88R1032 ANG-F

By:  González of El Paso H.B. No. 37

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Texas Commission on Assessment and Accountability.

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

SECTION 1.  Chapter 39, Education Code, is amended by adding Subchapter N to read as follows:

SUBCHAPTER N. TEXAS COMMISSION ON ASSESSMENT AND ACCOUNTABILITY

Sec. 39.451.  DEFINITION. In this subchapter, "commission" means the Texas Commission on Assessment and Accountability.

Sec. 39.452.  TEXAS COMMISSION ON ASSESSMENT AND ACCOUNTABILITY. (a) The commission is established to develop and make recommendations for improvements to the current public school assessment and accountability systems.

(b)  The commission is composed of 19 members, consisting of:

(1)  four members appointed by the governor;

(2)  seven members appointed by the lieutenant governor;

(3)  seven members appointed by the speaker of the house of representatives; and

(4)  a member of the State Board of Education, as designated by the chair of that board.

(c)  The members appointed by the governor must have an interest in public education and include at least:

(1)  one person who is a current classroom teacher:

(A)  in a grade and subject for which an assessment instrument required under Section 39.023 is administered; and

(B)  with at least 10 years of teaching experience at a Title 1 campus;

(2)  one person who is a member of the business community; and

(3)  one person who is a member of the civic community.

(d)  The appointments made by the lieutenant governor and the speaker of the house of representatives must each consist of:

(1)  three members of the applicable legislative chamber;

(2)  a superintendent in the public school system;

(3)  an elected member of the board of trustees of a school district;

(4)  a parent of a student in the public school system; and

(5)  a public school district staff member who serves on the Accountability Technical Advisory Committee established by rule.

(e)  In making appointments under Subsections (b)(1), (2), and (3), the governor, lieutenant governor, and speaker of the house of representatives shall coordinate to ensure that the membership of the commission reflects, to the extent possible, the ethnic and geographic diversity of this state.

Sec. 39.453.  PRESIDING OFFICER AND MEMBERS. (a) The governor shall designate the presiding officer of the commission.

(b)  A commission member may not be an employee, contractor, consultant, or vendor of the agency or a regional education service center.

Sec. 39.454.  COMPENSATION AND REIMBURSEMENT. A commission member is not entitled to compensation for service on the commission but is entitled to reimbursement for actual and necessary expenses incurred in performing commission duties.

Sec. 39.455.  ADMINISTRATIVE SUPPORT AND FUNDING. (a) The agency shall provide administrative support for the commission. The agency, with assistance as necessary from the Texas Higher Education Coordinating Board, shall provide data and analysis as requested by the commission, including data available in the education research centers established under Section 1.005.

(b)  Funding for the commission's administrative and operational expenses shall be provided by legislative appropriation made to the agency for that purpose.

Sec. 39.456.  RECOMMENDATIONS. (a) The commission shall develop recommendations under this subchapter to address issues related to the public school statewide assessment system, including:

(1)  test construction and administration methods that ensure validity, readability, and fairness for all students;

(2)  assessment options to inform instruction throughout the school year;

(3)  any disproportionate impact of assessments on students receiving each tier of the compensatory education allotment and other special populations, and appropriate policy responses;

(4)  the costs and instructional time devoted to the administration of state-required assessment instruments, and options for minimizing those costs and that time by combining assessments and classroom instruction; and

(5)  privacy, security, and confidentiality protocols regarding the student information of a student receiving online instruction or assessment.

(b)  The commission shall develop recommendations under this subchapter to address issues related to the public school academic accountability rating system, including:

(1)  the correlation of accountability results with special student populations, including students who are educationally disadvantaged and students who are not educationally disadvantaged, for each domain rating and overall rating, and the effect of enrollment in open-enrollment charter schools and magnet or other voluntary programs on the composition of student populations of district campuses and the application of accountability measures;

(2)  characteristics and measures of effective schools beyond state-required assessment instruments and ways to incorporate those characteristics and measures into a fairer accountability system; and

(3)  the appropriateness and effectiveness of current district and campus sanctions and any correlation between sanctions imposed and campuses or districts serving particular student populations.

(c)  The commission shall include and consider recommendations made by the existing Accountability Technical Advisory Committee and Accountability Policy Advisory Committee established by rule.

(d)  The commission may establish one or more working groups composed of not more than five commission members to study, discuss, and address specific policy issues and recommendations to refer to the commission for consideration.

Sec. 39.457.  REPORT. Not later than December 31, 2024, the commission shall prepare and deliver to the governor and the legislature a report that recommends statutory changes to improve the public school assessment and accountability systems.

Sec. 39.458.  PUBLIC MEETINGS AND PUBLIC INFORMATION. (a) The commission may hold public meetings as needed to fulfill the commission's duties under this subchapter.

(b)  The commission is subject to Chapters 551 and 552, Government Code.

Sec. 39.459.  COMMISSION ABOLISHED; EXPIRATION OF SUBCHAPTER. The commission is abolished and this subchapter expires September 1, 2025.

SECTION 2.  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, 2023.