

By: Thompson of Brazoria

H.B. No. 203

A BILL TO BE ENTITLED

AN ACT

relating to public school selection of an alternative assessment instrument in place of state-administered assessment instruments.

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

SECTION 1. Section 39.026, Education Code, is amended to read as follows:

Sec. 39.026. LOCAL OPTION. (a) Notwithstanding any other provision of this title, a school district, in place of any [In addition to the] assessment instruments required under Section 39.023 adopted by the agency and administered by the State Board of Education, [a school district] may adopt and administer nationally [criterion-referenced or] norm-referenced assessment instruments selected by the district[, or both, at any grade level].

(b) The commissioner shall adopt rules as necessary for the administration of Subsection (a), including rules for using for purposes of this code assessment instruments adopted under that subsection in place of the assessment instruments otherwise required under this subchapter.

(c) If there is a conflict between Subsection (a) and federal law or regulation, the agency shall seek a waiver from the application of conflicting federal law or regulation.

(d) In addition to the assessment instruments adopted by the agency and administered by the State Board of Education or the assessment instruments adopted and administered by the district

1 under Subsection (a), a school district may adopt and administer
2 criterion-referenced or norm-referenced assessment instruments at
3 any grade level.

4 (e) An [~~A norm-referenced~~] assessment instrument adopted
5 under this section must be economical, nationally recognized, and
6 approved by the agency [~~state-approved~~].

7 SECTION 2. This Act applies beginning with the 2024-2025
8 school year.

9 SECTION 3. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect on the 91st day after the last day of the
14 legislative session.