

By: Dean

H.B. No. 102

A BILL TO BE ENTITLED

AN ACT

relating to public school accountability, including reducing state required accountability exams to the minimum required by federal law and replacing current state required assessments with instructionally supportive assessments.

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

SECTION 1. Section 39.022, Education Code, is amended to read as follows:

Sec. 39.022. INSTRUCTIONALLY SUPPORTIVE ASSESSMENT PROGRAM. (a) To ensure school accountability for student achievement that achieves the goals provided under Section 4.002, the [The] State Board of Education by rule shall create and implement an instructionally supportive [a] statewide assessment program that:

(1) is not created or developed by the agency, but rather is nationally-normed,

(2) provides as much flexibility as possible under federal requirements to individual school districts and open-enrollment charter schools that maintain an acceptable rating,

(3) provides for progress monitoring and through-year instructional growth monitoring;

(4) is balanced, innovative, and streamlined;

(5) is knowledge- and skills-based [to ensure school

1 ~~accountability for student achievement that achieves the goals~~
2 ~~provided under Section 4.002]; and~~

3 (6) meets, but does not exceed, the federal assessment
4 requirements.

5 (b) The primary objective of an instructionally supportive
6 assessment program created and implemented under this section is
7 to meet federal assessment requirements to the benefit the students
8 of this state.

9 (c) After adopting rules under this section, the State Board
10 of Education shall consider the importance of maintaining stability
11 in the instructionally supportive ~~[statewide]~~ assessment program
12 when adopting any subsequent modification of the rules.

13 (d) ~~[(b)]~~ It is the policy of this state that the
14 instructionally supportive ~~[statewide]~~ assessment program be
15 designed to:

16 (1) provide information regarding student academic
17 achievement and learning progress to:

18 (A) public schools for the purpose of improving
19 student instruction ~~[provide assessment instruments that are as~~
20 ~~short as practicable];~~

21 (B) students, parents, and teachers for the
22 purpose of guiding learning objectives;

23 (C) education researchers for the purpose of
24 comparing student academic achievement and learning progress data
25 at the national and statewide levels; and

26 (D) the public for the purpose of allowing the
27 public to assess the costs and benefits of using public money for

1 the assessment program;

2 (2) evaluate the achievement level and learning
3 progress of each assessed student in reading language arts,
4 mathematics, and science;

5 (3) provide information to the agency for the purpose
6 of making decisions regarding public school accountability, campus
7 recognition, and the improvement of public school operations and
8 management;

9 (4) identify the educational strengths and needs of
10 individual students and the readiness of those students to be
11 promoted to the next grade level or to graduate from high school;

12 (5) assess whether educational goals and curricular
13 standards are being met at the campus, district, state, and
14 national levels;

15 (6) provide information to help evaluate and develop
16 educational programs and policies; and

17 (7) provide instructional staff with immediate,
18 actionable, and useful information regarding student achievement
19 of standards and benchmarks that may be used to improve the staff's
20 delivery of student instruction [and

21 ~~(2) minimize the disruption to the educational~~
22 ~~program].~~

23 SECTION 2. Section 39.023, Education Code, is amended by
24 amending Subsections (a), (a-1), (a-2), (a-3), (a-11), (a-12),
25 (a-13), (b), (b-1), (c), (c-1), (c-8), (g), (h), and (n) and adding
26 Subsections (a-5), (o-1), (q), and (r) to read as follows:

27 (a) In creating and implementing the instructionally

1 supportive assessment program under Section 39.022, the [The]
 2 agency shall adopt nationally norm-referenced [~~or develop~~
 3 ~~appropriate criterion-referenced~~] assessment instruments that are
 4 capable of being administered at the beginning, middle, and end of
 5 the school year, at the option of the school district or
 6 open-enrollment charter school, and designed to assess essential
 7 knowledge and skills in reading, mathematics, [~~social studies,~~] and
 8 science. Except as provided by Subsection (a-2), all students,
 9 other than students assessed under Subsection (b) or (1) or
 10 exempted under Section 39.027, shall be assessed in:

- 11 (1) mathematics, annually in grades three through
- 12 eight;
- 13 (2) reading, annually in grades three through eight;
- 14 (3) [~~social studies, in grade eight,~~
- 15 [~~(4)~~] science, in grades five and eight; and
- 16 (4) [~~(5)~~] any other subject and grade required by
- 17 federal law.

