86R14053 GCB-D

By:  Reynolds H.B. No. 3618

A BILL TO BE ENTITLED

AN ACT

relating to eliminating certain state-required end-of-course assessment instruments not required by federal law.

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

SECTION 1.  Section 39.023, Education Code, is amended by amending Subsections (c) and (c-3) and adding Subsection (q) to read as follows:

(c)  The agency shall also adopt end-of-course assessment instruments for secondary-level courses in Algebra I, biology, and English I[~~, 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 instrument [~~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 State Board of Education shall administer the assessment instruments. The 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).

(c-3)  In adopting a schedule for the administration of assessment instruments under this section, the State Board of Education shall require:

(1)  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)  the spring administration of end-of-course assessment instruments under Subsection (c) to occur in each school district not earlier than the first full week in May, except that the spring administration of the end-of-course assessment instrument [~~instruments~~] in English I [~~and English II~~] must be permitted to occur at an earlier date.

(q)  This subsection applies to end-of-course assessment instruments adopted under Subsection (c) for secondary-level courses in English II and United States history, as that subsection existed before amendment by \_\_.B. No.\_\_\_, Acts of the 86th Legislature, Regular Session, 2019. The agency may retain assessment instruments described by this subsection, but may not require a school district to administer those assessment instruments. A school district may choose to administer an assessment instrument described by this subsection. An assessment instrument described by this subsection administered by a school district may not be used for accountability purposes to measure the performance of the district or a district campus.

SECTION 2.  Section 39.025(a-1), Education Code, is amended to read as follows:

(a-1)  A student enrolled in a college preparatory mathematics or English language arts course under Section 28.014 who satisfies the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.334 on an assessment instrument designated by the coordinating board under that section administered at the end of the college preparatory mathematics or English language arts course satisfies the requirements concerning and is exempt from the administration of the Algebra I or the English I [~~and English II~~] end-of-course assessment instrument [~~instruments~~], as applicable, as prescribed by Section 39.023(c), even if the student did not perform satisfactorily on a previous administration of the applicable end-of-course assessment instrument. A student who fails to perform satisfactorily on the assessment instrument designated by the coordinating board under Section 51.334 administered as provided by this subsection may retake that assessment instrument for purposes of this subsection or may take the appropriate end-of-course assessment instrument.

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

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.