

BILL ANALYSIS

Senate Research Center
85R1062 GCB-D

H.B. 61
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The state accountability system does not specifically highlight the academic achievements of students who exit a special education program. H.B. 61 addresses this issue by establishing a new achievement indicator and an academic distinction for such students. We want to recognize and encourage districts to seek academic excellence in special education, rather than meet the minimum requirements to avoid penalties.

H.B. 61 amends the Education Code to add to the fourth domain of indicators of achievement under the public school accountability system, the percentage of students formerly receiving special education services who achieved satisfactory academic performance for those students, as determined by rule of the commissioner of education (commissioner), on statewide standardized tests administered in grades three through eight.

H.B. 61 adds the percentage of such students to the criteria the commissioner is required to adopt in establishing an academic distinction designation for districts and campuses for outstanding performance in attainment of postsecondary readiness. The bill establishes the manner of determining who is a student formerly receiving special education services for purposes of these additions. The bill's provisions apply beginning with the 2017-2018 school year.

H.B. 61 amends current law relating to consideration under the public school accountability system of performance on assessment instruments by certain students formerly receiving special education services.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 39.053, Education Code, by amending Subsection (c) and adding Subsection (g-3), as follows:

(c) Requires that school districts and campuses be evaluated based on five domains of indicators of achievement adopted under this section (Performance Indicators: Achievement) that include, in the fourth domain for evaluating the performance of middle and junior high school and elementary campuses and districts that include those campuses, the percentage of students formerly receiving special education services who achieved satisfactory academic performance for those students, as determined by commissioner of education (commissioner) rule, on assessment instruments administered under Section 39.023 (Adoption and Administration of Instruments) in grades three through eight. Changes a reference to the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et seq.) to the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.). Makes a nonsubstantive change.

(g-3) Provides that, for purposes of Subsection (c)(4)(B)(iii), a student formerly receiving special education services means a student whose enrollment information:

(1) for the preceding year, as reported through the Public Education Information Management System (PEIMS), indicates the student was enrolled at the campus and was participating in a special education program (program); and

(2) for the current year, as reported through PEIMS and as reported on assessment instruments administered to the student under Section 39.023, indicates the student is enrolled at the campus and is not participating in a program.

SECTION 2. Amends Section 39.202, Education Code, as follows:

Sec. 39.202. ACADEMIC DISTINCTION DESIGNATION FOR DISTRICTS AND CAMPUSES. (a) Creates this subsection from existing text. Requires the commissioner to adopt criteria for the academic distinction designation under this section, including percentages of students formerly receiving special education services who achieved satisfactory academic performance for those students, as determined by commissioner rule, on assessment instruments administered under Section 39.023 in grades three through eight. Makes a nonsubstantive change.

(b) Provides that, for purposes of Subsection (a)(2)(F), a student formerly receiving special education services is a student whose enrollment information:

(1) for the preceding year, as reported through PEIMS, indicates the student was enrolled in the district and was participating in a program; and

(2) for the current year, as reported through PEIMS and as reported on assessment instruments administered to the student under Section 39.023, indicates the student is enrolled in the district and is not participating in a program.

SECTION 3. Provides that this Act applies beginning with the 2017-2018 school year.

SECTION 4. Effective date: upon passage or September 1, 2017.