

BILL ANALYSIS

Senate Research Center

H.B. 4
By: Buckley et al. (Bettencourt)
Education K-16
5/20/2025
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The bill author has informed the committee that recent lawsuits and feedback from educational leaders underscore a growing need for reforms to the public school accountability system and the state testing program. H.B. 4 seeks to reconstruct both the state testing program and the metrics by which the success of public schools is evaluated to better enable both stakeholder involvement and responsiveness by, among other provisions, implementing an instructionally supportive state testing program, revising the manner in which indicators of achievement and public school performance ratings under the public school accountability system are modified and implemented, establishing a grant program for school district local accountability plans, and providing for actions challenging Texas Education Agency decisions related to public school accountability to be settled in a timely manner.

H.B. 4 amends current law relating to public school accountability, including the implementation of an instructionally supportive assessment program and the adoption and administration of assessment instruments in public schools, indicators of achievement and public school performance ratings under the public school accountability system, a grant program for school district local accountability plans, and actions challenging Texas Education Agency decisions related to public school accountability.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the State Board of Education is modified in SECTION 7 (Section 39.022, Education Code) of this bill.

Rulemaking authority is expressly granted to the State Board of Education in SECTION 8 (Section 39.023, Education Code) of this bill.

Rulemaking authority is expressly granted to the commissioner of education in SECTION 9 (Section 39.02301, Education Code), SECTION 16 (Section 39.053, Education Code), and SECTION 21 (Section 39.0544, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.185(b), Education Code, as follows:

(b) Requires that each plan adopted under Subsection (a) (relating to requiring the board of trustees of each school district to adopt and post early childhood literacy and mathematics proficiency plans) include certain provisions, including annual goals for aggregate student growth on the third grade reading language arts or mathematics assessment instrument, as applicable, administered under Section 39.023 (Adoption and Administration of Instruments) or on an alternative assessment instrument determined by the board of trustees.

SECTION 2. Amends Section 21.4552(c), Education Code, as follows:

(c) Requires the commissioner of education (commissioner), in adopting criteria for selecting teachers who may attend a literacy achievement academy, to include certain provisions, including requiring a teacher to attend a literacy achievement academy if the

teacher provides instruction in reading, mathematics, science, or social studies to students at the sixth, seventh, or eighth grade level at a campus that fails to satisfy any standard under Section 39.054(e) (relating to requiring that each annual review include an analysis of certain achievement indicators) on the basis of student performance on the reading language arts assessment instrument administered under Section 39.023(a) (relating to requiring the Texas Education Agency (TEA) to adopt or develop appropriate criterion-referenced assessment instruments) to students in any grade level at the campus.

SECTION 3. Amends Section 26.005, Education Code, as follows:

Sec. 26.005. ACCESS TO STATE ASSESSMENTS. (a) Creates this subsection from existing text and makes no further changes.

(b) Requires TEA to 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 TEA. Requires that student identifying information needed to access assessment information meet TEA 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 4. Amends Section 28.0211(a-8), Education Code, as follows:

(a-8) Requires a school district, if the district would otherwise be required to provide supplemental instruction to a student in more than two subject areas for a school year, to prioritize providing supplemental instruction to the student in mathematics and reading language arts, rather than in mathematics and reading, or Algebra I, English I, or English II, as applicable, for that school year.

SECTION 5. Amends Section 29.056(g), Education Code, as follows:

(g) Authorizes a district to 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) makes no changes to this subdivision;

(2) satisfactory performance on the reading language arts assessment instrument under Section 39.023(a) or 39.023(c) (relating to requiring TEA to adopt end-of-course assessment instruments for secondary-level courses in certain subjects), rather than 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 TEA; and

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

SECTION 6. Amends Section 29.1543, Education Code, as follows:

Sec. 29.1543. EARLY EDUCATION REPORTS. Requires that a report under this section contain certain information, including the number and percentage of students who perform satisfactorily on the third grade reading language arts or mathematics assessment instrument administered under Section 39.023, disaggregated by whether the student was eligible for free prekindergarten under Section 29.153 (Free Prekindergarten for Certain Children).

