

BILL ANALYSIS

C.S.H.B. 2572
By: Patterson
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding potential overreliance on standardized testing as a means of evaluating a student's academic progress. As a result, there have been calls to reduce standardized testing and explore alternative types of assessment. C.S.H.B. 2572 seeks to accomplish these objectives by eliminating state-required standardized tests in eighth grade social studies and in secondary-level U.S. history and by creating a pilot program under which public school districts may implement a portfolio assessment method in either or both of those subjects and grade levels for a prescribed period.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 2572 amends the Education Code to remove requirements for the adoption or development by the Texas Education Agency (TEA) and the administration to applicable students of the statewide standardized test in social studies in grade eight and the secondary-level end-of-course test in U.S. history. The bill requires the commissioner of education, beginning with the 2020-2021 school year, to establish a pilot program under which participating public school districts implement a portfolio method designed to assess mastery of state curriculum standards for eighth grade students in social studies and for students enrolled in a secondary-level U.S. history course.

C.S.H.B. 2572 authorizes a district designated as a district of innovation to submit to the commissioner for approval not later than December 1, 2019, a resolution approved by the district's board of trustees requesting to participate in the pilot program. The bill requires a district, in selecting campuses to participate in the pilot program, to select each campus as a whole and authorizes the district to designate a single district campus to participate. The bill requires the board, before approving a submitted resolution, to consult with teachers and administrators employed by the district and members of the community or with the district-level and campus-level planning and decision-making committees, if applicable.

C.S.H.B. 2572 requires the commissioner, on or before March 1, 2020, to review the resolutions submitted by the boards of trustees and to select districts for participation in the pilot program. The bill sets out factors the commissioner must consider in making those selections, including the number of participating districts the commissioner determines appropriate to cap the number

of students participating in the pilot program at 100,000. The bill requires a district selected to participate in the pilot program to create a committee that consists of teachers and administrators employed by the district to develop a plan for implementation of the district's portfolio assessment method and sets out the required contents of the plan.

C.S.H.B. 2572 requires each regional education service center, not later than June 30, 2020, to provide technical and advisory assistance to a participating district in the center's region regarding the development of the district plan. The bill authorizes a public junior college or public institution of higher education to enter into an agreement with a participating district to provide such technical and advisory assistance. The bill authorizes the district plan, subject to the federal Family Educational Rights and Privacy Act of 1974, to provide for the use of portfolio assessments for other purposes. The bill requires the commissioner to review and make a determination on each submitted plan and requires a district, to participate in the pilot program, to implement an approved plan beginning with the 2020-2021 school year.

C.S.H.B. 2572 requires the commissioner to establish a committee that consists of a teacher member from each district committee to collaborate with TEA to develop a rubric for grading student portfolios. The bill provides for the selection of those teacher members, sets out requirements for the rubric, and provides for the joint coordination of the individuals responsible for scoring portfolios. The bill requires a certain random sampling of scored portfolios to be delivered to TEA for purposes of validity testing. The bill requires a district, in determining the method for submitting student portfolios, to solicit suggestions from members of the community and, to the extent possible, to allow each participating student to choose the method for submitting the student's portfolio.

C.S.H.B. 2572 requires a district that participates in the pilot program to provide student performance data to TEA as required by commissioner rule and requires TEA to periodically review that performance data. The bill requires TEA to develop and distribute a survey to educators and administrators soliciting feedback regarding the pilot program. The bill provides for a district's withdrawal from the pilot program.

C.S.H.B. 2572 requires the commissioner to adopt rules as necessary to implement the pilot program, including rules regarding specified aspects of the program. The bill requires TEA, not later than December 1, 2024, to 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 evaluates the implementation and performance results of the pilot program and makes recommendations regarding the feasibility of statewide application of a portfolio assessment method for the same purposes as the methods developed by the program. The bill's provisions relating to the pilot program expire September 1, 2025.

C.S.H.B. 2572 removes social studies as a subject for which the commissioner is required to award a distinction designation for outstanding performance in academic achievement to a campus that meets certain criteria. The bill requires TEA, to the greatest extent practicable, to apply cost savings that result from eliminating the statewide standardized test in social studies and the end-of-course test in U.S. history to offset costs accrued by TEA in establishing the pilot program.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2572 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes provisions that remove certain requirements relating to the statewide standardized test in social studies in grade eight and the secondary-level end-of-course test in U.S. history.

The substitute, with regard to the pilot program, includes a requirement for the commissioner to consider, in selecting districts to participate, the number of such districts appropriate to cap the number of participating students at 100,000. The substitute does not include provisions relating to the following:

- requiring participating districts to use student performance under the portfolio method for purposes of determining qualification for promotion or graduation;
- requiring the commissioner to consider, in selecting districts to participate, the number of such districts appropriate to achieve certain cost savings; and
- authorizing a district plan to provide for the use of portfolio assessments as a course completion requirement or as a factor in determining a student's qualification for promotion or graduation by a committee established to make such a determination.

The substitute removes social studies as a subject in which the commissioner is required to award a distinction designation for outstanding performance in academic achievement to a campus that meets certain criteria.

The substitute extends a requirement for TEA to apply certain cost savings to offset costs accrued in establishing the pilot program from savings resulting from participating districts' temporary exemption from certain standardized testing requirements to savings resulting from the statewide elimination of those requirements.