

By: Tinderholt

H.B. No. 525

A BILL TO BE ENTITLED

AN ACT

relating to the limitation on administration and use of certain
assessment instruments in public schools.

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

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

(a) The agency shall adopt or develop appropriate
criterion-referenced assessment instruments designed to assess
essential knowledge and skills in reading, ~~[writing,~~ mathematics,
~~[social studies,~~ and science. Except as provided by Subsection
(a-2), all students, other than students assessed under Subsection
(b) or (1) or exempted under Section 39.027, shall be assessed in:

(1) mathematics, annually in grades three through
seven without the aid of technology and in grade eight with the aid
of technology on any assessment instrument that includes algebra;

(2) reading, annually in grades three through eight;
and

(3) ~~[writing, including spelling and grammar, in
grades four and seven,~~

~~[(4) social studies, in grade eight,~~

~~[(5)] science, in grades five and eight[, and~~

~~[(6) any other subject and grade required by federal
law].~~

1 (c) The agency shall also adopt end-of-course assessment
2 instruments for secondary-level courses in Algebra I, biology, and
3 English I [~~, English II, and United States history~~]. The Algebra I
4 end-of-course assessment instrument must be administered with the
5 aid of technology. The English I [~~and English II~~] end-of-course
6 assessment instrument [~~instruments~~] must [~~each~~] assess essential
7 knowledge and skills in both reading and writing in the same
8 assessment instrument and must provide a single score. A school
9 district shall comply with State Board of Education rules regarding
10 administration of the assessment instruments listed in this
11 subsection. If a student is in a special education program under
12 Subchapter A, Chapter 29, the student's admission, review, and
13 dismissal committee shall determine whether any allowable
14 modification is necessary in administering to the student an
15 assessment instrument required under this subsection. The State
16 Board of Education shall administer the assessment instruments.
17 The State Board of Education shall adopt a schedule for the
18 administration of end-of-course assessment instruments that
19 complies with the requirements of Subsection (c-3).

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

23 (1) assessment instruments administered under
24 Subsection (a) to be administered on a schedule so that the first
25 assessment instrument is administered at least two weeks later than
26 the date on which the first assessment instrument was administered
27 under Subsection (a) during the 2006-2007 school year; and

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

7 (g) This subsection applies to assessment instruments
8 adopted or developed under Subsection (a) to assess writing in
9 grades four and seven, an assessment instrument adopted or
10 developed under Subsection (a) to assess social studies in grade
11 eight, and end-of-course assessments adopted under Subsection (c)
12 for secondary-level courses in English II and United States
13 history, as those subsections existed before amendment by __.B.
14 No. __, Acts of the 86th Legislature, Regular Session, 2019. The
15 agency may retain assessment instruments described by this
16 subsection, but may not require a school district to administer
17 those assessment instruments. A school district may choose to
18 administer an assessment instrument described by this subsection.
19 An assessment instrument described by this subsection administered
20 by a school district may not be used for accountability purposes to
21 measure the performance of the district or a district campus.

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

24 (a-1) A student enrolled in a college preparatory
25 mathematics or English language arts course under Section 28.014
26 who satisfies the Texas Success Initiative (TSI) college readiness
27 benchmarks prescribed by the Texas Higher Education Coordinating

1 Board under Section 51.334 on an assessment instrument designated
2 by the coordinating board under that section administered at the
3 end of the college preparatory mathematics or English language arts
4 course satisfies the requirements concerning and is exempt from the
5 administration of the Algebra I or the English I [~~and English II~~]
6 end-of-course assessment instrument [~~instruments~~], as applicable,
7 as prescribed by Section 39.023(c), even if the student did not
8 perform satisfactorily on a previous administration of the
9 applicable end-of-course assessment instrument. A student who
10 fails to perform satisfactorily on the assessment instrument
11 designated by the coordinating board under Section 51.334
12 administered as provided by this subsection may retake that
13 assessment instrument for purposes of this subsection or may take
14 the appropriate end-of-course assessment instrument.

15 SECTION 3. Section 39.203(c), Education Code, is amended to
16 read as follows:

17 (c) In addition to the distinction designations described
18 by Subsections (a) and (b), a campus that satisfies the criteria
19 developed under Section 39.204 shall be awarded a distinction
20 designation by the commissioner for outstanding performance in
21 academic achievement in English language arts, mathematics, or
22 science[~~, or social studies~~].

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

25 SECTION 5. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2019.