18 (a-1) An [~~The agency shall develop~~] assessment instrument
 19 adopted [~~instruments required~~] under Subsection (a) must provide
 20 for the assessment of students in a manner that [~~allows, to the~~
 21 ~~extent practicable~~]:

- 22 (1) ensures the score a student receives provides [~~to~~
 23 ~~provide~~] reliable information relating to a student's satisfactory
 24 performance for each performance standard under Section 39.0241;
- 25 [~~and~~]

- 26 (2) allows for an appropriate range of performances to
- 27 serve as a valid indication of growth in student achievement;

1 (3) focuses primarily on supporting excellent
2 instruction, while also providing essential summative information
3 that fulfills applicable federal requirements;

4 (4) consists only of questions written at the
5 appropriate reading level for the applicable grade level, as
6 determined by Lexile measures or another research-based
7 readability metric approved by the agency in coordination with the
8 advisory committees established under Section [39.02302](#);

9 (5) does not require a student to complete a separate,
10 standalone essay or extended constructed response component;

11 (6) for a reading assessment, assesses writing skills
12 through questions integrated within the context of the overall
13 assessment;

14 (7) is adaptive to each student-appropriate
15 measurement of individual student performance and growth;

16 (8) provides, not later than 24 hours after the date
17 the assessment instrument is administered, detailed diagnostic
18 reports of individual student results that include recommendations
19 based on a student's performance on the assessment instrument for
20 teachers and parents regarding practical and useful instructional
21 strategies to better meet the individual needs of the student and
22 provide for appropriate academic growth of the student;

23 (9) for a beginning-of-year or middle-of-year
24 assessment instrument, includes instructional growth projections
25 for individual students based on each student's results; and

26 (10) for an end-of-year assessment:

27 (A) measures student performance in relation to

1 state curriculum standards and a student's annual through-year
2 instructional growth;

3 (B) fulfills the state's public school
4 accountability plan for purposes of satisfying federal public
5 school accountability requirements;

6 (C) provides valid, reliable, and useful
7 results; and

8 (D) complies with applicable peer review
9 requirements under federal law.

10 (a-2) Except as required by federal law, a student is not
11 required to be assessed in a subject otherwise assessed at the
12 student's grade level under Subsection (a) if the student:

13 (1) is enrolled in a course in the subject intended for
14 students above the student's grade level and will be administered
15 an assessment instrument adopted [~~or developed~~] under Subsection
16 (a) that aligns with the curriculum for the course in which the
17 student is enrolled; or

18 (2) is enrolled in a course in the subject for which
19 the student will receive high school academic credit and will be
20 administered an end-of-course assessment instrument adopted under
21 Subsection (c) for the course.

22 (a-3) The agency may not adopt or develop a nationally
23 norm-referenced or criterion-referenced assessment instrument
24 under this section based on common core state standards as defined
25 by Section 28.002(b-1). This subsection does not prohibit the use
26 of college advanced placement tests or international baccalaureate
27 examinations as those terms are defined by Section 28.051.

(a-5) The agency shall annually review and validate the readability of each item on an assessment instrument adopted under Subsection (a) to confirm alignment of the item with grade-level expectations and ensure that the item accurately measures student mastery of essential knowledge and skills without introducing undue complexity that is not related to the assessed standard.

(a-11) Before an assessment instrument adopted ~~[or developed]~~ under Subsection (a) may be administered under that subsection, the assessment instrument must, on the basis of empirical evidence, be determined to be valid and reliable by an entity that is independent of the agency and of any other entity that developed the assessment instrument.

