

By: Reynolds

H.B. No. 3618

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to eliminating certain state-required end-of-course  
3 assessment instruments not required by federal law.

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

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

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

1 administration of end-of-course assessment instruments that  
2 complies with the requirements of Subsection (c-3).

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

6 (1) assessment instruments administered under  
7 Subsection (a) to be administered on a schedule so that the first  
8 assessment instrument is administered at least two weeks later than  
9 the date on which the first assessment instrument was administered  
10 under Subsection (a) during the 2006-2007 school year; and

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

17 (g) This subsection applies to end-of-course assessment  
18 instruments adopted under Subsection (c) for secondary-level  
19 courses in English II and United States history, as that subsection  
20 existed before amendment by \_\_.B. No. \_\_, Acts of the 86th  
21 Legislature, Regular Session, 2019. The agency may retain  
22 assessment instruments described by this subsection, but may not  
23 require a school district to administer those assessment  
24 instruments. A school district may choose to administer an  
25 assessment instrument described by this subsection. An assessment  
26 instrument described by this subsection administered by a school  
27 district may not be used for accountability purposes to measure the

1 performance of the district or a district campus.

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

4 (a-1) A student enrolled in a college preparatory  
5 mathematics or English language arts course under Section 28.014  
6 who satisfies the Texas Success Initiative (TSI) college readiness  
7 benchmarks prescribed by the Texas Higher Education Coordinating  
8 Board under Section 51.334 on an assessment instrument designated  
9 by the coordinating board under that section administered at the  
10 end of the college preparatory mathematics or English language arts  
11 course satisfies the requirements concerning and is exempt from the  
12 administration of the Algebra I or the English I [~~and English II~~]  
13 end-of-course assessment instrument [~~instruments~~], as applicable,  
14 as prescribed by Section 39.023(c), even if the student did not  
15 perform satisfactorily on a previous administration of the  
16 applicable end-of-course assessment instrument. A student who  
17 fails to perform satisfactorily on the assessment instrument  
18 designated by the coordinating board under Section 51.334  
19 administered as provided by this subsection may retake that  
20 assessment instrument for purposes of this subsection or may take  
21 the appropriate end-of-course assessment instrument.

22 SECTION 3. This Act applies beginning with the 2019-2020  
23 school year.

24 SECTION 4. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2019.