SECTION 7. Amends Section 39.022, Education Code, as follows:

Sec. 39.022. New heading: INSTRUCTIONALLY SUPPORTIVE ASSESSMENT PROGRAM. (a) Requires the State Board of Education (SBOE), to ensure school accountability for student achievement that achieves the goals provided under Section 4.002 (Public Education Academic Goals), by rule to create and implement an instructionally supportive state assessment program that provides for progress monitoring; is balanced, innovative, and streamlined; and is knowledge- and skills-based. Makes nonsubstantive changes.

(b) Provides that the primary objective of an instructionally supportive assessment program created and implemented under this section is to benefit the students of this state.

(c) Creates this subsection from existing text and makes a conforming change.

(d) Redesignates existing Subsection (b) as Subsection (d). Provides that it is the policy of this state that the instructionally supportive assessment program be designed to serve certain functions, rather than the statewide assessment program be designed to provide assessment instruments that are as short as practicable and minimize the disruption to the educational program. Makes nonsubstantive changes.

SECTION 8. Amends Section 39.023, Education Code, by amending Subsections (a), (a-1), (a-2), (a-3), (a-11), (a-12), (a-13), (b), (b-1), (c), (c-1), (c-8), (g), (h), and (n) and adding Subsections (a-5), (a-10), (o-1), (q), and (r), as follows:

(a) Requires TEA, in creating and implementing the instructionally supportive assessment program under Section 39.022, to adopt nationally norm-referenced assessment instruments that are capable of being administered at the beginning, middle, and end of the school year and designed to assess essential knowledge and skills in reading language arts, mathematics, and science, rather than to adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in reading, mathematics, social studies, and science. Requires all students, except as provided by Subsection (a-2) (relating to providing that a student is not required to be assessed in a subject otherwise assessed at the student's grade level in certain circumstances), other than students assessed under Subsection (b) or (l) (relating to requiring SBOE to adopt rules for the administration of the assessment instruments for emergent bilingual students) or exempted under Section 39.027, to be assessed in certain subjects in certain grades, including reading language arts, annually in grades three through eight. Deletes existing text requiring students to be assessed in social studies, in grade eight. Makes nonsubstantive changes.

(a-1) Requires that an assessment instrument adopted under Subsection (a) provide for the assessment of students in a manner that:

(1) ensures the score a student receives provides reliable information relating to a student's satisfactory performance for each performance standard under Section 39.0241;

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

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

(4) consists only of questions written at the appropriate reading level for the applicable grade level, as determined by Lexile measures or another research-based readability metric approved by TEA in coordination with the advisory committees established under Section 39.02302 (Advisory Committees for Assessment Instruments);

- (5) does not require a student to complete a separate, standalone essay or extended constructed response component;
- (6) for a reading language arts assessment, assesses writing skills through questions integrated within the context of the overall assessment;
- (7) is adaptive to each student-appropriate measurement of individual student performance and growth;
- (8) provides, not later than 24 hours after the date the assessment instrument is administered, detailed diagnostic reports of individual student results that include recommendations based on a student's performance on the assessment instrument for teachers and parents regarding practical and useful instructional strategies to better meet the individual needs of the student;
- (9) for a beginning-of-year or middle-of-year assessment instrument, includes instructional growth projections for individual students based on each student's results; and
- (10) for an end-of-year assessment, meets certain criteria.

Deletes existing text requiring TEA to develop assessment instruments required under Subsection (a) in a manner that allows, to the extent practicable, the score a student receives to provide reliable information relating to a student's satisfactory performance for each performance standard under Section 39.0241 (Performance Standards) and an appropriate range of performances to serve as a valid indication of growth in student achievement. Makes nonsubstantive changes.

(a-2)-(a-3) Makes conforming changes to these subsections.