(a-12) An assessment instrument adopted ~~[or developed]~~ under Subsection (a) must be designed to minimize the impact on student instructional time ~~[may not have more than three parts. A part of an assessment instrument must be designed]~~ so that:

(1) for a beginning-of-year or middle-of-year assessment instrument ~~[if]~~ administered to students in grades three and four, 85 percent of students are expected ~~[will be able]~~ to complete the assessment instrument ~~[that part]~~ within 60 minutes; ~~[and]~~

(2) for a beginning-of-year or middle-of-year assessment instrument ~~[if]~~ administered to students in grades five through eight, 85 percent of students are expected ~~[will be able]~~ to complete the assessment instrument ~~[that part]~~ within 75 minutes; and

(3) for an end-of-year assessment instrument

1 administered to students in grades three through eight, 85 percent
2 of students are expected to complete the assessment instrument
3 within 90 minutes.

4 (a-13) The amount of time allowed for administration of an
5 assessment instrument in reading, mathematics, or science adopted
6 ~~[or developed]~~ under Subsection (a) may not exceed six ~~[eight]~~
7 hours, and the administration may occur in multiple parts over more
8 than one day.

9 (b) The agency shall ~~[develop or]~~ adopt appropriate
10 nationally norm-referenced ~~[criterion-referenced]~~ alternative
11 assessment instruments to be administered to each student in a
12 special education program under Subchapter A, Chapter 29, for whom
13 an assessment instrument adopted under Subsection (a), even with
14 allowable accommodations, would not provide an appropriate measure
15 of student achievement, as determined by the student's admission,
16 review, and dismissal committee~~[, including assessment instruments~~
17 ~~approved by the commissioner that measure growth]~~. The assessment
18 instruments ~~[developed or]~~ adopted under this subsection~~[,~~
19 ~~including the assessment instruments approved by the~~
20 ~~commissioner,~~] must, to the extent allowed under federal law,
21 provide a district with options for the assessment of students
22 under this subsection. The agency may not adopt a performance
23 standard that indicates that a student's performance on the
24 alternate assessment does not meet standards if the lowest level of
25 the assessment accurately represents the student's developmental
26 level as determined by the student's admission, review, and
27 dismissal committee.

1 (b-1) The agency, in conjunction with appropriate
2 interested persons, shall redevelop assessment instruments adopted
3 ~~[or developed]~~ under Subsection (b) for administration to
4 significantly cognitively disabled students in a manner consistent
5 with federal law. An assessment instrument under this subsection
6 may not require a teacher to prepare tasks or materials for a
7 student who will be administered such an assessment instrument. A
8 classroom portfolio method used to assess writing performance may
9 require a teacher to prepare tasks and materials.

10 (c) The agency shall also adopt end-of-course assessment
11 instruments for secondary-level courses in reading, mathematics,
12 and science, for the purpose of complying with the Every Student
13 Succeeds Act (20 U.S.C. Section 6301 et seq.), to be administered
14 only as necessary to meet the minimum requirements of that law
15 ~~[Algebra I, biology, English I, English II, and United States~~
16 ~~history. The Algebra I end-of-course assessment instrument must be~~
17 ~~administered with the aid of technology, but may include one or more~~
18 ~~parts that prohibit the use of technology. The English I and English~~
19 ~~II end-of-course assessment instruments must each assess essential~~
20 ~~knowledge and skills in both reading and writing and must provide a~~
21 ~~single score].~~ A school district shall comply with State Board of
22 Education rules regarding administration of the assessment
23 instruments adopted under ~~[listed in]~~ this subsection. If a student
24 is in a special education program under Subchapter A, Chapter 29,
25 the student's admission, review, and dismissal committee shall
26 determine whether any allowable modification is necessary in
27 administering to the student an assessment instrument required

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

7 (c-1) An ~~[The agency shall develop any]~~ assessment
8 instrument adopted by the agency ~~[required]~~ under this section must
9 allow ~~[in a manner that allows]~~ for the measurement of annual
10 improvement in student achievement as required by Sections
11 [39.034](#)(c) and (d).

