86R15458 GCB-F

By:  VanDeaver H.B. No. 4177

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a student performance designation for secondary-level substitute assessment instruments and the use of that designation for public school accountability purposes.

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

SECTION 1.  Section 39.025(a-2), Education Code, as added by Chapter 1036 (H.B. 1613), Acts of the 84th Legislature, Regular Session, 2015, is amended to read as follows:

(a-2)  The commissioner shall determine a method by which a student's satisfactory performance on an advanced placement test, an international baccalaureate examination, an SAT Subject Test, the SAT, the ACT, the Texas Success Initiative (TSI) diagnostic assessment, or any nationally recognized norm-referenced assessment instrument used by institutions of higher education to award course credit based on satisfactory performance on the assessment instrument shall be used to satisfy the requirements concerning an end-of-course assessment instrument in an equivalent course as prescribed by Subsection (a). The commissioner shall determine a method by which a student's satisfactory performance on the PSAT or the ACT-Plan shall be used to satisfy the requirements concerning an end-of-course assessment instrument in an equivalent course as prescribed by Subsection (a). In adopting methods for substituting satisfactory performance on an assessment instrument authorized under this subsection for requirements concerning an end-of-course assessment instrument, the commissioner shall designate a student's performance on a substitute assessment instrument as "masters grade-level performance" if the student's performance entitles the student to receive college credit or if the student's performance meets the assessment instrument provider's designated grade-level college readiness performance benchmark. A student who fails to perform satisfactorily on a substitute [~~test or other~~] assessment instrument authorized under this subsection[~~, other than the PSAT or the ACT-Plan,~~] may retake that [~~test or other~~] assessment instrument for purposes of this subsection or may take the appropriate end-of-course assessment instrument. [~~A student who fails to perform satisfactorily on the PSAT or the ACT-Plan must take the appropriate end-of-course assessment instrument.~~] The commissioner shall adopt rules as necessary for the administration of this subsection.

SECTION 2.  Section 39.025, Education Code, is amended by adding Subsection (a-5) to read as follows:

(a-5)  The commissioner shall implement the changes in law made by \_\_.B. \_\_\_\_\_, 86th Legislature, Regular Session, 2019, to Section 39.025(a-2), as added by Chapter 1036 (H.B. 1613), Acts of the 84th Legislature, Regular Session, 2015, and Section 39.053(c-4) effective beginning with the 2019-2020 accountability rating period. This subsection expires September 1, 2020.

SECTION 3.  Section 39.053, Education Code, is amended by adding Subsection (c-4) to read as follows:

(c-4)  The commissioner by rule shall determine a method for appropriately crediting a student for growth under Subsection (c)(2) based on the student's performance, including a student's "masters grade-level performance," on a substitute assessment instrument authorized under Section 39.025(a-2), as added by Chapter 1036 (H.B. 1613), Acts of the 84th Legislature, Regular Session, 2015.

SECTION 4.  This Act applies beginning with the 2019-2020 school year.

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.