

## **BILL ANALYSIS**

C.S.H.B. 2983  
By: Huberty  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been suggested that public school students who perform well on statewide standardized tests are likely to perform as well in the following year and that additional testing may be unnecessary and costly to students, teachers, and schools. C.S.H.B. 2983 seeks to address this issue by removing certain mandatory statewide standardized tests for students and by providing for mandatory tests for students who do not achieve a satisfactory score on certain tests in the previous year.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the State Board of Education in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 2983 amends the Education Code to change the grades at which the administration of statewide standardized tests in writing is mandated from grades four and seven to grades five and eight. The bill removes the mandate to administer the statewide standardized tests in mathematics and reading to students in grades four, six, and seven and removes the mandate to administer statewide standardized tests in any other subject or grade required by federal law. The bill requires a student in any of those grades who failed to achieve a satisfactory score on the final administration of any of the statewide standardized tests given to the students in the preceding grade level instead to be tested again in the applicable subject using tests developed by the Texas Education Agency (TEA). The bill requires TEA to determine the minimum satisfactory adjusted scale score for each periodic statewide standardized test administered to a student and each statewide standardized test administered in grade six for purposes of retesting a student. The bill sets out the method by which the minimum satisfactory adjusted scale score is determined and requires a student retested in mathematics to be retested without the aid of technology.

C.S.H.B. 2983 authorizes a public school district or open-enrollment charter school, for its own use in determining whether students are performing at a satisfactory level, to administer to a student at the appropriate grade level, other than a student required to be tested, a test developed for purposes of retesting a student in the applicable subject matter in grades four, six, and seven. The bill requires TEA, at the request of a district or charter school, to provide, allow for the administration of, and score each such test in the same manner and at the same cost as for tests required to be administered but prohibits the results of such a test from being included as an achievement indicator.

C.S.H.B. 2983 requires the commissioner of education to seek a waiver from the application of federal law or regulation if there is a conflict between the bill's provisions and a federal law or regulation as a result of forgoing adoption and administration of tests and specifies certain relevant data to be submitted in seeking such a waiver. The bill requires the commissioner, if the commissioner obtains any necessary waiver or receives written notification that a waiver is not necessary, to certify that the commissioner has obtained the waiver or received notification that a waiver is not required, as applicable, and to publish notice of that fact in the Texas Register as soon as practicable after obtaining the waiver or receiving notification.

C.S.H.B. 2983 clarifies that the TEA mandate to develop any test in a manner that allows for the measurement of annual improvement in student achievement is to the greatest extent practicable.

C.S.H.B. 2983 requires the State Board of Education to adopt rules, to the extent applicable, for the administration of a test in Spanish developed by TEA under the bill's provisions for a student in grade four who failed to achieve a satisfactory score on the final administration of the statewide standardized test in grade three.

C.S.H.B. 2983 applies beginning with the first school year that begins after the date on which the bill takes effect.

### **EFFECTIVE DATE**

On any date not later than September 1, 2021, on which the commissioner of education obtains any necessary waiver from the application of federal law or regulation conflicting with the bill's provisions or receives written notification from the U.S. Department of Education that a waiver is not required.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2983 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the grade level of each statewide standardized test for which TEA is required to determine the minimum satisfactory adjusted scale score for purposes of retesting an applicable student from grade four to grade six.