

Chapter 934

H.B. No. 2349

1 AN ACT
2 relating to public school assessment, performance standards, and
3 course requirements.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 28.025(c-5), Education Code, is amended
6 to read as follows:

7 (c-5) A student may earn a performance acknowledgment on the
8 student's diploma and transcript by satisfying the requirements for
9 that acknowledgment adopted by the State Board of Education by
10 rule. An acknowledgment under this subsection may be earned:

11 (1) for outstanding performance:

12 (A) in a dual credit course;

13 (B) in bilingualism and biliteracy;

14 (C) on a college advanced placement test or
15 international baccalaureate examination; ~~[or]~~

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

20 (E) on an established, valid, reliable, and
21 nationally norm-referenced assessment instrument used by colleges
22 and universities as part of their undergraduate admissions process
23 ~~[the PSAT, the ACT-Plan, the SAT, or the ACT]; or~~

24 (2) for earning a state recognized or nationally or

1 internationally recognized business or industry certification or
2 license.

3 SECTION 2. Section 39.023, Education Code, is amended by
4 adding Subsection (e-1) to read as follows:

5 (e-1) The agency may defer releasing assessment instrument
6 questions and answer keys as required by Subsection (e) to the
7 extent necessary to develop additional assessment instruments.

8 SECTION 3. Subchapter B, Chapter 39, Education Code, is
9 amended by adding Section 39.02315 to read as follows:

10 Sec. 39.02315. REPORTING RESULTS OF ASSESSMENT INSTRUMENTS
11 FOR OUT-OF-STATE TRANSFER STUDENTS. (a) For assessment
12 instruments required to be administered under Section 39.023, the
13 agency shall adopt procedures to ensure that the results of the
14 assessment instruments administered to students who transfer from a
15 school district in another state to a school district in this state
16 are reported to each school district separately from the results of
17 assessment instruments administered to other students.

18 (b) The commissioner by rule shall:

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

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

27 SECTION 4. Sections 39.025(a), (f), and (g), Education

1 Code, are amended to read as follows:

2 (a) The commissioner shall adopt rules requiring a student
3 in the foundation high school program under Section 28.025 to be
4 administered an [each] end-of-course assessment instrument listed
5 in Section 39.023(c) only for a course in which the student is
6 enrolled and for which an end-of-course assessment instrument is
7 administered. A student is required to achieve a scale score that
8 indicates satisfactory performance, as determined by the
9 commissioner under Section 39.0241(a), on each end-of-course
10 assessment instrument administered to the student [~~listed under~~
11 ~~Section 39.023(c)~~]. For each scale score required under this
12 subsection that is not based on a 100-point scale scoring system,
13 the commissioner shall provide for conversion, in accordance with
14 commissioner rule, of the scale score to an equivalent score based
15 on a 100-point scale scoring system. A student may not receive a
16 high school diploma until the student has performed satisfactorily
17 on end-of-course assessment instruments in the manner provided
18 under this subsection. This subsection does not require a student
19 to demonstrate readiness to enroll in an institution of higher
20 education.

21 (f) The commissioner shall by rule adopt a transition plan
22 to implement the amendments made by Chapter 1312 (S.B. No. 1031),
23 Acts of the 80th Legislature, Regular Session, 2007, replacing
24 general subject assessment instruments administered at the high
25 school level with end-of-course assessment instruments. The rules
26 must provide for the end-of-course assessment instruments adopted
27 under Section 39.023(c) to be administered beginning with students

1 entering the ninth grade during the 2011-2012 school year. During
2 the period under which the transition to end-of-course assessment
3 instruments is made:

4 (1) for students entering a grade above the ninth
5 grade during the 2011-2012 school year, the commissioner shall
6 retain, administer, and use for purposes of accreditation and other
7 campus and district accountability measures under this chapter the
8 assessment instruments required by Section 39.023(a) or (c), as
9 that section existed before amendment by Chapter 1312 (S.B.
10 No. 1031), Acts of the 80th Legislature, Regular Session, 2007; and

11 (2) a student subject to Subdivision (1) may not
12 receive a high school diploma unless the student has performed
13 satisfactorily on each required assessment instrument administered
14 under Section 39.023(c) as that section existed before amendment by
15 Chapter 1312 (S.B. No. 1031), Acts of the 80th Legislature, Regular
16 Session, 2007[~~, and~~