(a-5) Requires TEA to 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-10) Requires that an assessment instrument adopted under Subsection (a) be administered as closely as possible to certain schedules.

(a-11) Makes a conforming change to this subsection.

(a-12) Requires that an assessment instrument adopted under Subsection (a) be designed to minimize the impact on student instructional time so that:

- (1) for a beginning-of-year or middle-of-year assessment instrument administered to students in grades three and four, 85 percent of students are expected to complete the assessment instrument within 60 minutes;
- (2) for a beginning-of-year or middle-of-year assessment instrument administered to students in grades five through eight, 85 percent of students are expected to complete the assessment instrument within 75 minutes; and
- (3) for an end-of-year assessment instrument administered to students in grades three through eight, 85 percent of students are expected to complete the assessment instrument within 90 minutes.

Deletes existing text prohibiting an assessment instrument adopted or developed under Subsection (a) from having more than three parts. Deletes existing text requiring that a part of an assessment instrument be designed so that, if administered to students in grades three and four, 85 percent of students will be able to complete that part within 60 minutes

and, if administered to students in grades five through eight, 85 percent of students will be able to complete that part within 75 minutes.

(a-13) Provides that the amount of time allowed for administration of an assessment instrument in reading language arts, mathematics, or science adopted under Subsection (a) is prohibited from exceeding six, rather than eight, hours, and the administration is authorized to occur in multiple parts over more than one day. Makes a conforming change.

(b) Requires TEA to adopt appropriate nationally norm-referenced alternative assessment instruments to be administered to each student in a special education program under Subchapter A (Special Education Program), Chapter 29 (Educational Programs), for whom an assessment instrument adopted under Subsection (a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student's admission, review, and dismissal committee, rather than as determined by the student's admission, review, and dismissal committee, including assessment instruments approved by the commission that measure growth.

Deletes existing text requiring that the assessment instruments developed or adopted under this subsection, including the assessment instruments approved by the commissioner, to the extent allowed under federal law, provide a district with options for the assessment of students under this subsection. Makes conforming changes.

(b-1) Makes a conforming change to this subsection.

(c) Requires TEA to also adopt end-of-course assessment instruments for secondary-level courses in reading language arts, mathematics, and science, for the purpose of complying with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.), to be administered only as necessary to meet the minimum requirements of that law, rather than end-of-course assessment instruments for secondary-level courses in Algebra I, biology, English I, English II, and United States history.

Deletes existing text providing that the Algebra I end-of-course assessment instrument is required to be administered with the aid of technology, but is authorized to include one or more parts that prohibit the use of technology. Deletes existing text requiring that the English I and English II end-of-course assessment instruments each assess essential knowledge and skills in both reading and writing and provide a single score.

(c-1) Requires that an assessment instrument adopted by TEA allow for the measurement of annual improvement in student achievement as required by certain provisions of Section 39.034. Deletes existing text requiring TEA to develop any assessment instrument under this section in a manner that allows for the measurement of annual improvement in student achievement as required by certain provisions of Section 39.034 (Measure of Annual Improvement in Student Achievement).

(c-8) Prohibits more than 25 percent of the available points on an assessment instrument adopted under Subsection (a) or (c) from being attributable to questions presented as technology-enhanced or constructed-response items. Deletes existing text prohibiting more than 75 percent of the available points on an assessment instrument developed under Subsection (a) or (c), beginning with the 2022–2023 school year, from being attributable to questions presented in a multiple choice format.

(g) Makes a conforming change to this subsection.

(h) Requires TEA to notify school districts and campuses of the results of end-of-year and end-of-course assessment instruments administered under this section and preliminary academic accountability ratings assigned to the district and campus by TEA based on those results not later than the 14th, rather than 21st, day after the date the applicable end-of-year or end-of-course assessment instrument is administered.

(n) Makes conforming changes to this subsection.

(o-1) Provides that TEA is required to adopt the following optional assessment instruments that a school district or open-enrollment charter school may elect to administer: an assessment instrument in social studies for students in grade eight and an end-of-course assessment instrument for United States history.

