

By: VanDeaver

H.B. No. 1673

A BILL TO BE ENTITLED

AN ACT

relating to eliminating certain state-required assessment instruments and certain end-of-course assessment instruments not required by federal law.

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

SECTION 1. Section 39.023(a), Education Code, as effective until on or before September 1, 2015, is amended to read as follows:

(a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in reading, ~~[writing,~~ mathematics, ~~[social studies,~~ and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (1) or exempted under Section 39.027, shall be assessed in:

(1) mathematics, annually in grades three through seven without the aid of technology and in grade eight with the aid of technology on any assessment instrument that includes algebra;

(2) reading, annually in grades three through eight;
and

(3) ~~[writing, including spelling and grammar, in grades four and seven,~~

~~[(4) social studies, in grade eight,~~

~~[(5)] science, in grades five and eight[, and~~

~~[(6) any other subject and grade required by federal law].~~

SECTION 2. Section 39.023(a), Education Code, as effective on or before September 1, 2015, is amended to read as follows:

(a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in reading, ~~[writing,~~ mathematics, ~~[social studies,~~ and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (1) or exempted under Section 39.027, shall be assessed in:

(1) mathematics, in grades three and five without the aid of technology and in grade eight with the aid of technology on any assessment instrument that includes algebra;

(2) reading, in grades three, five, and eight; and

(3) ~~[writing, including spelling and grammar, in grades four and seven,~~

~~[(4) social studies, in grade eight, and~~

~~[(5)]~~ science, in grades five and eight.

SECTION 3. Section 39.023(a), Education Code, as effective September 1, 2017, is amended to read as follows:

(a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in reading, ~~[writing,~~ mathematics, ~~[social studies,~~ and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (1) or exempted under Section 39.027, shall be assessed in:

(1) mathematics, annually in grades three through seven without the aid of technology and in grade eight with the aid of technology on any assessment instrument that includes algebra;

1 (2) reading, annually in grades three through eight;
2 and
3 (3) [~~writing, including spelling and grammar, in~~
4 ~~grades four and seven,~~
5 ~~[(4) social studies, in grade eight,~~
6 ~~[(5)]~~ science, in grades five and eight[, and
7 ~~[(6) any other subject and grade required by federal~~
8 ~~law]~~.

9 SECTION 4. Section 39.023(c), Education Code, is amended to
10 read as follows:

11 (c) The agency shall also adopt end-of-course assessment
12 instruments for secondary-level courses in mathematics, reading,
13 and science only as necessary to comply with the No Child Left
14 Behind Act of 2001 (20 U.S.C. Section 6301 et seq.) to be
15 administered only as necessary to meet the minimum requirements of
16 that Act [~~Algebra I, biology, English I, English II, and United~~
17 ~~States history. The Algebra I end-of-course assessment instrument~~
18 ~~must be administered with the aid of technology. The English I and~~
19 ~~English II end-of-course assessment instruments must each assess~~
20 ~~essential knowledge and skills in both reading and writing in the~~
21 ~~same assessment instrument and must provide a single score)]. A
22 school district shall comply with State Board of Education rules
23 regarding administration of the assessment instruments adopted
24 under [~~listed in~~] this subsection. If a student is in a special
25 education program under Subchapter A, Chapter 29, the student's
26 admission, review, and dismissal committee shall determine whether
27 any allowable modification is necessary in administering to the~~

1 student an assessment instrument required under this subsection.
2 The State Board of Education shall administer the assessment
3 instruments. ~~[The State Board of Education shall adopt a schedule~~
4 ~~for the administration of end-of-course assessment instruments~~
5 ~~that complies with the requirements of Subsection (c-3).]~~

6 SECTION 5. Section 39.023(c-3), Education Code, as
7 effective until on or before September 1, 2015, is amended to read
8 as follows:

9 (c-3) The State Board of Education, with input from school
10 districts, shall adopt ~~[In adopting]~~ a schedule for the
11 administration of assessment instruments under this section that
12 minimizes the disruption of classroom instruction ~~[, the State~~
13 ~~Board of Education shall require.~~

14 ~~[(1) assessment instruments administered under~~
15 ~~Subsection (a) to be administered on a schedule so that the first~~
16 ~~assessment instrument is administered at least two weeks later than~~
17 ~~the date on which the first assessment instrument was administered~~
18 ~~under Subsection (a) during the 2006-2007 school year; and~~

19 ~~[(2) the spring administration of end-of-course~~
20 ~~assessment instruments under Subsection (c) to occur in each school~~
21 ~~district not earlier than the first full week in May, except that~~
22 ~~the spring administration of the end-of-course assessment~~
23 ~~instruments in English I and English II must be permitted to occur~~
24 ~~at an earlier date].~~

25 SECTION 6. Section 39.023(c-3), Education Code, as
26 effective on or before September 1, 2015, is amended to read as
27 follows:

1 (c-3) The State Board of Education, with input from school
2 districts, shall adopt ~~[In adopting]~~ a schedule for the
3 administration of assessment instruments under this section that
4 minimizes the disruption of classroom instruction ~~[, the State~~
5 ~~Board of Education shall require.~~

6 ~~[(1) assessment instruments administered under~~
7 ~~Subsections (a), (a-4), (a-5), and (a-6) to be administered on a~~
8 ~~schedule so that the first assessment instrument is administered at~~
9 ~~least two weeks later than the date on which the first assessment~~
10 ~~instrument was administered under Subsection (a) during the~~
11 ~~2006-2007 school year; and~~

12 ~~[(2) the spring administration of end-of-course~~
13 ~~assessment instruments under Subsection (c) to occur in each school~~
14 ~~district not earlier than the first full week in May, except that~~
15 ~~the spring administration of the end-of-course assessment~~
16 ~~instruments in English I and English II must be permitted to occur~~
17 ~~at an earlier date].~~

18 SECTION 7. Section [39.023](#)(c-3), Education Code, as
19 effective September 1, 2017, is amended to read as follows:

20 (c-3) The State Board of Education, with input from school
21 districts, shall adopt ~~[In adopting]~~ a schedule for the
22 administration of assessment instruments under this section that
23 minimizes the disruption of classroom instruction ~~[, the State~~
24 ~~Board of Education shall require.~~

25 ~~[(1) assessment instruments administered under~~
26 ~~Subsection (a) to be administered on a schedule so that the first~~
27 ~~assessment instrument is administered at least two weeks later than~~

~~the date on which the first assessment instrument was administered under Subsection (a) during the 2006-2007 school year, and~~

~~[(2) the spring administration of end-of-course assessment instruments under Subsection (c) to occur in each school district not earlier than the first full week in May, except that the spring administration of the end-of-course assessment instruments in English I and English II must be permitted to occur at an earlier date].~~

SECTION 8. Section 39.023, Education Code, is amended by adding Subsection (r) to read as follows:

(r) Notwithstanding any provision of this section or other law, if changes made to the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et seq.) reduce the number or frequency of assessment instruments required to be administered to students, the State Board of Education shall adopt rules reducing the number or frequency of assessment instruments administered to students under state law, and the commissioner shall ensure that students are not assessed in subject areas or in grades that are no longer required to meet the minimum requirements of that Act.

SECTION 9. 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, or science ~~[English language arts,]~~ ~~[, or social studies]~~ mathematics.

1 SECTION 10. This Act applies beginning with the 2015-2016
2 school year.

3 SECTION 11. This Act takes effect immediately if it
4 receives a vote of two-thirds of all the members elected to each
5 house, as provided by Section 39, Article III, Texas Constitution.
6 If this Act does not receive the vote necessary for immediate
7 effect, this Act takes effect September 1, 2015.