12 (c-2) The agency, school district, or open-enrollment
13 charter school may adopt end-of-course assessment instruments for
14 courses for which end-of-course assessment instruments are not
15 adopted under ~~[not listed in]~~ Subsection (c). A student's
16 performance on an end-of-course assessment instrument adopted
17 under this subsection is not subject to the performance
18 requirements established under Subsection (c) or Section [39.025](#).

19 (c-8) Not ~~[Beginning with the 2022-2023 school year, not]~~
20 more than 25 ~~[75]~~ percent of the available points on an assessment
21 instrument adopted ~~[developed]~~ under Subsection (a) or (c) may be
22 attributable to questions presented as technology-enhanced or
23 constructed-response items ~~[in a multiple choice format]~~.

24 (h) The agency shall notify school districts and campuses of
25 the results of end-of-year and end-of-course assessment
26 instruments administered under this section and preliminary
27 academic accountability ratings assigned to the district and campus

1 by the agency based on those results not later than the 14th [~~21st~~]
2 day after the date the applicable end-of-year or end-of-course
3 assessment instrument is administered. The school district shall
4 disclose to each district teacher the results of assessment
5 instruments administered to students taught by the teacher in the
6 subject for the school year in which the assessment instrument is
7 administered.

8 (n) This subsection applies only to a student who is
9 determined to have dyslexia or a related disorder and who is an
10 individual with a disability under 29 U.S.C. Section 705(20) and
11 its subsequent amendments. The agency shall adopt [~~or develop~~]
12 appropriate norm-referenced [~~criteria-referenced~~] assessment
13 instruments designed to assess the ability of and to be
14 administered to each student to whom this subsection applies for
15 whom the assessment instruments adopted under Subsection (a), even
16 with allowable modifications, would not provide an appropriate
17 measure of student achievement, as determined by the committee
18 established by the board of trustees of the district to determine
19 the placement of students with dyslexia or related disorders. The
20 committee shall determine whether any allowable modification is
21 necessary in administering to a student an assessment instrument
22 required under this subsection. The assessment instruments
23 required under this subsection shall be administered on the same
24 schedule as the assessment instruments administered under
25 Subsection (a).

26 (q) If there is a conflict between this section and a
27 federal law or regulation, including the Every Student Succeeds Act

1 (20 U.S.C. Section 6301 et seq.), the agency shall seek a waiver
2 from the application of the conflicting federal law or regulation.

3 (r) Notwithstanding any provision of this section or other
4 law, if changes to federal law or regulations, including the Every
5 Student Succeeds Act (20 U.S.C. Section 6301 et seq.), reduce the
6 number or frequency of assessment instruments required to be
7 administered to students, the State Board of Education shall adopt
8 rules reducing the number or frequency of assessment instruments
9 required to be administered to students under state law, and the
10 agency shall ensure that students are not required to be assessed in
11 subject areas or in grade levels that are no longer required to meet
12 the minimum requirements of the law.

13 SECTION 3. Section [39.0237](#), Education Code, is amended to
14 read as follows:

15 Sec. 39.0237. CONSIDERATION OF PREKINDERGARTEN THROUGH
16 SECOND GRADE ASSESSMENT INSTRUMENTS PROHIBITED. Performance on an
17 assessment instrument administered to students in prekindergarten,
18 kindergarten, first grade, or second grade may not be considered
19 for any purpose under this chapter or Chapter [39A](#).

20 SECTION 4. Section [28.0211](#)(a-8), Education Code, is amended
21 to read as follows:

22 (a-8) A school district may not be required to provide
23 supplemental instruction under Subsection (a-1)(2) to a student in
24 more than two subject areas per school year. If the district would
25 otherwise be required to provide supplemental instruction to a
26 student in more than two subject areas for a school year, the
27 district shall prioritize providing supplemental instruction to

the student in mathematics and reading[, ~~or Algebra I, English I, or English II, as applicable,~~] for that school year.

