

By: Hinojosa

H.B. No. 5181

A BILL TO BE ENTITLED

AN ACT

relating to a standard and set of indicators in the academic accountability system.

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

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

(a) The commissioner shall adopt a set of indicators of the quality of learning and achievement, including the indicators under Subsection (c). The commissioner periodically shall review the indicators for the consideration of appropriate revisions and ensure a cut score necessary for a district to receive an "A".

(a-1) The indicators adopted by the commissioner under Subsection (a) must measure and evaluate school districts and campuses with respect to:

(1) improving student preparedness for success in:

(A) subsequent grade levels; and

(B) entering the workforce, the military, or postsecondary education;

(2) reducing, with the goal of eliminating, student academic achievement differentials among students from different racial and ethnic groups and socioeconomic backgrounds; and

(3) informing parents and the community regarding campus and district performance.

(b) Performance on the achievement indicators adopted under

Subsection (c) shall be compared to state-established standards. The indicators must be based on information that is disaggregated by race, ethnicity, and socioeconomic status.

(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 (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

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

(ii) an indicator that accounts for the

1 results of assessment instruments required under Section
2 39.023(b), as applicable for the district and campus, including the
3 percentage of students who performed satisfactorily on the
4 assessment instruments, as determined by the performance standard
5 adopted by the agency, aggregated across grade levels by subject
6 area; and

7 (B) for evaluating the performance of high school
8 campuses and districts that include high school campuses,
9 indicators that account for:

10 (i) students who satisfy the Texas Success
11 Initiative (TSI) college readiness benchmarks prescribed by the
12 Texas Higher Education Coordinating Board under Section 51.334 on
13 an assessment instrument in reading or mathematics designated by
14 the coordinating board under that section;

15 (ii) students who satisfy relevant
16 performance standards on advanced placement tests or similar
17 assessments;

18 (iii) students who earn dual course credits
19 in the dual credit courses;

20 (iv) students who enlist in the armed
21 forces of the United States or the Texas National Guard;

22 (v) students who earn industry
23 certifications;

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

27 (vii) students whose successful completion

1 of a course or courses under Section 28.014 indicates the student's
2 preparation to enroll and succeed, without remediation, in an
3 entry-level general education course for a baccalaureate degree or
4 associate degree;

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

10 (ix) high school graduation rates, computed
11 in accordance with standards and definitions adopted in compliance
12 with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.)
13 subject to the exclusions provided by Subsections (g), (g-1),
14 (g-2), (g-3), and (g-4);

15 (x) students who successfully completed an
16 OnRamps dual enrollment course;

17 (xi) students who successfully completed a
18 practicum or internship approved by the State Board of Education;

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

21 (xiii) students who successfully completed
22 a program of study in career and technical education;

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

25 (A) for assessment instruments, including
26 assessment instruments under Subdivisions (1)(A)(i) and (ii), the
27 percentage of students who met the standard for improvement, as

determined by the commissioner; and

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

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

(A) students formerly receiving special education services;

(B) students continuously enrolled; and

(C) students who are mobile.

(c-1) An indicator adopted under Subsection (c) that would measure improvements in student achievement cannot negatively affect the commissioner's review of a school district or campus if that district or campus is already achieving at the highest level for that indicator.

(c-2) The commissioner by rule shall determine a method by which a student's performance may be included in determining the performance rating of a school district or campus under Section [39.054](#) if, before the student graduates, the student:

(1) 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 by the coordinating board under that section; or

(2) performs satisfactorily on an assessment

instrument under Section 39.023(c), notwithstanding Subsection (d) of this section.

(c-3) Any standard for improvement determined by the commissioner as described by Subsection (c)(2)(A) must allow for appropriately crediting a student for growth if the student performs at the highest achievement standard in the previous and current school year.

(d) For purposes of Subsection (c), the commissioner by rule shall determine the period within which a student must retake an assessment instrument for that assessment instrument to be considered in determining the performance rating of the district under Section 39.054.

(d-1) In aggregating results of assessment instruments across grade levels by subject in accordance with Subsection (c)(1)(A)(i), the performance of a student enrolled below the high school level on an assessment instrument required under Section 39.023(c) is included with results relating to other students enrolled at the same grade level.

(e) For purposes of Subsection (c)(3)(A), a student formerly receiving special education services means a student whose enrollment information:

(1) for the preceding school year, as reported through the Public Education Information Management System (PEIMS), indicates the student was enrolled at the campus and was participating in a special education program; and

(2) for the current school year, as reported through the Public Education Information Management System (PEIMS) and as

1 reported on assessment instruments administered to the student
2 under Section 39.023, indicates the student is enrolled at the
3 campus and is not participating in a special education program.

4 (f) Annually, the commissioner shall define the state
5 standard for the current school year for each achievement indicator
6 adopted under this section. In consultation with educators,
7 parents, and business and industry representatives, as necessary,
8 the commissioner shall establish and modify standards to
9 continuously improve student performance to achieve the goals of
10 eliminating achievement gaps based on race, ethnicity, and
11 socioeconomic status and to ensure this state is a national leader
12 in preparing students for postsecondary success.

13 SECTION 2. This Act applies beginning with the 2023-2024
14 school year.

15 SECTOIN 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2023.