

1-1 By: Dutton (Senate Sponsor - Miles, West) H.B. No. 808
 1-2 (In the Senate - Received from the House April 30, 2019;
 1-3 May 3, 2019, read first time and referred to Committee on
 1-4 Education; May 19, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 3;
 1-6 May 19, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor	X			
1-9 Lucio	X			
1-10 Bettencourt		X		
1-11 Campbell		X		
1-12 Fallon	X			
1-13 Hall		X		
1-14 Hughes	X			
1-15 Paxton	X			
1-16 Powell	X			
1-17 Watson	X			
1-18 West	X			

1-20 COMMITTEE SUBSTITUTE FOR H.B. No. 808 By: Powell

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to the consideration of certain student differentials
 1-24 based on sex under the public school accountability system.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 39.053(c), Education Code, as amended by
 1-27 Chapters 807 (H.B. 22), 842 (H.B. 2223), and 1088 (H.B. 3593), Acts
 1-28 of the 85th Legislature, Regular Session, 2017, is reenacted and
 1-29 amended to read as follows:

1-30 (c) School districts and campuses must be evaluated based on
 1-31 three domains of indicators of achievement adopted under this
 1-32 section that include:

1-33 (1) in the student achievement domain, indicators of
 1-34 student achievement that must include:

1-35 (A) for evaluating the performance of districts
 1-36 and campuses generally:

1-37 (i) an indicator that accounts for the
 1-38 results of assessment instruments required under Sections
 1-39 39.023(a), (c), and (1), as applicable for the district and campus,
 1-40 including the results of assessment instruments required for
 1-41 graduation retaken by a student, aggregated across grade levels by
 1-42 subject area, including:

1-43 (a) for the performance standard
 1-44 determined by the commissioner under Section 39.0241(a), the
 1-45 percentage of students who performed satisfactorily on the
 1-46 assessment instruments, aggregated across grade levels by subject
 1-47 area; and

1-48 (b) for the college readiness
 1-49 performance standard as determined under Section 39.0241, the
 1-50 percentage of students who performed satisfactorily on the
 1-51 assessment instruments, aggregated across grade levels by subject
 1-52 area; and

1-53 (ii) an indicator that accounts for the
 1-54 results of assessment instruments required under Section
 1-55 39.023(b), as applicable for the district and campus, including the
 1-56 percentage of students who performed satisfactorily on the
 1-57 assessment instruments, as determined by the performance standard
 1-58 adopted by the agency, aggregated across grade levels by subject
 1-59 area; and

1-60 (B) for evaluating the performance of high school

2-1 campuses and districts that include high school campuses,
 2-2 indicators that account for:
 2-3 (i) students who satisfy the Texas Success
 2-4 Initiative (TSI) college readiness benchmarks prescribed by the
 2-5 Texas Higher Education Coordinating Board under Section 51.334 on
 2-6 an assessment instrument in reading or mathematics designated by
 2-7 the coordinating board under that section;
 2-8 (ii) students who satisfy relevant
 2-9 performance standards on advanced placement tests or similar
 2-10 assessments;
 2-11 (iii) students who earn dual course credits
 2-12 in the dual credit courses;
 2-13 (iv) students who enlist in the armed
 2-14 forces of the United States;
 2-15 (v) students who earn industry
 2-16 certifications;
 2-17 (vi) students admitted into postsecondary
 2-18 industry certification programs that require as a prerequisite for
 2-19 entrance successful performance at the secondary level;
 2-20 (vii) students whose successful completion
 2-21 of a course or courses under Section 28.014 indicates the student's
 2-22 preparation to enroll and succeed, without remediation, in an
 2-23 entry-level general education course for a baccalaureate degree or
 2-24 associate degree;
 2-25 (viii) students who successfully met
 2-26 standards on a composite of indicators that through research
 2-27 indicates the student's preparation to enroll and succeed, without
 2-28 remediation, in an entry-level general education course for a
 2-29 baccalaureate degree or associate degree;
 2-30 (ix) high school graduation rates, computed
 2-31 in accordance with standards and definitions adopted in compliance
 2-32 with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.)
 2-33 subject to the exclusions provided by Subsections (g), (g-1),
 2-34 (g-2), and (g-3);
 2-35 (x) students who successfully completed an
 2-36 OnRamps dual enrollment course; ~~and~~
 2-37 (xi) ~~[the percentage of]~~ students who
 2-38 successfully completed a practicum or internship approved by the
 2-39 State Board of Education; ~~and~~
 2-40 (xii) students who are awarded an associate
 2-41 ~~[associate's]~~ degree;
 2-42 (2) in the school progress domain, indicators for
 2-43 effectiveness in promoting student learning, which must include:
 2-44 (A) for assessment instruments, including
 2-45 assessment instruments under Subdivisions (1)(A)(i) and (ii), the
 2-46 percentage of students who met the standard for improvement, as
 2-47 determined by the commissioner; and
 2-48 (B) for evaluating relative performance, the
 2-49 performance of districts and campuses compared to similar districts
 2-50 or campuses; and
 2-51 (3) in the closing the gaps domain, the use of
 2-52 disaggregated data to demonstrate the differentials among
 2-53 students:
 2-54 (A) from different:
 2-55 (i) racial and ethnic groups, including
 2-56 African American and Hispanic students:
 2-57 (a) considered as a whole; and
 2-58 (b) disaggregated by sex; and
 2-59 (ii) socioeconomic backgrounds; [7] and
 2-60 (B) based on other relevant factors not described
 2-61 by Paragraph (A), including:
 2-62 (i) ~~[(A)]~~ students formerly receiving
 2-63 special education services;
 2-64 (ii) ~~[(B)]~~ students continuously enrolled;
 2-65 and
 2-66 (iii) ~~[(C)]~~ students who are mobile.
 2-67 SECTION 2. Section 39.053, Education Code, is amended by
 2-68 adding Subsection (i-1) to read as follows:
 2-69 (i-1) Notwithstanding Subsection (c)(3)(A)(i)(b),

3-1 information reported under that sub-subparagraph may not be used by
3-2 the agency for accountability purposes before the accountability
3-3 ratings assigned for the 2022-2023 school year. This subsection
3-4 expires September 1, 2023.

3-5 SECTION 3. This Act applies beginning with the 2019-2020
3-6 school year.

3-7 SECTION 4. To the extent of any conflict, this Act prevails
3-8 over another Act of the 86th Legislature, Regular Session, 2019,
3-9 relating to nonsubstantive additions to and corrections in enacted
3-10 codes.

3-11 SECTION 5. This Act takes effect immediately if it receives
3-12 a vote of two-thirds of all the members elected to each house, as
3-13 provided by Section 39, Article III, Texas Constitution. If this
3-14 Act does not receive the vote necessary for immediate effect, this
3-15 Act takes effect September 1, 2019.

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