(q) Requires TEA, if there is a conflict between this section and a federal law or regulation, including the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.), to seek a waiver from the application of the conflicting federal law or regulation.

(r) Requires SBOE, notwithstanding any provision of this section or other law, if changes to federal law or regulations, including the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.), reduce the number or frequency of assessment instruments required to be administered to students, to adopt rules reducing the number or frequency of assessment instruments required to be administered to students under state law, and requires TEA to ensure that students are not required to be assessed in subject areas or in grade levels that are no longer required to meet the minimum requirements of the law.

SECTION 9. Amends Subchapter B, Chapter 39, Education Code, by adding Section 39.02301, as follows:

Sec. 39.02301. **OPTIONAL USE OF WRITING PORTFOLIO ASSESSMENT.** (a) Authorizes a school district to elect to use a writing portfolio assessment to assess writing performance for students enrolled in the district as an alternative to administering a portion of a reading language arts assessment instrument under Section 39.023(a) or reading language arts end-of-course assessment instrument under Section 39.023(c) that is not presented in a multiple choice format.

(b) Requires a school district that elects to use a writing portfolio assessment under this section to design the assessment in consultation with a public or private institution of higher education and submit the assessment to TEA for approval. Requires TEA to approve the assessment if the assessment meets certain criteria.

(c) Authorizes a school district that elects to use a writing portfolio assessment under this section to adopt a policy allowing the assessment to be scored by a classroom teacher assigned to the same campus as the student to whom the assessment is administered. Authorizes the district to coordinate with the regional education service center for the district's region in grading the assessments.

(d) Provides that a school district that elects to use a writing portfolio assessment under this section is not required to administer the portion of a reading language arts assessment instrument under Section 39.023(a) or reading language arts end-of-course assessment instrument under Section 39.023(c) that is not presented in a multiple choice format during the period the district is administering the writing portfolio assessment. Requires TEA, to the greatest extent practicable, to apply cost savings that result from the exemption under this subsection to offset the costs accrued under this section.

(e) Requires the commissioner to adopt rules as necessary to implement this section.

SECTION 10. Amends Section 39.0237, Education Code, as follows:

Sec. 39.0237. New heading: **CONSIDERATION OF PREKINDERGARTEN THROUGH SECOND GRADE ASSESSMENT INSTRUMENTS PROHIBITED.** Prohibits performance on an assessment instrument administered to students in prekindergarten, kindergarten, first grade, or second grade from being considered for any purpose under this chapter or Chapter 39A (Accountability Interventions and Sanctions).

SECTION 11. Amends Sections 39.025(a-1) and (a-3), Education Code, to make conforming changes.

SECTION 12. Amends Section 39.027(e), Education Code, to require the commissioner to adopt, rather than develop, a norm-referenced assessment system that is required to be used for evaluating the academic progress, including reading proficiency in English, of all emergent bilingual students, as defined by Section 29.052, and to make conforming changes.

SECTION 13. Amends Section 39.028, Education Code, to make a conforming change.

SECTION 14. Amends Subchapter C, Chapter 39, Education Code, by adding Section 39.0511, as follows:

Sec. 39.0511. WAIVER REQUEST FOR CERTAIN FEDERAL ACCOUNTABILITY-RELATED REQUIREMENTS. (a) Provides that this section applies to a school district campus in which at least 90 percent of the students receive special education services under Subchapter A, Chapter 29.

(b) Requires the commissioner, not later than January 1, 2026, to apply to the United States Department of Education for a waiver of requirements under the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) related to the rate of participation in the assessment program and high school graduation rates for each school district campus to which this section applies.

(c) Provides that this section expires September 1, 2027.

