

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

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

6 (ii) an indicator that accounts for the
7 results of assessment instruments required under Section
8 39.023(b), as applicable for the district and campus, including the
9 percentage of students who performed satisfactorily on the
10 assessment instruments, as determined by the performance standard
11 adopted by the agency, aggregated across grade levels by subject
12 area; and

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

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

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

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

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

1 (v) students who earn industry
2 certifications;

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

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

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

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

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

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

26 (xii) students who are awarded an associate
27 degree;

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

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

7 (B) for evaluating relative performance, the
8 performance of districts and campuses compared to similar districts
9 or campuses; ~~and~~

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

14 (A) students formerly receiving special
15 education services;

16 (B) students continuously enrolled; and

17 (C) students who are mobile; and

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

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

25 (B) students who participate in extracurricular
26 activities, including University Interscholastic League activities
27 such as academic, fine arts, and athletic events and foreign

1 language, chess, and robotics clubs;

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

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

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

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

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

12 (H) results from the school and student safety
13 survey of districts and campuses administered under Section
14 39.0531;

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

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

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

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

26 (M) students enrolled in grade nine for the first
27 time who earn the credits required during that school year for

1 promotion to the next grade level; and

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

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

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

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

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

20 (1) determine the format of the survey;

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

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

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

27 (5) authorize the manner in which the survey may be

1 administered, including the local administration of the survey.

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

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

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

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

13 (1) consider either the district's or campus's
14 performance rating under the student achievement domain under
15 Section 39.053(c)(1) or the school progress domain under Section
16 39.053(c)(2), whichever performance rating is higher, unless the
17 district or campus received a performance rating of F in either
18 domain, in which case the district or campus may not be assigned a
19 performance rating higher than a B for the composite for the two
20 domains; ~~and~~

21 (2) attribute not less than 30 percent of the
22 performance rating to the closing the gaps domain under Section
23 39.053(c)(3); and

24 (3) attribute not less than 20 percent of the
25 performance rating to the school portfolio domain under Section
26 39.053(c)(4).

27 SECTION 4. This Act takes effect immediately if it receives

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