsection (f)(1) to qualify for a high school diploma. ~~In determining satisfactory performance, the commissioner shall ensure that the level of performance determined under this subsection as satisfactory is equivalent to the level of performance required under Subsection (a) for satisfactory performance on an end-of-course assessment instrument.~~ Notwithstanding Subsection (f), the commissioner is not required to retain, administer, or use assessment instruments described by Subsection (f)(1) after September 1, 2017.

~~No equivalent provision.~~

CONFERENCE

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

in academic achievement in reading [~~English language arts~~],
mathematics, or science[, ~~or social studies~~].

SECTION 12. Section 39.301(c), Education Code, is amended to read as follows:

(c) Indicators for reporting purposes must include:

(1) the percentage of graduating students who meet the course requirements established by State Board of Education rule for:

(A) the foundation high school program;

(B) the distinguished level of achievement under the foundation high school program; and

(C) each endorsement described by Section 28.025(c-1);

(2) the results of the SAT, ACT, articulated postsecondary degree programs described by Section 61.852, and certified workforce training programs described by Chapter 311, Labor Code;

(3) for students who have failed to perform satisfactorily, under each performance standard under Section 39.0241, on an assessment instrument required under Section 39.023(a) or

(c), the performance of those students on subsequent assessment instruments required under those sections, aggregated by grade level and subject area;

(4) for each campus, the number of students, disaggregated by major student subpopulations, that take courses under the foundation high school program and take additional courses to earn an endorsement under Section 28.025(c-1), disaggregated by type of endorsement;

(5) the percentage of students, aggregated by grade level, provided accelerated instruction under Section 28.0211 [~~28.0211(e)~~], the results of assessment instruments administered under that section, [~~the percentage of students~~

No equivalent provision.

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

~~promoted through the grade placement committee process under Section 28.0211,]~~ the subject of the assessment instrument on which each student failed to perform satisfactorily under each performance standard under Section 39.0241, and the performance of those students in the subsequent school year ~~[following that promotion]~~ on the assessment instruments required under Section 39.023;

(6) the percentage of students of limited English proficiency exempted from the administration of an assessment instrument under Sections 39.027(a)(1) and (2);

(7) the percentage of students in a special education program under Subchapter A, Chapter 29, assessed through assessment instruments developed or adopted under Section 39.023(b);

(8) the percentage of students who satisfy the college readiness measure;

(9) the measure of progress toward dual language proficiency under Section 39.034(b), for students of limited English proficiency, as defined by Section 29.052;

(10) the percentage of students who are not educationally disadvantaged;

(11) the percentage of students who enroll and begin instruction at an institution of higher education in the school year following high school graduation; and

(12) the percentage of students who successfully complete the first year of instruction at an institution of higher education without needing a developmental education course.

SECTION 13. Section 51.3062(q-1), Education Code, is amended to read as follows:

(q-1) A student who has demonstrated the performance standard for college readiness as provided by Section 28.008

SENATE VERSION (CS)

SECTION 4. Same as House version.

CONFERENCE

House Bill 515
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

on the postsecondary readiness assessment instruments adopted under Section 39.0238 for Algebra II and English III, as that section existed before repeal by H.B. 515, Acts of the 85th Legislature, Regular Session, 2017, is exempt from the requirements of this section with respect to those content areas. The commissioner of higher education by rule shall establish the period for which an exemption under this subsection is valid.

SECTION 14. The following provisions of the Education Code are repealed:

- (1) Section 7.102(c)(5);
- (2) Sections 28.0211(a-2), (b), (d), (e), (m), and (m-1); and
- (3) Section 39.0238.

SECTION 15. (a) Except as provided by Subsection (b) of this section, this Act applies beginning with the 2017-2018 school year.

(b) Section 28.025(c), Education Code, as amended by this Act, and Section 39.02304, Education Code, as added by this Act, apply beginning with students who enter the ninth grade during the 2018-2019 school year.

SECTION 16. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SENATE VERSION (CS)

SECTION 5. The following provision of the Education Code is repealed:

- (1) Section 39.0238.

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

SECTION 7. Same as House version.

CONFERENCE