SECTION 15. Amends Subchapter C, Chapter 39, Education Code, by adding Section 39.0521, as follows:

Sec. 39.0521. ASSIGNMENT OF PERFORMANCE RATINGS FOR 2025-2026 SCHOOL YEAR. (a) Provides that, notwithstanding any other law, a reference in this title to the overall performance rating assigned to a district or campus under Section 39.054(a) or to a domain performance rating assigned to a district or campus under that subsection for the 2025–2026 school year means the higher of the overall performance rating or the applicable domain performance rating the school district or campus received for the 2024–2025 school year or the overall performance rating or the applicable domain performance rating the school district or campus received for the 2025–2026 school year.

(b) Provides that this section expires August 31, 2026.

SECTION 16. Amends Section 39.053, Education Code, by amending Subsections (a), (c), and (f) and adding Subsections (c-4), (c-5), and (f-1), as follows:

(a) Requires the commissioner to adopt rules as necessary to implement Section 39.053 (Performance Indicators; Achievement). Prohibits the commissioner from modifying the domains or performance indicators adopted under Subchapter C (Accreditation) unless the legislature provides written approval for modifications. Deletes existing text requiring the commissioner to adopt a set of indicators of the quality of learning and achievement, including the indicators under Subsection (c). Deletes existing text requiring the commissioner to periodically review the indicators for the consideration of appropriate revisions.

(c) Requires school districts and campuses to be evaluated based on three domains of indicators of achievement adopted under this section that include:

(1) in the student achievement domain, certain indicators of student achievement that are required to include, for evaluating the performance of high school campuses and districts that include high school campuses, indicators that account for students who demonstrate military readiness through verified enlistment, rather than for students who enlist, in the armed forces of the United States or the

Texas National Guard; by achieving a passing score, as determined by the commissioner, on the Armed Services Vocational Aptitude Battery test; or by successfully completing a Junior Reserve Officer Training Corps program;

(2) in the school progress domain, certain indicators for effectiveness in promoting student learning, which are required to include, for assessment instruments, including assessment instruments under certain provisions of Subdivision (1), 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

(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 socioeconomic backgrounds, rather than different racial and ethnic groups, socioeconomic backgrounds, and other factors, including students formerly receiving special education services, students continuously enrolled, and students who are mobile.

Makes a conforming change to this subsection.

(c-4) Authorizes a school district, 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, to submit a request to TEA 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 certain student engagement and workforce development indicators for use in evaluating the performance of campuses that serve students in prekindergarten through eighth grade.

(c-5) Requires the commissioner, not later than September 1 following the date a school district submits a request under Subsection (c-4), to notify the district regarding the commissioner's decision to approve or deny the request.

(f) Requires the commissioner, not later than July 15 of each year, to define and adopt the state standards for the current school year for each achievement indicator adopted under this subchapter in consultation with educators, parents, and business and industry representatives, as necessary. Requires the commissioner to increase the rigor by which the commissioner determines the overall performance ratings under Section 39.054(a) 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), certain goals, including ensuring this state ranks nationally in the five states in preparing students for postsecondary success in comparison to states with similar student demographics and public education enrollment rates. Makes nonsubstantive changes.

Deletes existing text requiring the commissioner, annually, to define the state standard for the current school year for each achievement indicator adopted under this section. Deletes existing text requiring the commissioner, in consultation with educators, parents, and business and industry representatives, as necessary, to establish and modify standards to continuously improve student performance to achieve the goals of eliminating achievement gaps based on race, ethnicity, and socioeconomic status and to ensure this state is a national leader in preparing students for postsecondary success. Makes nonsubstantive changes.

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

SECTION 17. Amends Subchapter C, Chapter 39, Education Code, by adding Section 39.0531, as follows:

Sec. 39.0531. INDUSTRY CERTIFICATION LIST. (a) Requires TEA, the Texas Higher Education Coordinating Board (THECB), and the Texas Workforce Commission (TWC) to jointly develop and make available a list of industry certifications that are eligible for the purposes of Section 39.053(c)(1)(B)(v) (relating to requiring school districts and campuses that include high schools to be evaluated based on a student achievement indicator regarding students who earn industry certifications). Requires TEA, THECB, and TWC, in developing the list, to adhere to the requirements for inclusion in the credential library established under Section 2308A.007, Government Code and consider the inventory of industry-recognized certifications developed under Section 312.003 (Inventory of Credentials and Certificates), Labor Code.

