

BILL ANALYSIS

Senate Research Center
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S.B. 393
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

African American and Latino males are notably and consistently clustered at the bottom on all indicators of academic achievement, educational attainment, and school success. This dismal pattern exists throughout the United States. In most states, dropout rates for African American and Latino males are well above 50 percent, and they are less likely to enroll in or graduate from college than any other group.

African American and Latino males make up a greater percentage of those students identified by the public school accountability system as developmentally disabled than other race and ethnicity groups and placed in special education. Furthermore, African American and Latino males make up a lower percentage of students in advanced placement, honors courses, or international baccalaureate programs than other race and ethnicity groups. Finally, when compared to their peers, middle-class African American and Latino males lag significantly in grade point average and on standardized tests. This pattern has become so normalized that data reported by state agencies no longer generates surprise nor alarm.

S.B. 393 amends the Texas public school accountability system for evaluating school districts and campus performance. S.B. 393 disaggregates African American and Latinos by gender in each race/ethnicity subgroup of Domain 3 of the public school accountability system, Closing the Gaps.

As proposed, S.B. 393 amends current law relating to the consideration of certain student differentials based on sex under the public school accountability system.

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 Subsections (c) and (e) and adding Subsection (i-1), as follows:

(c) Requires that school districts and campuses be evaluated based on three domains of indicators of achievement adopted under Section 39.053 (Performance Indicators: Achievement) that include:

(1) in the student achievement domain, certain indicators of student achievement for evaluating the performance of high school campuses and districts that include high school campuses, including an indicator that accounts for high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) subject to the exclusions provided by Subsection (g-4), among others. Makes nonsubstantive changes.

(2) makes no changes to this subdivision;

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

(A) from different:

(i) racial and ethnic groups, including African American and Hispanic students:

(a) considered as a whole; and

(b) disaggregated by sex; and

(ii) creates this subparagraph from existing text and makes a nonsubstantive change; and

(B) based on other relevant factors not described by Paragraph (A), including:

(i)-(iii) creates these subparagraphs from existing text and makes no further changes.

(e) Makes a conforming change to this subsection.

(i-1) Prohibits information reported under Subsection (c)(3)(A)(i)(b), notwithstanding that sub-subparagraph, from being used by the Texas Education Agency for accountability purposes before the accountability ratings assigned for the 2024-2025 school year. Provides that this subsection expires September 1, 2025.

SECTION 2. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 3. Effective date: upon passage or September 1, 2021.