

By: Metcalf

H.B. No. 3470

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the administration of assessment instruments in public
3 schools, eliminating the requirement to use public school
4 assessment instruments as a criterion for promotion or graduation,
5 and the temporary suspension of certain accountability
6 determinations for a school district or campus in a school year in
7 which the operations of the district or campus are disrupted as a
8 result of a declared disaster.

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

10 SECTION 1. Section 12.257(b), Education Code, is amended to
11 read as follows:

12 (b) A charter granted under this subchapter must:

13 (1) include a description of the adult education
14 program to be offered under this subchapter; and

15 (2) establish specific, objective standards for
16 receiving a high school diploma, including[+]

17 [~~(A)~~] successful completion of:

18 (A) [~~(i)~~] if applicable to the program
19 participant, the curriculum requirements under Section 28.025; or

20 (B) [~~(ii)~~] the appropriate curriculum
21 requirements applicable to the program participant [~~, and~~

22 [~~(B) satisfactory performance on the~~
23 ~~standardized secondary exit-level assessment instrument described~~

24 ~~by Section 12.260].~~

1 SECTION 2. Section 12.258(a), Education Code, is amended to
2 read as follows:

3 (a) A person who is at least 18 years of age and not more
4 than 50 years of age is eligible to enroll in an adult education
5 program operated under a charter granted under this subchapter if
6 the person:

7 (1) has failed to complete the curriculum requirements
8 for high school graduation; or

9 (2) has failed to perform satisfactorily on an
10 assessment instrument that, before the 2025-2026 school year, was
11 required for high school graduation.

12 SECTION 3. Section 12.260(b), Education Code, is amended to
13 read as follows:

14 (b) The commissioner, in cooperation with the advisory
15 committee established under Section 12.254, shall determine the
16 level of performance considered to be satisfactory on the secondary
17 exit-level assessment instrument adopted under Subsection (a) [~~for~~
18 ~~receipt of a high school diploma by a program participant in an~~
19 ~~adult education program operated under a charter granted under this~~
20 ~~subchapter~~].

21 SECTION 4. Section 18.005(c), Education Code, is amended to
22 read as follows:

23 (c) A Job Corps diploma program shall:

24 (1) develop educational programs specifically
25 designed for persons eligible for enrollment in a Job Corps
26 training program established by the United States Department of
27 Labor;

1 (2) coordinate educational programs and services in
2 the diploma program with programs and services provided by the
3 United States Department of Labor and other federal and state
4 agencies and local political subdivisions and by persons who
5 provide programs and services under contract with the United States
6 Department of Labor;

7 (3) provide a course of instruction that includes the
8 required curriculum under Subchapter A, Chapter 28; and

9 (4) ~~[require that students enrolled in the diploma
10 program satisfy the requirements of Section 39.025 before receiving
11 a diploma under this chapter; and~~

12 ~~(5)~~ comply with a requirement imposed under this
13 title or a rule adopted under this title relating to the Public
14 Education Information Management System (PEIMS) to the extent
15 necessary to determine compliance with this chapter, as determined
16 by the commissioner.

17 SECTION 5. Section 19.0043(b), Education Code, is amended
18 to read as follows:

19 (b) A student may graduate and receive a diploma from a
20 Windham School District educational program if:

21 (1) the student successfully completes the curriculum
22 requirements identified by the State Board of Education under
23 Section 28.025(a) ~~[and complies with Section 39.025]~~; or

24 (2) the student successfully completes the curriculum
25 requirements under Section 28.025(a) as modified by an
26 individualized education program developed under Section 29.005.

27 SECTION 6. Section 25.005(b), Education Code, is amended to

1 read as follows:

2 (b) A reciprocity agreement must:

3 (1) address procedures for:

4 (A) transferring student records; and

5 (B) awarding credit for completed course work;

6 and

7 [~~(C) permitting a student to satisfy the~~
8 ~~requirements of Section 39.025 through successful performance on~~
9 ~~comparable end-of-course or other exit-level assessment~~
10 ~~instruments administered in another state; and]~~

11 (2) include appropriate criteria developed by the
12 agency.