SECTION 5. Section 29.056(g), Education Code, is amended to read as follows:

(g) A district may transfer an emergent bilingual student out of a bilingual education or special language program for the first time or a subsequent time if the student is able to participate equally in a regular all-English instructional program as determined by:

(1) agency-approved tests administered at the end of each school year to determine the extent to which the student has developed oral and written language proficiency and specific language skills in English;

(2) satisfactory performance on the reading assessment instrument under Section 39.023(a) or [~~an English language arts assessment instrument under Section~~] 39.023(c), as applicable, with the assessment instrument administered in English, or, if the student is enrolled in the first or second grade, an achievement score at or above the 40th percentile in the reading and language arts sections of an English standardized test approved by the agency; and

(3) agency-approved norm-referenced or criterion-referenced tests and the results of a subjective teacher evaluation.

SECTION 6. Section 26.005, Education Code, is amended to read as follows:

Sec. 26.005. ACCESS TO STATE ASSESSMENTS. (a) Except as

provided by Section 39.023(e), a parent is entitled to access to a copy of each state assessment instrument administered under Section 39.023 to the parent's child.

(b) The agency shall make available to a parent the results of their child's state assessment tests by no more than one click from an Internet website maintained by the agency. Student identifying information needed to access assessment information must meet agency security protocols, be unique to the student, and be in control of a parent or guardian without the need to secure additional information from any third party.

SECTION 7. Sections 39.025(a-1) and (a-3), Education Code, are amended 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 by the coordinating board under that section administered at the end of the college preparatory mathematics or English language arts course satisfies the requirements concerning and is exempt from the administration of the mathematics or reading ~~[Algebra I or the English I and English II]~~ end-of-course assessment instrument ~~[instruments]~~, as applicable, ~~[as prescribed by Section 39.023(e)]~~, even if the student did not perform satisfactorily on a previous administration of the applicable end-of-course assessment instrument. A student who fails to perform satisfactorily on the assessment instrument designated by the coordinating board under

Section 51.334 administered as provided by this subsection may retake that assessment instrument for purposes of this subsection or may take the appropriate end-of-course assessment instrument.

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

SECTION 8. Section 39.203(c), Education Code, is amended to read as follows:

(c) In addition to the distinction designations described by Subsections (a) and (b), a campus that satisfies the criteria developed under Section 39.204 shall be awarded a distinction designation by the commissioner for outstanding performance in academic achievement in reading [~~English language arts~~], mathematics, or science [~~, or social studies~~].

SECTION 9. Section 39.053, Education Code, is amended by amending Subsections (a), (c), and (f) and adding Subsections (c-4), (c-5), and (f-1) to read as follows:

(a) The commissioner shall adopt rules as necessary to implement this section [~~a set of indicators of the quality of learning and achievement, including the indicators under Subsection (c)~~]. The commissioner may not modify [periodically

1 shall review] the domains or performance indicators adopted under
2 this subchapter unless the legislature provides written approval
3 for the modification [~~for the consideration of appropriate~~
4 ~~revisions~~].

5 (c) School districts and campuses must be evaluated based on
6 three domains of indicators of achievement adopted under this
7 section that include:

8 (1) in the student achievement domain, indicators of
9 student achievement that must include:

10 (A) for evaluating the performance of districts
11 and campuses generally:

12 (i) an indicator that accounts for the
13 results of assessment instruments required under Sections
14 39.023(a), (c), and (l), as applicable for the district and campus,
15 including the results of assessment instruments required for
16 graduation retaken by a student, aggregated across grade levels by
17 subject area, including:

18 (a) for the performance standard
19 determined by the commissioner under Section 39.0241(a), the
20 percentage of students who performed satisfactorily on the
21 assessment instruments, aggregated across grade levels by subject
22 area; and

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

(ii) an indicator that accounts for the results of assessment instruments required under Section 39.023(b), as applicable for the district and campus, including the percentage of students who performed satisfactorily on the assessment instruments, as determined by the performance standard adopted by the agency, aggregated across grade levels by subject area; and

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

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

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

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

(iv) students who demonstrate military readiness:

(a) through verified enlistment ~~[enlist]~~ in the armed forces of the United States or the Texas National Guard;

(b) by achieving a passing score, as determined by the commissioner, on the Armed Services Vocational

