By:  Dutton (Senate Sponsor - Miles, West) H.B. No. 808

(In the Senate - Received from the House April 30, 2019; May 3, 2019, read first time and referred to Committee on Education; May 19, 2019, reported adversely, with favorable Committee Substitute by the following vote: Yeas 8, Nays 3; May 19, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Taylor            X

Lucio                X

Bettencourt              X

Campbell                 X

Fallon               X

Hall                     X

Hughes               X

Paxton               X

Powell               X

Watson               X

West                 X

COMMITTEE SUBSTITUTE FOR H.B. No. 808 By:  Powell

A BILL TO BE ENTITLED

AN ACT

relating to the consideration of certain student differentials based on sex under the public school accountability system.

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

SECTION 1.  Section 39.053(c), Education Code, as amended by Chapters 807 (H.B. 22), 842 (H.B. 2223), and 1088 (H.B. 3593), Acts of the 85th Legislature, Regular Session, 2017, is reenacted and amended to read as follows:

(c)  School districts and campuses must be evaluated based on three domains of indicators of achievement adopted under this section that include:

(1)  in the student achievement domain, indicators of student achievement that must include:

(A)  for evaluating the performance of districts and campuses generally:

(i)  an indicator that accounts for the results of assessment instruments required under Sections 39.023(a), (c), and (l), as applicable for the district and campus, including the results of assessment instruments required for graduation retaken by a student, aggregated across grade levels by subject area, including:

(a)  for the performance standard determined by the commissioner under Section 39.0241(a), the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(b)  for the college readiness performance standard as determined under Section 39.0241, the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii)  an indicator that accounts for the results of assessment instruments required under Section 39.023(b), as applicable for the district and campus, including the percentage of students who performed satisfactorily on the assessment instruments, as determined by the performance standard adopted by the agency, aggregated across grade levels by subject area; and

(B)  for evaluating the performance of high school campuses and districts that include high school campuses, indicators that account for:

(i)  students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.334 on an assessment instrument in reading or mathematics designated by the coordinating board under that section;

(ii)  students who satisfy relevant performance standards on advanced placement tests or similar assessments;

(iii)  students who earn dual course credits in the dual credit courses;

(iv)  students who enlist in the armed forces of the United States;

(v)  students who earn industry certifications;

(vi)  students admitted into postsecondary industry certification programs that require as a prerequisite for entrance successful performance at the secondary level;

(vii)  students whose successful completion of a course or courses under Section 28.014 indicates the student's preparation to enroll and succeed, without remediation, in an entry-level general education course for a baccalaureate degree or associate degree;

(viii)  students who successfully met standards on a composite of indicators that through research indicates the student's preparation to enroll and succeed, without remediation, in an entry-level general education course for a baccalaureate degree or associate degree;

(ix)  high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) subject to the exclusions provided by Subsections (g), (g-1), (g-2), and (g-3);

(x)  students who successfully completed an OnRamps dual enrollment course; [~~and~~]

(xi)  [~~the percentage of~~] students who successfully completed a practicum or internship approved by the State Board of Education; and

(xii) students who are awarded an associate [~~associate's~~] degree;

(2)  in the school progress domain, indicators for effectiveness in promoting student learning, which must include:

(A)  for assessment instruments, including assessment instruments under Subdivisions (1)(A)(i) and (ii), the percentage of students who met the standard for improvement, as determined by the commissioner; and

(B)  for evaluating relative performance, the performance of districts and campuses compared to similar districts or campuses; and

(3)  in the closing the gaps domain, the use of disaggregated data to demonstrate the differentials among students:

(A)  from different:

(i)  racial and ethnic groups, including African American and Hispanic students:

(a)  considered as a whole; and

(b)  disaggregated by sex; and

(ii)  socioeconomic backgrounds; [~~,~~] and

(B)  based on other relevant factors not described by Paragraph (A), including:

(i) [~~(A)~~]  students formerly receiving special education services;

(ii) [~~(B)~~]  students continuously enrolled; and

(iii) [~~(C)~~]  students who are mobile.

SECTION 2.  Section 39.053, Education Code, is amended by adding Subsection (i-1) to read as follows:

(i-1)  Notwithstanding Subsection (c)(3)(A)(i)(b), information reported under that sub-subparagraph may not be used by the agency for accountability purposes before the accountability ratings assigned for the 2022-2023 school year. This subsection expires September 1, 2023.

SECTION 3.  This Act applies beginning with the 2019-2020 school year.

SECTION 4.  To the extent of any conflict, this Act prevails over another Act of the 86th Legislature, Regular Session, 2019, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 5.  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, 2019.

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