13 SECTION 7. Section 28.021(c), Education Code, is amended to
14 read as follows:

15 (c) In determining promotion under Subsection (a), a school
16 district shall consider:

17 (1) the recommendation of the student's teacher;

18 (2) the student's grade in each subject or course; and

19 (3) [~~the student's score on an assessment instrument~~
20 ~~administered under Section 39.023(a), (b), or (1), to the extent~~
21 ~~applicable; and~~

22 [~~(4)~~] any other necessary academic information, as
23 determined by the district.

24 SECTION 8. Section 28.0211(a-8), Education Code, is amended
25 to read as follows:

26 (a-8) A school district may not be required to provide
27 supplemental instruction under Subsection (a-1)(2) to a student in

1 more than two subject areas per school year. If the district would
2 otherwise be required to provide supplemental instruction to a
3 student in more than two subject areas for a school year, the
4 district shall prioritize providing supplemental instruction to
5 the student in mathematics and reading[~~, or Algebra I, English I, or~~
6 ~~English II, as applicable,~~] for that school year.

7 SECTION 9. Sections 28.025(b-7), (c), and (e), Education
8 Code, are amended to read as follows:

9 (b-7) The State Board of Education, in coordination with the
10 Texas Higher Education Coordinating Board, shall adopt rules to
11 ensure that a student may comply with the curriculum requirements
12 under the foundation high school program or for an endorsement
13 under Subsection (c-1) by successfully completing appropriate
14 courses in the core curriculum of an institution of higher
15 education under Section 61.822. Notwithstanding Subsection (b-15)
16 or (c) [~~of this section, Section 39.025,~~] or any other provision of
17 this code and notwithstanding any school district policy, a student
18 who has completed the core curriculum of an institution of higher
19 education under Section 61.822, as certified by the institution in
20 accordance with commissioner rule, is considered to have earned a
21 distinguished level of achievement under the foundation high school
22 program and is entitled to receive a high school diploma from the
23 appropriate high school as that high school is determined in
24 accordance with commissioner rule. A student who is considered to
25 have earned a distinguished level of achievement under the
26 foundation high school program under this subsection may apply for
27 admission to an institution of higher education for the first

1 semester or other academic term after the semester or other
2 academic term in which the student completes the core curriculum.

3 (c) A person may receive a diploma if the person is eligible
4 for a diploma under Section 28.0251. In other cases, a student may
5 graduate and receive a diploma only if:

6 (1) the student successfully completes the curriculum
7 requirements identified by the State Board of Education under
8 Subsection (a) and complies with Section [~~Sections~~] 28.0256 [~~and~~
9 ~~39.025~~]; or

10 (2) the student successfully completes an
11 individualized education program developed under Section 29.005.

12 (e) Each school district shall report the academic
13 achievement record of students who have completed the foundation
14 high school program on transcript forms adopted by the State Board
15 of Education. [~~The transcript forms adopted by the board must be~~
16 ~~designed to clearly identify whether a student received a diploma~~
17 ~~or a certificate of coursework completion.~~]

18 SECTION 10. Sections 28.02541(a) and (d), Education Code,
19 are amended to read as follows:

20 (a) This section applies only to a student who:

21 (1) entered the ninth grade before the 2011-2012
22 school year; and

23 (2) successfully completed the curriculum
24 requirements for high school graduation applicable to the student
25 when the student entered the ninth grade[~~+~~

26 [~~(3) has not performed satisfactorily on an assessment~~
27 ~~instrument or a part of an assessment instrument required for high~~

1 ~~school graduation, including an alternate assessment instrument~~
2 ~~offered under Section 39.025(c-2); and~~

3 ~~[(4) has been administered the assessment instrument~~
4 ~~or the part of the assessment instrument for which the student has~~
5 ~~not performed satisfactorily at least three times].~~

6 (d) In adopting rules under Subsection (c)(2), the
7 commissioner may authorize as an alternative requirement:

8 (1) ~~[an alternative assessment instrument and~~
9 ~~performance standard for that assessment instrument;~~

10 ~~[(2)]~~ work experience; or

11 (2) ~~[(3)]~~ military or other relevant life experience.

