

By: Bell of Montgomery

H.B. No. 5138

A BILL TO BE ENTITLED

AN ACT

relating to indicators of achievement under the public school accountability system.

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

SECTION 1. Section 39.053(c), Education Code, is amended to read as follows:

(c) School districts and campuses must be evaluated based on 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 (1), 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;

(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), and (g-4);

(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;

(xii) students who are awarded an associate  
degree; and

(xiii) students who successfully completed

1 a program of study in career and technical education without having  
2 to pass a certification;

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

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

9 (B) for evaluating relative performance, the  
10 performance of districts and campuses compared to similar districts  
11 or campuses; and

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

16 (A) students formerly receiving special  
17 education services;

18 (B) students continuously enrolled; and

19 (C) students who are mobile.

20 SECTION 2. This Act applies beginning with the 2023-2024  
21 school year.

22 SECTION 3. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2023.