1 Aptitude Battery test; or

2 (c) by successfully completing a
3 Junior Reserve Officer Training Corps program;

4 (v) students who earn industry
5 certifications;

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

9 (vii) students whose successful completion
10 of a course or courses under Section 28.014 indicates the student's
11 preparation to enroll and succeed, without remediation, in an
12 entry-level general education course for a baccalaureate degree or
13 associate degree;

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

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

24 (x) students who successfully completed an
25 OnRamps dual enrollment course;

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

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

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

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

(A) for assessment instruments, including assessment instruments under Subdivisions (1)(A)(i) and (ii), the percentage of students who met the standard for annual through-year instructional growth or improvement in reading language arts, mathematics, and science, 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 and ~~[7]~~ socioeconomic backgrounds~~[, and other factors, including:~~

~~[(A) students formerly receiving special education services,~~

~~[(B) students continuously enrolled, and~~

~~[(C) students who are mobile].~~

(c-4) In addition to the indicators adopted under Subsection (c), not later than the July 1 immediately preceding the school year for which the district requests consideration of an indicator described by this subsection, a school district may submit a request to the agency to consider in the student

achievement domain or the school progress domain, as provided by
Section 39.054(a-1)(2), one or more of the following student
engagement and workforce development indicators for use in
evaluating the performance of campuses that serve students in
prekindergarten through eighth grade:

(1) an indicator that accounts for the percentage of
students participating in school-sponsored extracurricular or
cocurricular student activities consistent with the findings of the
extracurricular and cocurricular student activity indicator study
required under Section 39.0533, as that section existed immediately
before September 1, 2023;

(2) for campuses that serve students in
prekindergarten, an indicator that accounts for student
participation in full-day prekindergarten programs;

(3) for campuses that serve students in kindergarten
through fifth grade, an indicator that accounts for teacher
completion rates of the literacy achievement academies and
mathematics achievement academies established under Sections
21.4552 and 21.4553;

(4) an indicator that accounts for students in grades
six, seven, and eight who successfully complete a career and
technology course approved for purposes of the career and
technology education allotment under Section 48.106; and

(5) an indicator that accounts for students who
successfully complete and receive credit for a course designated
for a grade higher than the grade in which the student is enrolled.

(c-5) Not later than September 1 following the date a school

district submits a request under Subsection (c-4), the commissioner shall notify the district regarding the commissioner's decision to approve or deny the request.

(f) Not later than July 15 of each year ~~[Annually]~~, the commissioner shall define and adopt the state standards ~~[standard]~~ for the current school year for each achievement indicator adopted under this subchapter in ~~[section. In]~~ consultation with educators, parents, and business and industry representatives, as necessary. The ~~[, the]~~ commissioner shall increase the rigor by which the commissioner determines the overall performance ratings under Section 39.054(a) ~~[establish and modify standards]~~ to continuously improve student performance to achieve, not later than the 15th anniversary after the date the commissioner modifies the performance standards under Subsection (f-1), the goals of:

(1) eliminating achievement gaps based on race, ethnicity, and socioeconomic status; and

(2) ensuring ~~[to ensure]~~ this state ranks nationally ~~[is a national leader]~~ in the top five states in preparing students for postsecondary success in comparison to states with similar student demographics and public education enrollment rates.

(f-1) The commissioner may increase the scores needed to achieve performance standards on indicators adopted under this subchapter only every fifth school year. The commissioner shall notify each school district of an increase in score under this subsection not later than two school years before the school year in which the agency intends to evaluate the performance of school districts and campuses under that increased score.

1 SECTION 10. Changes made to the accountability system and
2 ratings for school districts and open-enrollment charter schools
3 must be made or approved by the legislature by general law.

4 SECTION 11. The accountability rules in place as of July 15
5 of each year may not be modified at any point during that school
6 year beginning the following month of August.

7 SECTION 12. Section [39.023\(c-9\)](#), Education Code, is
8 repealed.

9 SECTION 13. This Act applies beginning with the 2025-2026
10 school year.

11 SECTION 14. This Act takes effect on the 91st day after the
12 end of the legislative session.