12 SECTION 11. Section 28.02591(a), Education Code, is amended
13 to read as follows:

14 (a) The Texas Higher Education Coordinating Board, in
15 coordination with the agency, shall collect longitudinal data
16 relating to the post-graduation pursuits of each student who is
17 awarded a diploma based on the determination of an individual
18 graduation committee under former Section 28.0258, as that section
19 existed on January 1, 2025, including whether the student:

20 (1) enters the workforce;

21 (2) enrolls in an associate degree or certificate
22 program at a public or private institution of higher education;

23 (3) enrolls in a bachelor's degree program at a public
24 or private institution of higher education; or

25 (4) enlists in the armed forces of the United States or
26 the Texas National Guard.

27 SECTION 12. Section 29.081(b-1), Education Code, is amended

1 to read as follows:

2 (b-1) Each school district shall offer before the next
3 scheduled administration of the assessment instrument, without
4 cost to the student, additional accelerated instruction to each
5 student in any subject in which the student failed to perform
6 satisfactorily on an end-of-course assessment instrument listed in
7 Section 39.023(c) [~~required for graduation~~].

8 SECTION 13. Section 29.402(c), Education Code, is amended
9 to read as follows:

10 (c) A public junior college under this section shall:

11 (1) design a dropout recovery curriculum that includes
12 career and technology education courses that lead to industry or
13 career certification;

14 (2) integrate into the dropout recovery curriculum
15 research-based strategies to assist students in becoming able
16 academically to pursue postsecondary education, including:

17 (A) high quality, college readiness instruction
18 with strong academic and social supports;

19 (B) secondary to postsecondary bridging that
20 builds college readiness skills, provides a plan for college
21 completion, and ensures transition counseling; and

22 (C) information concerning appropriate supports
23 available in the first year of postsecondary enrollment to ensure
24 postsecondary persistence and success, to the extent funds are
25 available for the purpose;

26 (3) offer advanced academic and transition
27 opportunities, including dual credit courses and college

1 preparatory courses, such as advanced placement courses; and

2 (4) coordinate with each partnering school district to
3 provide in the articulation agreement that the district retains
4 accountability for student attendance and~~[~~ student completion of
5 high school course requirements~~], and student performance on~~
6 ~~assessment instruments]~~ as necessary for the student to receive a
7 diploma from a high school of the partnering school district.

8 SECTION 14. Section 30.021(e), Education Code, is amended
9 to read as follows:

10 (e) The school shall cooperate with public and private
11 agencies and organizations serving students and other persons with
12 visual impairments in the planning, development, and
13 implementation of effective educational and rehabilitative service
14 delivery systems associated with educating students with visual
15 impairments. To maximize and make efficient use of state
16 facilities, funding, and resources, the services provided in this
17 area may include conducting a cooperative program with other
18 agencies to serve students who have graduated from high school by
19 completing all academic requirements applicable to students in
20 regular education~~], excluding satisfactory performance under~~
21 ~~Section 39.025,~~ who are younger than 22 years of age on September 1
22 of the school year and who have identified needs related to
23 vocational training, independent living skills, orientation and
24 mobility, social and leisure skills, compensatory skills, or
25 remedial academic skills.

26 SECTION 15. Section 30.104(b), Education Code, is amended
27 to read as follows:

1 (b) A student may graduate and receive a diploma from a
2 department educational program if:

3 (1) the student successfully completes the curriculum
4 requirements identified by the State Board of Education under
5 Section 28.025(a) [~~and complies with Section 39.025~~]; or

6 (2) the student successfully completes the curriculum
7 requirements under Section 28.025(a) as modified by an
8 individualized education program developed under Section 29.005.

9 SECTION 16. Section 32.258(b), Education Code, is amended
10 to read as follows:

11 (b) The system established under Subsection (a) shall
12 provide a means for a student or the student's parent or other
13 person standing in parental relationship to track the student's
14 progress on assessment instruments administered under Section
15 39.023 [~~instrument requirements for graduation~~].