(b) Requires that the industry certifications included in the list under Subsection (a) meet certain requirements.

(c) Requires TEA, THECB, and TWC to regularly review and, if necessary, update the eligibility of industry certifications under Subsection (a), including whether the programs of study for those certifications still meet the requirements under that subsection in consultation with the advisory council established under Chapter 312 (Industry-Based Certification Advisory Council), Labor Code and, to the extent practicable, concurrently with the modification of performance standards under Section 39.053(f-1).

(d) Requires TEA, THECB, and TWC, if, after reviewing an industry certification under Subsection (c), the agencies jointly determine the certification is no longer eligible for purposes of Section 39.053(c)(1)(B)(v) and should be removed from the list maintained under Subsection (a), to the extent practicable, to post on the agencies' respective Internet websites information regarding the removal of the certification not later than two years before the date the agencies intend to remove the certification from the list.

(e) Provides that a school district, during the three years following a determination under Subsection (d) that an industry certification is no longer eligible for purposes of Section 39.053(c)(1)(B)(v), is authorized to receive the benefit of achievement indicators based on that industry certification for purposes of Section 39.053(c) only for a cohort of students who were participating in the program of study aligned with that certification during the school year TEA determines the certification is no longer eligible and earn the certification within the three-year period.

SECTION 18. Amends Section 39.054, Education Code, by amending Subsections (a-1) and (b) and adding Subsections (f) and (g), as follows:

(a-1) Requires the commissioner, for purposes of assigning an overall performance rating for a district or campus under Subsection (a), to:

(1) makes a nonsubstantive change to this subdivision;

(2) for campuses that serve students in prekindergarten through eighth grade, attribute not less than 10 percent of the performance rating under the student achievement domain under Section 39.053(c)(1) or the school progress domain under Section 39.053(c)(2), whichever performance rating is higher, to the student engagement and workforce development indicators described by Section 39.053(c-4) and approved by the commissioner under Section 39.053(c-5);

(3) attribute not more than five percent, rather than not less than 30 percent, of the performance rating to the closing the gaps domain under Section 39.053(c)(3);

(4) for campuses that serve grades three through eight:

(A) attribute not less than 50 percent of the domain performance rating for the student achievement domain under Section 39.053(c)(1) to the indicators adopted under Section 39.053(c)(1)(A) (relating to requiring school districts and campuses generally to be evaluated based on certain achievements in the student achievement domain);

(B) attribute 100 percent of the score for the indicators adopted under Section 39.053(c)(1)(A) to student performance on end-of-year assessment instruments and are prohibited from considering the results of beginning-of-year and middle-of-year assessment instruments when scoring those indicators; and

(C) attribute 100 percent of the score for the indicator adopted under Section 39.053(c)(2)(A) (relating to requiring school districts and campuses to be evaluated based on the percentage of students who met the standard for improvement in the school progress domain) to student performance on annual through-year instructional growth in assigning the domain performance rating for the school progress domain under Section 39.053(c)(2); and

(5) for campuses that serve grades 9 through 12, for the student achievement domain under Section 39.053(c)(1), attribute not more than:

(A) 40 percent of the domain performance rating to the indicators adopted under Section 39.053(c)(1)(A);

(B) 40 percent of the domain performance rating to the college, career, and military readiness indicators adopted under Section 39.053(c)(1)(B); and

(C) 20 percent of the domain performance rating to graduation rates.

