

By: VanDeaver

H.B. No. 4177

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the establishment of a student performance designation
3 for secondary-level substitute assessment instruments and the use
4 of that designation for public school accountability purposes.

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

6 SECTION 1. Section 39.025(a-2), Education Code, as added by
7 Chapter 1036 (H.B. 1613), Acts of the 84th Legislature, Regular
8 Session, 2015, is amended to read as follows:

9 (a-2) The commissioner shall determine a method by which a
10 student's satisfactory performance on an advanced placement test,
11 an international baccalaureate examination, an SAT Subject Test,
12 the SAT, the ACT, the Texas Success Initiative (TSI) diagnostic
13 assessment, or any nationally recognized norm-referenced
14 assessment instrument used by institutions of higher education to
15 award course credit based on satisfactory performance on the
16 assessment instrument shall be used to satisfy the requirements
17 concerning an end-of-course assessment instrument in an equivalent
18 course as prescribed by Subsection (a). The commissioner shall
19 determine a method by which a student's satisfactory performance on
20 the PSAT or the ACT-Plan shall be used to satisfy the requirements
21 concerning an end-of-course assessment instrument in an equivalent
22 course as prescribed by Subsection (a). In adopting methods for
23 substituting satisfactory performance on an assessment instrument
24 authorized under this subsection for requirements concerning an

1 end-of-course assessment instrument, the commissioner shall
2 designate a student's performance on a substitute assessment
3 instrument as "masters grade-level performance" if the student's
4 performance entitles the student to receive college credit or if
5 the student's performance meets the assessment instrument
6 provider's designated grade-level college readiness performance
7 benchmark. A student who fails to perform satisfactorily on a
8 substitute [~~test or other~~] assessment instrument authorized under
9 this subsection[~~, other than the PSAT or the ACT-Plan,~~] may retake
10 that [~~test or other~~] assessment instrument for purposes of this
11 subsection or may take the appropriate end-of-course assessment
12 instrument. [~~A student who fails to perform satisfactorily on the~~
13 ~~PSAT or the ACT-Plan must take the appropriate end-of-course~~
14 ~~assessment instrument.~~] The commissioner shall adopt rules as
15 necessary for the administration of this subsection.

16 SECTION 2. Section 39.025, Education Code, is amended by
17 adding Subsection (a-5) to read as follows:

18 (a-5) The commissioner shall implement the changes in law
19 made by __.B. _____, 86th Legislature, Regular Session, 2019, to
20 Section 39.025(a-2), as added by Chapter 1036 (H.B. 1613), Acts of
21 the 84th Legislature, Regular Session, 2015, and Section
22 39.053(c-4) effective beginning with the 2019-2020 accountability
23 rating period. This subsection expires September 1, 2020.

24 SECTION 3. Section 39.053, Education Code, is amended by
25 adding Subsection (c-4) to read as follows:

26 (c-4) The commissioner by rule shall determine a method for
27 appropriately crediting a student for growth under Subsection

1 (c)(2) based on the student's performance, including a student's
2 "masters grade-level performance," on a substitute assessment
3 instrument authorized under Section 39.025(a-2), as added by
4 Chapter 1036 (H.B. 1613), Acts of the 84th Legislature, Regular
5 Session, 2015.

6 SECTION 4. This Act applies beginning with the 2019-2020
7 school year.

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