16 SECTION 17. Section 39.003(a), Education Code, is amended
17 to read as follows:

18 (a) The commissioner may authorize special investigations
19 to be conducted:

20 (1) when excessive numbers of absences of students
21 eligible to be tested on state assessment instruments are
22 determined;

23 (2) when excessive numbers of allowable exemptions
24 from the required state assessment instruments are determined;

25 (3) in response to complaints submitted to the agency
26 with respect to alleged violations of civil rights or other
27 requirements imposed on the state by federal law or court order;

1 (4) in response to established compliance reviews of
2 the district's financial accounting practices and state and federal
3 program requirements;

4 (5) when extraordinary numbers of student placements
5 in disciplinary alternative education programs, other than
6 placements under Sections 37.006 and 37.007, are determined;

7 (6) in response to an allegation involving a conflict
8 between members of the board of trustees or between the board and
9 the district administration if it appears that the conflict
10 involves a violation of a role or duty of the board members or the
11 administration clearly defined by this code;

12 (7) when excessive numbers of students in special
13 education programs under Subchapter A, Chapter 29, are assessed
14 through assessment instruments developed or adopted under Section
15 39.023(b);

16 (8) in response to an allegation regarding or an
17 analysis using a statistical method result indicating a possible
18 violation of an assessment instrument security procedure
19 established under Section 39.0301, including for the purpose of
20 investigating or auditing a school district under that section;

21 (9) when a significant pattern of decreased academic
22 performance has developed as a result of the promotion in the
23 preceding two school years of students who did not perform
24 satisfactorily as determined by the commissioner under Section
25 39.0241(a) on assessment instruments administered under Section
26 39.023(a), (c), or (l);

27 (10) when excessive numbers of students eligible to

1 enroll fail to complete an Algebra II course or any other advanced
2 course as determined by the commissioner;

3 (11) when resource allocation practices as evaluated
4 under Section 39.0821 indicate a potential for significant
5 improvement in resource allocation;

6 (12) when a disproportionate number of students of a
7 particular demographic group is graduating with a particular
8 endorsement under Section 28.025(c-1);

9 (13) when an excessive number of students is
10 graduating with a particular endorsement under Section
11 28.025(c-1);

12 (14) in response to a complaint submitted to the
13 agency with respect to alleged inaccurate data that is reported
14 through the Public Education Information Management System (PEIMS)
15 or through other reports required by state or federal law or rule or
16 court order and that is used by the agency to make a determination
17 relating to public school accountability, including accreditation,
18 under this chapter;

19 ~~(15) [when 10 percent or more of the students~~
20 ~~graduating in a particular school year from a particular high~~
21 ~~school campus are awarded a diploma based on the determination of an~~
22 ~~individual graduation committee under Section 28.0258;~~

23 ~~[(16)]~~ when a school district for any reason fails to
24 produce, at the request of the agency, evidence or an investigation
25 report relating to an educator who is under investigation by the
26 State Board for Educator Certification; or

27 (16) ~~[(17)]~~ as the commissioner otherwise determines

1 necessary.

2 SECTION 18. Section 39.023, Education Code, is amended by
3 amending Subsections (a), (c), and (c-2) and adding Subsection (q)
4 to read as follows:

5 (a) The agency shall adopt or develop appropriate
6 criterion-referenced assessment instruments designed to assess
7 essential knowledge and skills in reading, mathematics, [~~social~~
8 ~~studies,~~] and science. Except as provided by Subsection (a-2), all
9 students, other than students assessed under Subsection (b) or (l)
10 or 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 and

15 (3) [~~social studies, in grade eight,~~
16 [~~(4)~~] science, in grades five and eight[, and
17 [~~(5)~~] any other subject and grade required by federal
18 law].

19 (c) The agency shall also adopt end-of-course assessment
20 instruments for secondary-level courses in reading, mathematics,
21 and science only as necessary to comply with the Every Student
22 Succeeds Act (20 U.S.C. Section 6301 et seq.) to be administered
23 only as necessary to meet the minimum requirements of that Act
24 [~~Algebra I, biology, English I, English II, and United States~~
25 ~~history. The Algebra I end-of-course assessment instrument must~~
26 ~~be administered with the aid of technology, but may include one or~~
27 ~~more parts that prohibit the use of technology. The English I and~~

1 ~~English II end-of-course assessment instruments must each assess~~
2 ~~essential knowledge and skills in both reading and writing and must~~
3 ~~provide a single score].~~ A school district shall comply with State
4 Board of Education rules regarding administration of the assessment
5 instruments adopted under [~~listed in~~] this subsection. If a
6 student is in a special education program under Subchapter A,
7 Chapter 29, the student's admission, review, and dismissal
8 committee shall determine whether any allowable modification is
9 necessary in administering to the student an assessment instrument
10 required under this subsection. The State Board of Education shall
11 administer the assessment instruments. An end-of-course
12 assessment instrument may be administered in multiple parts over
13 more than one day. [~~The State Board of Education shall adopt a~~
14 ~~schedule for the administration of end-of-course assessment~~
15 ~~instruments that complies with the requirements of Subsection~~
16 ~~(c-3).~~]