(b) Requires the commissioner, for purposes of assigning school districts and campuses an overall and a domain performance rating under Subsection (a), to ensure that:

(1) if TEA adds or removes an assessment instrument on which student performance is evaluated for the purpose of assigning district and campus performance ratings or makes significant revisions to the state's assessment program, TEA is required to review, adjust, and recalculate the cut scores and standards used in evaluating district and campus performance to ensure fairness and consistency in the assignment of district and campus performance ratings;

(2) the overall performance rating and each domain performance rating an elementary school, middle or junior high school, or high school campus receives has minimal or no statistical correlation to the percentage of educationally disadvantaged students enrolled at the campus in order to identify effective campuses regardless of student family income;

(3) any changes made to the college, career, or military readiness indicators adopted under Section 39.053(c)(1)(B) (relating requiring school districts and campuses to be evaluated based on certain achievement indicators for the performance of high school campuses and districts that include high school campuses) or to the methodology that relies on data from those indicators for the preceding school year take effect beginning with students entering ninth grade in the school year immediately following the change, regardless of whether the change was made statutorily or by commissioner rule;

(4) a campus that is in the first year of operation, that is assigned a new campus identification number, or that is significantly impacted by demographic shifts due

to rezoning, closure, or consolidation is not evaluated in the closing the gaps domain under Section 39.053(c)(3) for the first year following the applicable event; and

(5) creates this subdivision from existing text and makes no further changes.

(f) Requires the commissioner, if the provisions of the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) regarding public school accountability and assessment requirements are repealed or otherwise no longer have effect, to reallocate any percentage of the overall performance ratings attributable to the indicators adopted under Section 39.053(c)(3) to the student engagement and workforce development indicators described by Section 39.053(c-4), if applicable.

(g) Requires a school district or campus, if TEA fails to assign a performance rating to the school district or campus before the deadline established by Subsection (a-3), to be automatically reissued the performance rating assigned to the district or campus for the preceding school year. Provides that a performance rating assigned under this subsection remains in effect for all official purposes, including any interventions or sanctions under Chapter 39A, until TEA assigns the district or campus a new rating.

SECTION 19. Amends Section 39.0541, Education Code, as follows:

Sec. 39.0541. New heading: ADOPTION OF STANDARDS. (a) Creates this subsection from existing text. Requires the commissioner to adopt performance standards under Sections 39.0241 and 39.053(f) not later than the July 15 immediately preceding the school year for which the commissioner intends to assign school district and campus performance ratings under Section 39.054 based on those standards. Requires that district and campus performance ratings for that school year, if the commissioner does not adopt performance standards by the date required under this subsection for a school year, be based on the performance standards in effect for the preceding school year.

Deletes existing text authorizing the commissioner to adopt indicators and standards under this subchapter at any time during a school year before the evaluation of a school district or campus.

(b) Provides that the commissioner is authorized to modify the standards, methods, measures, or procedures used to evaluate school districts and campuses and assign performance ratings on or after the date described by Subsection (a) only with the express approval of the legislature.

SECTION 20. Amends Section 39.0542(a), Education Code, as follows:

(a) Requires the commissioner, not later than July 15 of each year, rather than each school year, to provide each school district a document in a simple, accessible format that explains the accountability performance standards adopted under Sections 39.0241 and 39.053(f) for the following school year and the measures, methods, and procedures that will be applied for that school year in assigning each school district and campus a performance rating under Section 39.054 (Methods and Standards for Evaluation Performance).

SECTION 21. Amends Section 39.0544, Education Code, by adding Subsections (f) and (g), as follows:

(f) Requires TEA, from money appropriated or otherwise available for the purpose, to establish a grant program to assist at least one school district in each education service center region in developing a local accountability plan that complies with the requirements of Section 39.0544 (Local Accountability System).

(g) Authorizes the commissioner to adopt rules as necessary to implement this section, including rules applying to a school district applying for a grant under Subsection (f).

Authorizes a district, if the commissioner awards a grant to the district and has not adopted rules applying to the district, to select and collaborate with a third-party organization with expertise in assessment and accountability to develop a local accountability plan.