17 [~~(3) the agency may defer releasing assessment~~
18 ~~instrument questions and answer keys as required by Section~~
19 ~~39.023(c) to the extent necessary to develop additional assessment~~
20 ~~instruments].~~

21 (g) Rules adopted under Subsection (f) must require that
22 each student who will be subject to the requirements of Subsection
23 (a) is entitled to notice of the specific requirements applicable
24 to the student. Notice under this subsection must be provided not
25 later than the date the student enters the eighth grade.
26 [~~Subsection (f) and this subsection expire September 1, 2015.~~]

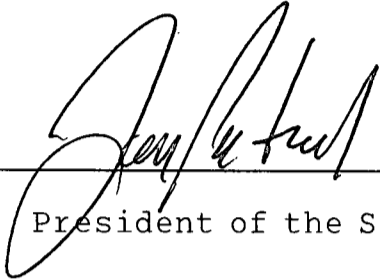
27 SECTION 5. The following provisions of the Education Code

1 are repealed:

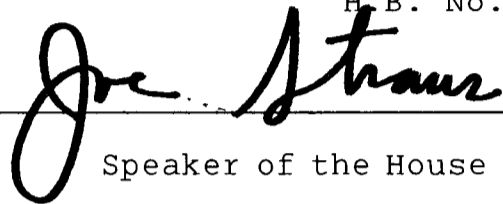
- 2 (1) Section 39.023(o);
- 3 (2) Section 39.0233(c); and
- 4 (3) Section 39.025(b-2).

5 SECTION 6. This Act applies beginning with the 2015-2016
6 school year.

7 SECTION 7. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect on the 91st day after the last day of the
12 legislative session.



President of the Senate



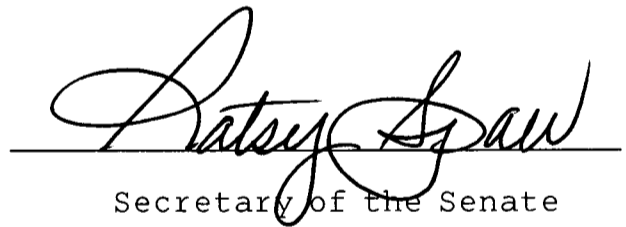
Speaker of the House

I certify that H.B. No. 2349 was passed by the House on May 11, 2015, by the following vote: Yeas 135, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2349 on May 29, 2015, by the following vote: Yeas 144, Nays 2, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 2349 was passed by the Senate, with amendments, on May 27, 2015, by the following vote: Yeas 31, Nays 0.



Secretary of the Senate

APPROVED: 6-16-2015

Date

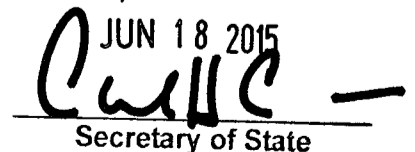


Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE

8:00 pm O'CLOCK

JUN 18 2015



Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 28, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2349 by Aycock (Relating to public school assessment, performance standards, and course requirements.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would make certain changes to performance acknowledgements on student diplomas and transcripts, and would limit end-of-course (EOC) requirements and scale score requirements to certain courses. The bill would allow for the deferment of question and answer keys for assessment instruments until additional assessment instruments could be developed.

The bill would require the Commissioner of Education to ensure that assessment results for students who transferred from another state are identified and tracked; and to adopt procedures for reporting and tracking data relating to students who transferred from out of state.

The Texas Education Agency estimates there would be a minimal cost associated with implementing the provisions of the bill.

The bill would take effect on September 1, 2015, or immediately if passed within the necessary voting margins, and would apply beginning with school year 2015-16.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 701 Central Education Agency, 781 Higher Education Coordinating Board

LBB Staff: UP, SD, JBi, AM, AW, ED

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 21, 2015

TO: Honorable Larry Taylor, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2349 by Aycock (relating to public school assessment, performance standards, and course requirements.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would make certain changes to performance acknowledgements on student diplomas and transcripts, and would limit end-of-course (EOC) requirements and scale score requirements to certain courses. The bill would allow for the deferment of question and answer keys for assessment instruments until additional assessment instruments could be developed.

The bill would require the Commissioner of Education to ensure that assessment results for students who transferred from another state are identified and tracked; and to adopt procedures for reporting and tracking data relating to students who transferred from out of state.

