

By: Leman

H.B. No. 1991

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authorization of alternative assessment
3 instruments for use under the public school accountability system
4 in evaluating secondary-level student achievement in mathematics,
5 reading, and writing.

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

7 SECTION 1. Subchapter B, Chapter 39, Education Code, is
8 amended by adding Section 39.040 to read as follows:

9 Sec. 39.040. ALTERNATIVE ASSESSMENT INSTRUMENTS. (a) The
10 commissioner by rule shall adopt procedures to identify nationally
11 recognized assessment instruments, including the SAT and the ACT,
12 as additional alternative assessment instruments that may be used
13 to evaluate secondary-level student achievement in mathematics,
14 reading, and writing for purposes of complying with accountability
15 requirements under this chapter.

16 (b) The procedures adopted to identify all additional
17 alternative assessment instruments under Subsection (a) must be
18 consistent with the federal procedures required by the Every
19 Student Succeeds Act (20 U.S.C. Section 6311) for state approval of
20 nationally recognized high school academic assessment instruments
21 that are available for local selection, including requiring each
22 additional alternative assessment instrument identified to be
23 aligned with the essential knowledge and skills for the appropriate
24 grade level in the subject assessed.

1 (c) A school district may select only one additional
2 alternative assessment instrument identified as provided under
3 Subsection (a) for evaluating secondary-level student achievement
4 as provided by that subsection. A school district that selects an
5 additional alternative assessment instrument shall administer the
6 assessment instrument to students in grade 11.

7 (d) The commissioner by rule shall designate performance
8 standards for each assessment instrument identified under
9 Subsection (a) in the same manner as the commissioner designates
10 performance standards for student performance on each
11 end-of-course assessment instrument listed in Section 39.023(c).

12 (e) The commissioner by rule shall provide all necessary
13 procedures relating to providing accommodations in administering
14 an additional assessment instrument identified as provided under
15 Subsection (a) for a student for whom an individualized education
16 plan under the Individuals with Disabilities Education Act (20
17 U.S.C. Section 1400 et seq.) or a plan under Section 504,
18 Rehabilitation Act of 1973 (29 U.S.C. Section 794), has been
19 created.

20 SECTION 2. Section 39.053, Education Code, is amended by
21 adding Subsection (c-5) to read as follows:

22 (c-5) The commissioner by rule shall determine a method for
23 appropriately including under Subsection (c)(1) the results of
24 alternative assessment instruments administered as authorized
25 under Section 39.040, based on student performance as determined
26 under the performance standards designated for the appropriate
27 assessment instrument under Subsection (d) of that section.

1 SECTION 3. As soon as practicable after the effective date
2 of this Act, the commissioner of education shall adopt rules
3 regarding the authorization of alternative assessment instruments
4 for use under the public school accountability system as provided
5 by this Act.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2019.