SECTION 22. Amends Subchapter F, Chapter 39, Education Code, by adding Section 39.152, as follows:

Sec. 39.152. LIMITATION ON ACTIONS CHALLENGING CERTAIN AGENCY DECISIONS; EXPEDITED APPEALS. (a) Provides that a school district or open-enrollment charter school is authorized to bring an action challenging a decision that is made by TEA under Chapter 39 (Public School System Accountability) and that is based on the lawful exercise of discretion granted to TEA by the legislature only if the district's or school's petition alleges TEA's decision is unconstitutional, arbitrary, capricious, or without lawful authority.

(b) Requires a trial court, in an action brought by a school district or open-enrollment charter school described by Subsection (a), to expedite the action and render a final order or judgment not later than the 60th day after the date each defendant has filed an answer or other pleading responsive to the petition. Authorizes the trial court to extend the time period within which the court is required to render a final order or judgment under this subsection by not more than 30 additional days for good cause. Authorizes the trial court to set deadlines for discovery, briefing, trial, and all other proceedings necessary to render a final order or judgment in accordance with this subsection.

(c) Requires the appellate court, if a final order or judgment described by Subsection (b) is appealed, to expedite the appeal and render a final order or judgment not later than the 60th day after the date the appeal is filed. Authorizes the appellate court to extend the time period within which the court is required to render a final order or judgment under this subsection by not more than 30 additional days for good cause. Authorizes the appellate court to set deadlines for briefing, oral argument, and all other proceedings necessary to render a final order or judgment in accordance with this subsection.

(d) Authorizes a court to grant any appropriate relief to a prevailing party in an action brought by a school district or open-enrollment charter school described by Subsection (a).

SECTION 23. Amends Section 39.203(c), Education Code, to make conforming changes.

SECTION 24. Amends Section 39A.064(a), Education Code, as follows:

(a) Authorizes the commissioner, notwithstanding any other law, rather than notwithstanding Section 39A.0545(b) (relating to requiring the commissioner to adopt rules to develop and implement alternative methods and standards for evaluating the performance of certain campuses) or any other law, to require a school district or open-enrollment charter school to comply with all requirements of the strong foundations grant program under Section 29.0881 (Strong Foundations Grant Program) at certain campuses. Makes a conforming change.

SECTION 25. Amends Subchapter C, Chapter 39A, Education Code, by adding Section 39A.1111, as follows:

Sec. 39A.1111. GRACE PERIOD FOR CERTAIN CAMPUSES. (a) Prohibits the commissioner, notwithstanding Section 39A.111 (Continued Unacceptable Performance Rating), from taking action under that section against a campus ordered to prepare and submit a campus turnaround plan under Section 39A.101 (Order for Preparation of Campus Turnaround Plan) during the 2024–2025 school year until the second anniversary of the date on which the campus implements a campus turnaround plan.

(b) Provides that this section expires September 1, 2031.

SECTION 26. Amends Section 2308A.007, Government Code, as follows:

Sec. 2308A.007. CREDENTIAL LIBRARY. (a) Requires, rather than authorizes, THECB and TWC to establish a publicly accessible web-based library of credentials, such as diplomas, certificates, certifications, digital badges, apprenticeships, licenses, or degrees, that meet certain requirements.

(a-1) Requires that the credential library established under this section include certain information, including the list of industry certifications developed under Section 39.0531, Education Code, and ensure data interoperability between relevant state agencies. Makes nonsubstantive changes.

(b) Requires THECB and TWC to jointly designate a host agency to contract with an experienced and recognized third-party vendor, rather than authorizes THECB and TWC to jointly designate a host agency or operating entity, for the credential library established under this section. Makes a nonsubstantive change.

(c) Makes a nonsubstantive change to this subsection.

SECTION 27. Repealer: Section 39.023(c-9) (relating to requiring that the United States history end-of-course assessment instrument include certain information), Education Code.

SECTION 28. Makes application of Section 39.152, Education Code, as added by this Act, prospective to September 1, 2025.

SECTION 29. Provides that, except as otherwise provided by this Act, this Act applies beginning with the 2025–2026 school year.

SECTION 30. Effective date: upon passage or September 1, 2025.