

By: Ashby, Allison, Huberty, VanDeaver,
King of Hemphill, et al.

H.B. No. 1244

A BILL TO BE ENTITLED

AN ACT

1
2 relating to including a civics test in the graduation requirements
3 for public high school students and to eliminating the United
4 States history end-of-course assessment instrument.

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

6 SECTION 1. Section 28.025(c), Education Code, is amended to
7 read as follows:

8 (c) A person may receive a diploma if the person is eligible
9 for a diploma under Section 28.0251. In other cases, a student may
10 graduate and receive a diploma only if:

11 (1) the student successfully completes the curriculum
12 requirements identified by the State Board of Education under
13 Subsection (a) and complies with Sections 39.02304 and [Section]
14 39.025; or

15 (2) the student successfully completes an
16 individualized education program developed under Section 29.005.

17 SECTION 2. Section 39.023(c), Education Code, is amended to
18 read as follows:

19 (c) The agency shall also adopt end-of-course assessment
20 instruments for secondary-level courses in Algebra I, biology,
21 English I, and English II [~~, and United States history~~]. The
22 Algebra I end-of-course assessment instrument must be administered
23 with the aid of technology. The English I and English II
24 end-of-course assessment instruments must each assess essential

1 knowledge and skills in both reading and writing in the same
2 assessment instrument and must provide a single score. A school
3 district shall comply with State Board of Education rules regarding
4 administration of the assessment instruments listed in this
5 subsection. If a student is in a special education program under
6 Subchapter A, Chapter 29, the student's admission, review, and
7 dismissal committee shall determine whether any allowable
8 modification is necessary in administering to the student an
9 assessment instrument required under this subsection. The State
10 Board of Education shall administer the assessment instruments.
11 The State Board of Education shall adopt a schedule for the
12 administration of end-of-course assessment instruments that
13 complies with the requirements of Subsection (c-3).

14 SECTION 3. Subchapter B, Chapter 39, Education Code, is
15 amended by adding Section 39.02304 to read as follows:

16 Sec. 39.02304. CIVICS TEST. (a) The commissioner shall
17 adopt rules requiring a school district to administer a civics test
18 to a student in the foundation high school program under Section
19 28.025. A student may not receive a high school diploma until the
20 student has performed satisfactorily on the civics test.

21 (b) The civics test must consist of all of the questions on
22 the civics test administered by the United States Citizenship and
23 Immigration Services as part of the naturalization process under
24 the federal Immigration and Nationality Act (8 U.S.C. Section 1101
25 et seq.). The questions must be presented in a multiple-choice
26 format.

27 (c) To perform satisfactorily on the civics test, a student

1 must answer at least 70 percent of the questions correctly.

2 (d) A school district shall administer the civics test to a
3 student when the school counselor or the teacher of the United
4 States history course in which the student is enrolled, if
5 applicable, determines that the student is prepared for the test.

6 (e) The admission, review, and dismissal committee of a
7 student in a special education program under Subchapter A, Chapter
8 29, shall determine:

9 (1) whether any allowable modification is necessary in
10 administering the civics test to the student to appropriately
11 measure the student's achievement; and

12 (2) if the committee determines that the civics test,
13 even with allowable modifications, would not provide an appropriate
14 measure of the student's achievement, whether the student is
15 required to achieve satisfactory performance on the civics test to
16 receive a high school diploma.

17 (f) The commissioner shall adopt rules regarding the
18 administration of the civics test. The rules:

19 (1) must require:

20 (A) the test to be administered electronically in
21 the presence of a teacher, teacher's aide, proctor, or campus
22 testing coordinator and be scored by that person or by the school
23 district; and

24 (B) the results of the test to be submitted to the
25 agency not later than the last instructional day of the school year
26 in which the test is administered; and

27 (2) may not:

1 (A) restrict the high school grade level at which
2 a student may take the civics test; or

3 (B) limit the number of attempts a student may
4 make to perform satisfactorily on the test.

5 (g) A student who is required to perform satisfactorily on a
6 United States history end-of-course assessment instrument under
7 Section 39.025(a) based on the provisions of Section 39.023(c) in
8 effect on January 1, 2019, may elect to satisfy that requirement by
9 performing satisfactorily on the civics test. This subsection
10 expires September 1, 2027.

11 (h) For purposes of the public school accountability
12 system, a reference in this code to an assessment instrument under
13 Section 39.023(c) includes the civics test. Performance at the
14 level required under Subsection (c) of this section is considered
15 satisfactory performance for purposes of Section 39.0241(a), and
16 the commissioner shall determine the level of performance
17 considered to indicate college readiness for purposes of Section
18 39.0241(a-1). To the extent of a conflict between this section and
19 any other provision of law, this section controls.

20 SECTION 4. This Act applies beginning with students who
21 enter the ninth grade during the 2020-2021 school year.

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