17 (c-2) The agency may adopt end-of-course assessment
18 instruments for courses for which end-of-course assessment
19 instruments are not adopted under [~~not listed in~~] Subsection
20 (c). A student's performance on an end-of-course assessment
21 instrument adopted under this subsection is not subject to the
22 performance requirements established under Subsection (c) or
23 Section 39.025.

24 (q) Notwithstanding any provision of this section or other
25 law, if changes made to the Every Student Succeeds Act (20 U.S.C.
26 Section 6301 et seq.) reduce the number or frequency of assessment
27 instruments required to be administered to students, the State

1 Board of Education shall adopt rules reducing the number or
2 frequency of assessment instruments administered to students under
3 state law, and the commissioner shall ensure that students are not
4 assessed in subject areas or in grades that are no longer required
5 to meet the minimum requirements of that Act.

6 SECTION 19. Subchapter B, Chapter 39, Education Code, is
7 amended by adding Section 39.0239 to read as follows:

8 Sec. 39.0239. ADMINISTRATION OF ASSESSMENT INSTRUMENTS AND
9 TEMPORARY SUSPENSION OF CERTAIN ACCOUNTABILITY MEASURES DURING
10 DISASTER. (a) If a school district is located wholly or partly in
11 the area of a disaster declared by the president of the United
12 States under the Robert T. Stafford Disaster Relief and Emergency
13 Assistance Act (42 U.S.C. Section 5121 et seq.) or by the governor
14 under Chapter 418, Government Code, during a school year in which
15 district operations, including in-person attendance, are
16 disrupted, the commissioner shall apply to the United States
17 Department of Education for a waiver of the requirement under the
18 Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) to
19 administer assessment instruments during that school year for the
20 affected district.

21 (b) If the United States Department of Education fails to
22 grant a waiver requested under Subsection (a), the assessment
23 instruments shall be administered as required under Section 39.023
24 during the applicable school year, but, notwithstanding any other
25 law, the commissioner may not consider the results of the
26 assessment instruments for purposes of evaluating school district
27 or campus performance under this chapter for the affected district

1 for the applicable school year, including in determining:

2 (1) the accreditation status of a district under
3 Section 39.051;

4 (2) the performance rating to assign to the district
5 or the district's campuses under Section 39.054; or

6 (3) whether to impose any intervention or sanction
7 authorized by Chapter 39A after the applicable school year on the
8 district or the district's campuses.

9 SECTION 20. The heading to Section 39.025, Education Code,
10 is amended to read as follows:

11 Sec. 39.025. USE OF END-OF-COURSE ASSESSMENT INSTRUMENT
12 [~~SECONDARY-LEVEL PERFORMANCE REQUIRED~~].

13 SECTION 21. Section 39.025(a), Education Code, is amended
14 to read as follows:

15 (a) The commissioner shall adopt rules requiring a student
16 in the foundation high school program under Section 28.025 to be
17 administered an end-of-course assessment instrument listed in
18 Section 39.023(c) only for a course in which the student is enrolled
19 and for which an end-of-course assessment instrument is
20 administered. Each student's performance on an end-of-course
21 assessment instrument shall be evaluated to determine whether the
22 [A] student achieved [is required to achieve] a scale score that
23 indicates satisfactory performance, as determined by the
24 commissioner under Section 39.0241(a) [~~, on each end-of-course~~
25 ~~assessment instrument administered to the student~~]. The results of
26 the administration of an end-of-course assessment instrument
27 required under this subsection may not be used as criteria for

1 graduation. The results may be used only for the purpose of
2 diagnosing the academic strengths and deficiencies of a student and
3 guiding specific instruction to the student. [~~For each scale score~~
4 ~~required under this subsection that is not based on a 100-point~~
5 ~~scale scoring system, the commissioner shall provide for~~
6 ~~conversion, in accordance with commissioner rule, of the scale~~
7 ~~score to an equivalent score based on a 100-point scale scoring~~
8 ~~system. A student may not receive a high school diploma until the~~
9 ~~student has performed satisfactorily on end-of-course assessment~~
10 ~~instruments in the manner provided under this subsection.] This
11 subsection does not require a student to demonstrate readiness to
12 enroll in an institution of higher education.~~

