87R8076 CAE-F

By:  González of El Paso H.B. No. 3290

A BILL TO BE ENTITLED

AN ACT

relating to public school accountability.

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

SECTION 1.  Section 39.053, Education Code, is amended by amending Subsection (c) and adding Subsection (c-4) to read as follows:

(c)  School districts and campuses must be evaluated based on four [~~three~~] domains of indicators of achievement adopted under this section that include:

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

(A)  for evaluating the performance of districts and campuses generally:

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

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

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

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

(B)  for evaluating the performance of high school campuses and districts that include high school campuses, indicators that account for:

(i)  students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.334 on an assessment instrument in reading or mathematics designated by the coordinating board under that section;

(ii)  students who satisfy relevant performance standards on advanced placement tests or similar assessments;

(iii)  students who earn dual course credits in the dual credit courses;

(iv)  students who enlist in the armed forces of the United States;

(v)  students who earn industry certifications;

(vi)  students admitted into postsecondary industry certification programs that require as a prerequisite for entrance successful performance at the secondary level;

(vii)  students whose successful completion of a course or courses under Section 28.014 indicates the student's preparation to enroll and succeed, without remediation, in an entry-level general education course for a baccalaureate degree or associate degree;

(viii)  students who successfully met standards on a composite of indicators that through research indicates the student's preparation to enroll and succeed, without remediation, in an entry-level general education course for a baccalaureate degree or associate degree;

(ix)  high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) subject to the exclusions provided by Subsections (g), (g-1), (g-2), and (g-3);

(x)  students who successfully completed an OnRamps dual enrollment course;

(xi)  students who successfully completed a practicum or internship approved by the State Board of Education; and

(xii)  students who are awarded an associate degree;

(2)  in the school progress domain, indicators for effectiveness in promoting student learning, which must include:

(A)  for assessment instruments, including assessment instruments under Subdivisions (1)(A)(i) and (ii), the percentage of students who met the standard for improvement, as determined by the commissioner; and

(B)  for evaluating relative performance, the performance of districts and campuses compared to similar districts or campuses; [~~and~~]

(3)  in the closing the gaps domain, the use of disaggregated data to demonstrate the differentials among students from different racial and ethnic groups, socioeconomic backgrounds, and other factors, including:

(A)  students formerly receiving special education services;

(B)  students continuously enrolled; and

(C)  students who are mobile; and

(4)  in the school portfolio domain for evaluating the performance of districts and campuses generally, indicators of school portfolio, which must include:

(A)  students who successfully complete courses in fine arts, physical education, or a language other than English, or other courses included in the enrichment curriculum under Section 28.002(a)(2);

(B)  students who participate in extracurricular activities, including University Interscholastic League activities such as academic, fine arts, and athletic events and foreign language, chess, and robotics clubs;

(C)  students who successfully complete the distinguished level of achievement under Section 28.025(b-7);

(D)  students who successfully complete at least one endorsement under Section 28.025(c-1);

(E)  students who successfully complete a coherent sequence of fine arts courses;

(F)  students who successfully complete a character education program provided under Section 29.906;

(G)  educationally disadvantaged students who successfully complete a postsecondary readiness course;

(H)  results from the school and student safety survey of districts and campuses administered under Section 39.0531;

(I)  efforts by districts and campuses relating to increasing teacher retention, including providing mentoring programs and professional development opportunities;

(J)  health and wellness as determined by the commissioner in consultation with the State Board of Education and any appropriate advisory committees;

(K)  for campuses that serve students enrolled in prekindergarten, an indicator that accounts for student participation in full-day prekindergarten programs;

(L)  students in grades five, six, seven, and eight who earn credit for advanced courses;

(M)  students enrolled in grade nine for the first time who earn the credits required during that school year for promotion to the next grade level; and

(N)  students who are absent, as defined by Subsection (c-4), fewer than 15 days during the current school year.

(c-4)  In Subsection (c)(4)(N), "absent" means the student is not physically on school grounds and is not participating in instruction or instruction-related activities at an approved off-campus location for the school day, without regard to whether the absence is excused or unexcused.

SECTION 2.  Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0531 to read as follows:

Sec. 39.0531.  SCHOOL AND STUDENT SAFETY SURVEY. (a) The commissioner may incorporate a school and student safety survey as an indicator for the portfolio domain under Section 39.053(c)(4). A school and student safety survey shall be administered to administrators and teachers employed by school districts, students enrolled in school districts, and parents of those students.

(b)  The commissioner may adopt rules to implement this section, including rules to:

(1)  determine the format of the survey;

(2)  determine the questions that the survey must include;

(3)  establish a period during a school year in which the survey must be conducted;

(4)  establish requirements for administering and reporting the results of the survey; and

(5)  authorize the manner in which the survey may be administered, including the local administration of the survey.

(c)  Notwithstanding any other provision of this code, including Section 21.355, school and student safety survey information must be reported to the agency in accordance with rules adopted by the commissioner.

(d)  The commissioner may contract with a third party to provide any service necessary under this section.

SECTION 3.  Section 39.054(a-1), Education Code, is amended to read as follows:

(a-1)  For purposes of assigning an overall performance rating for a district or campus under Subsection (a), the commissioner shall:

(1)  consider either the district's or campus's performance rating under the student achievement domain under Section 39.053(c)(1) or the school progress domain under Section 39.053(c)(2), whichever performance rating is higher, unless the district or campus received a performance rating of F in either domain, in which case the district or campus may not be assigned a performance rating higher than a B for the composite for the two domains; [~~and~~]

(2)  attribute not less than 30 percent of the performance rating to the closing the gaps domain under Section 39.053(c)(3); and

(3)  attribute not less than 20 percent of the performance rating to the school portfolio domain under Section 39.053(c)(4).

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.