The Texas Education Agency estimates there would be a minimal cost associated with implementing the provisions of the bill.

The bill would take effect on September 1, 2015, or immediately if passed within the necessary voting margins, and would apply beginning with school year 2015-16.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 701 Central Education Agency, 781 Higher Education Coordinating Board

LBB Staff: UP, JBi, AM, AW, ED

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 18, 2015

TO: Honorable Larry Taylor, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2349 by Aycock (Relating to public school assessment, performance standards, and course requirements.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would make certain changes to performance acknowledgements on student diplomas and transcripts, and would limit end-of-course (EOC) requirements and scale score requirements to certain courses. The bill would allow for the deferment of question and answer keys for assessment instruments until additional assessment instruments could be developed. The bill would limit public school students to three courses in a junior college outside of the service area of their high school, with certain exemptions.

The bill would require the Commissioner of Education to ensure that assessment results for students who transferred from another state are identified and tracked ; and to adopt procedures for reporting and tracking data relating to students who transferred from out of state.

The Texas Education Agency estimates there would be a minimal cost associated with implementing the provisions of the bill.

The bill would take effect on September 1, 2015, or immediately if passed within the necessary voting margins, and would apply beginning with school year 2015-16.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 701 Central Education Agency, 781 Higher Education Coordinating Board

LBB Staff: UP, JBi, AM, AW, ED

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 16, 2015

TO: Honorable Jimmie Don Aycock, Chair, House Committee on Public Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2349** by Aycock (relating to public school assessment, performance standards, and course requirements.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would make certain changes to performance acknowledgements on student diplomas and transcripts, and would limit end-of-course (EOC) requirements and scale score requirements to certain courses. The bill would allow for the deferment of question and answer keys for assessment instruments until additional assessment instruments could be developed. The bill would limit public school students to three courses in a junior college outside of the service area of their high school, with certain exemptions.

The bill would take effect on September 1, 2015, or immediately if passed within the necessary voting margins, and would apply beginning with school year 2015-16.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 701 Central Education Agency, 781 Higher Education Coordinating Board

LBB Staff: UP, JBi, AM, AW, ED

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 23, 2015

TO: Honorable Jimmie Don Aycock, Chair, House Committee on Public Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2349 by Aycock (Relating to public school assessment, performance standards, and course requirements.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2349, As Introduced: a negative impact of (\$2,100,000) through the biennium ending August 31, 2017.
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General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	(\$2,100,000)
2017	\$0
2018	\$0
2019	\$0
2020	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1
2016	(\$2,100,000)
2017	\$0
2018	\$0
2019	\$0
2020	\$0

Fiscal Analysis

The bill would make certain changes to performance acknowledgements on student diplomas and transcripts, and would limit end-of-course (EOC) requirements and scale score requirements to certain courses.

The bill would eliminate the ability of the Texas Education Agency to defer the release of assessment instrument question and answer keys as needed to develop assessment instruments.

The bill would limit public school students to three courses in a junior college outside of the service area of their high school, with certain exemptions.

The bill would take effect on September 1, 2015, or immediately if passed within the necessary voting margins, and would apply beginning with school year 2015-16.

Methodology

The bill would eliminate the ability of the Texas Education Agency (TEA) to defer release of assessment instrument question and answer keys, including those for two newly developed State of Texas Assessment of Academic Readiness (STAAR) tests. According to TEA, the agency does not have sufficient test bank items for the STAAR Mathematics assessment in grade 3 through 8 and STAAR Alternate 2 assessment since both assessments are currently undergoing required modification and development.

This analysis assumes TEA would be required to accelerate item development to replace the released items for the STAAR Mathematics and STAAR Alternate 2 assessments, generating the anticipated state cost of \$2.1 million in fiscal year 2016. According to information provided by TEA, accelerated item development would be \$1.05 million per test. The agency indicates this would be a one-time cost due to existing statute, which requires annual release of assessment instruments except for tests under development or modification.

This analysis assumes costs based on the current state assessment contract. To the extent that assessment costs change with a new contract, costs may vary.

This analysis assumes that costs associated with other provisions of the bill could be absorbed within the agency's existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 701 Central Education Agency, 781 Higher Education Coordinating Board

LBB Staff: UP, JBi, AM, AW, ED