13 SECTION 22. Section 39.034(d), Education Code, is amended
14 to read as follows:

15 (d) The agency shall determine the necessary annual
16 improvement required each year for a student to be prepared to
17 perform satisfactorily on, as applicable:

- 18 (1) the grade five assessment instruments;
- 19 (2) the grade eight assessment instruments; and
- 20 (3) the end-of-course assessment instruments listed
21 in Section 39.023(c) [~~required under this subchapter for~~
22 ~~graduation~~].

23 SECTION 23. Section 39.053(c), Education Code, is amended
24 to read as follows:

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

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

3 (A) for evaluating the performance of districts
4 and campuses generally:

5 (i) an indicator that accounts for the
6 results of assessment instruments required under Sections
7 39.023(a), (c), and (l), as applicable for the district and campus,
8 including the results of those assessment instruments [~~required for~~
9 ~~graduation~~] retaken by a student, aggregated across grade levels by
10 subject area, including:

11 (a) for the performance standard
12 determined by the commissioner under Section 39.0241(a), the
13 percentage of students who performed satisfactorily on the
14 assessment instruments, aggregated across grade levels by subject
15 area; and

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

21 (ii) an indicator that accounts for the
22 results of assessment instruments required under Section
23 39.023(b), as applicable for the district and campus, including the
24 percentage of students who performed satisfactorily on the
25 assessment instruments, as determined by the performance standard
26 adopted by the agency, aggregated across grade levels by subject
27 area; and

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

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

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

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

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

16 (v) students who earn industry
17 certifications;

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

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

26 (viii) students who successfully met
27 standards on a composite of indicators that through research

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

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

9 (x) students who successfully completed an
10 OnRamps dual enrollment course;

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

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

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

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

19 (A) for assessment instruments, including
20 assessment instruments under Subdivisions (1)(A)(i) and (ii), the
21 percentage of students who met the standard for improvement, as
22 determined by the commissioner; and

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

26 (3) in the closing the gaps domain, the use of
27 disaggregated data to demonstrate the differentials among students

1 from different racial and ethnic groups, socioeconomic
2 backgrounds, and other factors, including:

3 (A) students formerly receiving special
4 education services;

5 (B) students continuously enrolled; and

6 (C) students who are mobile.

7 SECTION 24. Section 39.203(c), Education Code, is amended
8 to read as follows:

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

15 SECTION 25. The following provisions of the Education Code
16 are repealed:

17 (1) Section 12.104(b-2);

18 (2) Section 19.0043(c);

19 (3) Sections 28.0211(o) and (p);

20 (4) Sections 28.025(c-6) and (d);

21 (5) Section 28.0258;

22 (6) Section 28.0259;

23 (7) Section 30.104(c);

24 (8) Section 39.023(c-9); and

25 (9) Sections 39.025(a-1), (a-2), (a-3), (a-4), (a-5),
26 (b), (c), (c-1), (c-2), (d), (e), (f), (f-1), (f-2), and (g).

27 SECTION 26. (a) As soon as practicable after the effective

1 date of this Act, each school district that provided notice to an
2 eighth grade student during the 2024-2025 school year under Section
3 39.025(g), Education Code, as that section existed before its
4 repeal by this Act, shall send an updated notice to that student
5 informing the student of the specific requirements applicable to
6 the student under Sections 39.023(c) and 39.025(a), Education Code,
7 as amended by this Act.

8 (b) As soon as practicable after the effective date of this
9 Act, the commissioner of education shall determine the level of
10 performance considered to be satisfactory as required under Section
11 39.0241(a), Education Code, on the assessment instrument required
12 under Section 39.023(c), Education Code, as amended by this Act.

13 SECTION 27. This Act applies beginning with the 2025-2026
14 school year.

15 SECTION 28. This Act takes effect immediately if it
16 receives a vote of two-thirds of all the members elected to each
17 house, as provided by Section 39, Article III, Texas Constitution.
18 If this Act does not receive the vote necessary for immediate
19 effect, this Act takes effect September 1, 2025.