

By: Bucy

H.B. No. 337

A BILL TO BE ENTITLED

AN ACT

relating to eliminating certain state-required end-of-course assessment instruments not required by federal law and eliminating graduation requirements based on satisfactory performance on certain end-of-course assessment instruments.

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

SECTION 1. Section 39.023, Education Code, is amended by amending Subsection (c) and adding Subsection (q) to read as follows:

(c) The agency shall also adopt end-of-course assessment instruments for secondary-level courses in Algebra I, biology, and English I [~~, English II, and United States history~~]. The Algebra I end-of-course assessment instrument must be administered with the aid of technology, but may include one or more parts that prohibit the use of technology. The English I [~~and English II~~] end-of-course assessment instrument [~~instruments~~] must [~~each~~] assess essential knowledge and skills in both reading and writing and must provide a single score. A school district shall comply with State Board of Education rules regarding administration of the assessment instruments listed in this subsection. If a student is in a special education program under Subchapter A, Chapter 29, the student's admission, review, and dismissal committee shall determine whether any allowable modification is necessary in administering to the student an assessment instrument required

under this subsection. The State Board of Education shall administer the assessment instruments. An end-of-course assessment instrument may be administered in multiple parts over more than one day. The State Board of Education shall adopt a schedule for the administration of end-of-course assessment instruments that complies with the requirements of Subsection (c-3).

(g) This subsection applies to end-of-course assessment instruments adopted under Subsection (c) for secondary-level courses in English II and United States history, as that subsection existed before amendment by __.B. No. ____, Acts of the 88th Legislature, Regular Session, 2023. The agency may retain assessment instruments described by this subsection, but may not require a school district to administer those assessment instruments. A school district may choose to administer an assessment instrument described by this subsection. An assessment instrument described by this subsection administered by a school district may not be used for accountability purposes to measure the performance of the district or a district campus.

SECTION 2. Section 39.025, Education Code, is amended by amending Subsections (a-1) and (a-3) and adding Subsections (h), (i), and (j) to read as follows:

(a-1) A student enrolled in a college preparatory mathematics or English language arts course under Section 28.014 who satisfies the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.334 on an assessment instrument designated

1 by the coordinating board under that section administered at the
2 end of the college preparatory mathematics or English language arts
3 course satisfies the requirements concerning and is exempt from the
4 administration of the Algebra I or the English I [~~and English II~~]
5 end-of-course assessment instrument [~~instruments~~], as applicable,
6 as prescribed by Section 39.023(c), even if the student did not
7 perform satisfactorily on a previous administration of the
8 applicable end-of-course assessment instrument. A student who
9 fails to perform satisfactorily on the assessment instrument
10 designated by the coordinating board under Section 51.334
11 administered as provided by this subsection may retake that
12 assessment instrument for purposes of this subsection or may take
13 the appropriate end-of-course assessment instrument.

14 (a-3) A student who, after retaking an end-of-course
15 assessment instrument for Algebra I [~~or English II~~], has failed to
16 perform satisfactorily as required by Subsection (a)[~~7~~] but who
17 receives a score of proficient on the Texas Success Initiative
18 (TSI) diagnostic assessment for mathematics [~~the corresponding~~
19 ~~subject for which the student failed to perform satisfactorily on~~
20 ~~the end-of-course assessment instrument~~] satisfies the requirement
21 concerning the Algebra I [~~or English II~~] end-of-course assessment[~~7~~
22 ~~as applicable~~].

23 (h) Notwithstanding Subsection (a), in order to receive a
24 high school diploma, a student is not required to achieve a scale
25 score that indicates satisfactory performance on an end-of-course
26 assessment for secondary-level courses in English II or United
27 States history after the effective date of ____B. No. ____, Acts of

1 the 88th Legislature, Regular Session, 2023, regardless of the date
2 the student enters high school.

3 (i) Subject to Subsection (j), a school district or
4 open-enrollment charter school policy that requires a student to
5 demonstrate satisfactory performance on an end-of-course
6 assessment for secondary-level courses in English II or United
7 States history does not apply to a student of the district or school
8 as of the effective date of ____B. No. ____, Acts of the 88th
9 Legislature, Regular Session, 2023, regardless of the date that
10 student enters high school or whether the student is currently
11 enrolled in high school.

12 (j) The board of trustees of a school district or the
13 governing body of an open-enrollment charter school with a policy
14 described by Subsection (i) may readopt the policy after the
15 effective date of ____B. No. ____, Acts of the 88th Legislature,
16 Regular Session, 2023, to apply to district or charter school
17 students enrolled in high school on or after the date the policy is
18 readopted.

19 SECTION 3. This Act applies beginning with the 2023-2024
20 school year.

21 SECTION 4. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2023.