

BILL ANALYSIS

Senate Research Center

C.S.H.B. 515
By: VanDeaver et al. (Taylor, Larry)
Education
5/22/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under the current state testing system, time spent learning in the classroom is reduced by the amount of testing that students must endure, both within a school year and throughout the entirety of K-12. The purpose of H.B. 515, as passed by the house of representatives, is to reduce the number of tests administered to students and to return valuable classroom instruction time to teachers and students alike. Additionally, H.B. 515 incorporates results from a writing pilot, implemented as a result of legislation in the 84th Legislature, into the current writing assessment. This will create a more authentic assessment of students' writing abilities.

Further, H.B. 515 eliminates the retesting of 5th and 8th grade students. Students in 5th or 8th grade who do not meet performance standards on mathematics and reading are currently retested up to two times—a potential of three tests for one subject—in an attempt to have the student pass the test. H.B. 515 removes retesting for students in 5th and 8th grade mathematics or reading and implements accelerated learning committees for 3rd, 5th, or 8th grade students who fail those assessments. These committees are charged with ensuring students receive accelerated learning to ensure those students are given adequate instruction to reach grade level performance standards by the end of the subsequent school year. (Original Author's / Sponsor's Statement of Intent)

H.B. 515 amends current law relating to assessment of public school students and providing accelerated instruction and eliminating performance requirements based on performance on certain assessment instruments.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the State Board of Education is rescinded in SECTION 2 (Section 39.023, Education Code) of this bill.

Rulemaking authority previously granted to the commissioner of education is modified in SECTION 3 (Section 39.025, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 28, Education Code, by adding Section 28.018, as follows:

Sec. 28.018. REVIEW AND REPORT ON SOCIAL STUDIES CURRICULUM. (a) Requires the State Board of Education (SBOE) to review the alignment and coursework included in the required social studies curriculum provided to students in grades 8 through 12 to ensure that all students graduating from public high school have a sufficient understanding of United States history, civics, the operation of federal and state governments, and the free enterprise system.

(b) Requires SBOE, if, in conducting the review, SBOE determines that the required social studies curriculum is not sufficient, to develop recommendations to realign coursework and curriculum.

(c) Requires SBOE, not later than September 1, 2018, to submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over primary and secondary education a report on the results of the review conducted under Subsection (a) and any recommendations developed under Subsection (b).

(d) Provides that this section expires September 1, 2019.

SECTION 2. Amends Section 39.023(e), Education Code, as effective September 1, 2017, as follows:

(e) Requires the Texas Education Agency (TEA), at least every third year, rather than requires TEA, at least every third year under rules adopted by SBOE, to release the questions and answer keys to certain assessment instruments. Requires TEA to also release, rather than to also release under SBOE rule, each question that is no longer being field-tested and that was not used to compute a student's score. Deletes existing text requiring TEA, during the 2014-2015 and 2015-2016 school years, to release the questions and answer keys to assessment instruments as described by this subsection each year.

SECTION 3. Amends Section 39.025, Education Code, by amending Subsections (c-1) and (f) and adding Subsection (f-1), as follows:

(c-1) Prohibits a school district from administering a general subject assessment instrument required for graduation administered under this section as this section existed before September 1, 2007, rather than September 1, 1999. Authorizes a school district to administer to a student who failed to perform satisfactorily on an assessment instrument described by this subsection an alternate assessment instrument designated by the commissioner of education (commissioner) as required by Subsection (f)(2). Deletes existing text prohibiting the district from administering to the student an assessment instrument or a part of an assessment instrument that assesses a subject that was not assessed in an assessment instrument required for graduation administered under this section as this section existed before September 1, 1999. Makes a nonsubstantive change.

(f) Requires that the rules provide for the end-of-course assessment instruments adopted under Section 39.023(c) to be administered beginning with students enrolled in, rather than entering, the ninth grade for the first time during the 2011-2012 school year. Provides that during the period under which the transition to end-of-course assessment instruments is made:

(1) makes no changes to this subdivision;

(2) a student subject to Subdivision (1) is prohibited from receiving a high school diploma unless the student has performed satisfactorily, as determined by the commissioner under Subsection (f-1), on an assessment instrument designated by the commissioner which must include, to the extent feasible, the SAT, the ACT, or the Texas Success Initiative (TSI) diagnostic assessment, or the assessment or assessments currently administered for graduation purposes, rather than on each required assessment instrument administered under Section 39.023(c) as that section existed before amendment by Chapter 1312 (S.B. No. 1031), Acts of the 80th Legislature, Regular Session, 2007.

(f-1) Requires the commissioner to determine the level of performance considered to be satisfactory on an assessment instrument designated by the commissioner which must include, to the extent feasible, the SAT, the ACT, and the Texas Success Initiative (TSI) diagnostic assessment or the assessment or assessments currently administered for graduation purposes for a student described by Subsection (f)(1) to qualify for a high school diploma. Provides that, notwithstanding Subsection (f), the commissioner is not required to retain, administer, or use assessment instruments described by Subsection (f)(1) after September 1, 2017. Deletes existing text requiring the commissioner, in

determining satisfactory performance, to ensure that the level of performance determined under this subsection as satisfactory is equivalent to the level of performance required under Subsection (a) for satisfactory performance on an end-of-course assessment instrument.

SECTION 4. Amends Section 51.3062(q-1), Education Code, as follows:

(q-1) Exempts a student who has demonstrated the performance standard for college readiness as provided by Section 28.008 (Advancement of College Readiness in Curriculum) on the postsecondary readiness assessment instruments adopted under Section 39.0238 (Adoption and Administration of Postsecondary Readiness Assessment Instruments) for Algebra II and English III, as that section existed before repeal by H.B. 515, Acts of the 85th Legislature, Regular Session, 2017, from the requirements of this section with respect to those content areas.

SECTION 5. Repealer: Section 39.0238, Education Code.

SECTION 6. Provides that this Act applies beginning with the 2017-2018 school year.

SECTION 7. Effective date: upon passage or September 1, 2017.