

By: Dutton

H.B. No. 808

Substitute the following for H.B. No. 808:

By: Allen

C.S.H.B. No. 808

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the consideration of certain student differentials  
3 based on sex under the public school accountability system.

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

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

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

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

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

16 (i) an indicator that accounts for the  
17 results of assessment instruments required under Sections  
18 39.023(a), (c), and (l), as applicable for the district and campus,  
19 including the results of assessment instruments required for  
20 graduation retaken by a student, aggregated across grade levels by  
21 subject area, including:

22 (a) for the performance standard  
23 determined by the commissioner under Section 39.0241(a), the  
24 percentage of students who performed satisfactorily on the

1 assessment instruments, aggregated across grade levels by subject  
2 area; and

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

8 (ii) an indicator that accounts for the  
9 results of assessment instruments required under Section  
10 39.023(b), as applicable for the district and campus, including the  
11 percentage of students who performed satisfactorily on the  
12 assessment instruments, as determined by the performance standard  
13 adopted by the agency, aggregated across grade levels by subject  
14 area; and

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

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

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

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

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

3 (v) students who earn industry  
4 certifications;

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

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

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

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

23 (x) students who successfully completed an  
24 OnRamps dual enrollment course; ~~and~~

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

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

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

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

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

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

15                    (A) from different:

16                    (i) racial and ethnic groups, disaggregated  
17 by sex, including African American and Hispanic students; and

18                    (ii) socioeconomic backgrounds; ~~[7]~~ and

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

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

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

24 and

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

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

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

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

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

12        SECTION 5. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2019.