

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 2349
By: Aycock (Kolkhorst)
Education
5/20/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Recent legislation made sweeping changes to the Education Code relating to public school assessment, performance standards, and course requirements. C.S.H.B. 2349 seeks to implement a series of related follow-up adjustments.

C.S.H.B. 2349 amends current law relating to public school assessment, performance standards, and course requirements.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 3 (Section 39.02315, Education Code) of this bill.

Rulemaking authority previously granted to the commissioner of education is modified in SECTION 4 (Section 39.025, Education Code) of this bill.

Rulemaking authority previously granted to the commissioner of education is rescinded in SECTION 5 (Section 39.0233, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 28.025(c-5), Education Code, as follows:

(c-5) Authorizes a performance acknowledgment under this subsection to be earned:

(1) for outstanding performance:

(A) and (B) Makes no change to these paragraphs;

(C) Makes a nonsubstantive change;

(D) on an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or

(E) on an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process.

Deletes existing text authorizing a performance acknowledgement to be earned for outstanding performance on the PSAT, the ACT-Plan, the SAT, or the ACT.

(2) for earning a state recognized or nationally or internationally recognized business or industry certification or license.

SECTION 2. Amends Section 39.023, Education Code, by adding Subsection (e-1), to authorize the Texas Education Agency (TEA) to defer releasing assessment instrument questions and

answer keys as required by Subsection (e) (requiring TEA to release the questions and answer keys to each assessment instrument administered under certain subsections) to the extent necessary to develop additional assessment instruments.

SECTION 3. Amends Subchapter B, Chapter 39, Education Code, by adding Section 39.02315, as follows:

Sec. 39.02315. REPORTING RESULTS OF ASSESSMENT INSTRUMENTS FOR OUT-OF-STATE TRANSFER STUDENTS. (a) Requires TEA, for assessment instruments required to be administered under Section 39.023, to adopt procedures to ensure that the results of the assessment instruments administered to students who transfer from a school district in another state to a school district in this state are reported to each school district separately from the results of assessment instruments administered to other students.

(b) Requires the commissioner of education (commissioner) by rule to:

(1) ensure that the results of assessment instruments administered to students who transfer from a school district in another state to a school district in this state reported under Subsection (a) are properly identified in agency systems that report and track academic performance of students; and

(2) adopt procedures for reporting and tracking data relating to students who transfer from a school district in another state to a school district in this state.

SECTION 4. Amends Sections 39.025(a), (f), and (g), Education Code, as follows:

(a) Requires the commissioner to adopt rules requiring a student in the foundation high school program under Section 28.025 (High School Diploma and Certificate; Academic Achievement Record) to be administered an end-of-course assessment instrument, rather than each end-of-course assessment instrument, listed in Section 39.023(c) (requiring TEA to also adopt end-of-course assessment instruments for secondary-level courses in certain subjects) only for a course in which the student is enrolled and for which an end-of-course assessment instrument is administered. Provides that a student is required to achieve a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a) (requiring the commissioner to determine the level of performance considered to be satisfactory on the assessment instruments), on each end-of-course assessment instrument administered to the student, rather than on each end-of-course assessment instrument listed under Section 39.023(c).

(f) Provides that during the period under which the transition to end-of-course assessment instruments is made:

(1) and (2) Makes nonsubstantive changes.

Deletes existing Subdivision (3) authorizing TEA, during the period under which the transition to end-of-course assessment instruments is made, to defer releasing assessment instrument questions and answer keys as required by Section 39.023(e) to the extent necessary to develop additional assessment instruments.

(g) Deletes existing text providing that Subsection (f) and this subsection expire September 1, 2015.

SECTION 5. Repealer: Section 39.023(o) (requiring the commissioner of education and the commissioner of higher education to study the feasibility of allowing students to satisfy end-of-course requirements under Subsection (c)), Education Code.

Repealer: Section 39.0233(c) (requiring the State Board of Education to establish a level of performance on the questions adopted under this section that indicates a student's college readiness), Education Code.

Repealer: Section 39.025(b-2) (requiring a school district to require a student to enroll in a corresponding content-area college preparatory course under certain circumstances), Education Code.

SECTION 6. Provides that this Act applies beginning with the 2015-2016 school year.

SECTION 7. Effective date: upon passage or on the 91st day after the last day of the legislative session.