86R6140 GCB-D

By:  Leman H.B. No. 1991

A BILL TO BE ENTITLED

AN ACT

relating to the authorization of alternative assessment instruments for use under the public school accountability system in evaluating secondary-level student achievement in mathematics, reading, and writing.

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

SECTION 1.  Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.040 to read as follows:

Sec. 39.040.  ALTERNATIVE ASSESSMENT INSTRUMENTS. (a) The commissioner by rule shall adopt procedures to identify nationally recognized assessment instruments, including the SAT and the ACT, as additional alternative assessment instruments that may be used to evaluate secondary-level student achievement in mathematics, reading, and writing for purposes of complying with accountability requirements under this chapter.

(b)  The procedures adopted to identify all additional alternative assessment instruments under Subsection (a) must be consistent with the federal procedures required by the Every Student Succeeds Act (20 U.S.C. Section 6311) for state approval of nationally recognized high school academic assessment instruments that are available for local selection, including requiring each additional alternative assessment instrument identified to be aligned with the essential knowledge and skills for the appropriate grade level in the subject assessed.

(c)  A school district may select only one additional alternative assessment instrument identified as provided under Subsection (a) for evaluating secondary-level student achievement as provided by that subsection. A school district that selects an additional alternative assessment instrument shall administer the assessment instrument to students in grade 11.

(d)  The commissioner by rule shall designate performance standards for each assessment instrument identified under Subsection (a) in the same manner as the commissioner designates performance standards for student performance on each end-of-course assessment instrument listed in Section 39.023(c).

(e)  The commissioner by rule shall provide all necessary procedures relating to providing accommodations in administering an additional assessment instrument identified as provided under Subsection (a) for a student for whom an individualized education plan under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) or a plan under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), has been created.

SECTION 2.  Section 39.053, Education Code, is amended by adding Subsection (c-5) to read as follows:

(c-5)  The commissioner by rule shall determine a method for appropriately including under Subsection (c)(1) the results of alternative assessment instruments administered as authorized under Section 39.040, based on student performance as determined under the performance standards designated for the appropriate assessment instrument under Subsection (d) of that section.

SECTION 3.  As soon as practicable after the effective date of this Act, the commissioner of education shall adopt rules regarding the authorization of alternative assessment instruments for use under the public school accountability system as provided by this Act.

SECTION 4.  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.