

By: Guillen

H.B. No. 61

A BILL TO BE ENTITLED

1 AN ACT
2 relating to consideration under the public school accountability
3 system of performance on assessment instruments by certain students
4 formerly receiving special education services.

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

6 SECTION 1. Section 39.053, Education Code, is amended by
7 amending Subsection (c) and adding Subsection (g-3) to read as
8 follows:

9 (c) School districts and campuses must be evaluated based on
10 five domains of indicators of achievement adopted under this
11 section that include:

12 (1) in the first domain, the results of:

13 (A) assessment instruments required under
14 Sections 39.023(a), (c), and (l), including the results of
15 assessment instruments required for graduation retaken by a
16 student, aggregated across grade levels by subject area, including:

17 (i) for the performance standard determined
18 by the commissioner under Section 39.0241(a), the percentage of
19 students who performed satisfactorily on the assessment
20 instruments, aggregated across grade levels by subject area; and

21 (ii) for the college readiness performance
22 standard as determined under Section 39.0241, the percentage of
23 students who performed satisfactorily on the assessment
24 instruments, aggregated across grade levels by subject area; and

1 (B) assessment instruments required under
2 Section 39.023(b), aggregated across grade levels by subject area,
3 including the percentage of students who performed satisfactorily
4 on the assessment instruments, as determined by the performance
5 standard adopted by the agency, aggregated across grade levels by
6 subject area;

7 (2) in the second domain:

8 (A) for assessment instruments under Subdivision
9 (1)(A):

10 (i) for the performance standard determined
11 by the commissioner under Section 39.0241(a), the percentage of
12 students who met the standard for annual improvement on the
13 assessment instruments, as determined by the commissioner by rule
14 or by the method for measuring annual improvement under Section
15 39.034, aggregated across grade levels by subject area; and

16 (ii) for the college readiness performance
17 standard as determined under Section 39.0241, the percentage of
18 students who met the standard for annual improvement on the
19 assessment instruments, as determined by the commissioner by rule
20 or by the method for measuring annual improvement under Section
21 39.034, aggregated across grade levels by subject area; and

22 (B) for assessment instruments under Subdivision
23 (1)(B), the percentage of students who met the standard for annual
24 improvement on the assessment instruments, as determined by the
25 commissioner by rule or by the method for measuring annual
26 improvement under Section 39.034, aggregated across grade levels by
27 subject area;

1 (3) in the third domain, the student academic
2 achievement differentials among students from different racial and
3 ethnic groups and socioeconomic backgrounds;

4 (4) in the fourth domain:

5 (A) for evaluating the performance of high school
6 campuses and districts that include high school campuses:

7 (i) dropout rates, including dropout rates
8 and district completion rates for grade levels 9 through 12,
9 computed in accordance with standards and definitions adopted by
10 the National Center for Education Statistics of the United States
11 Department of Education;

12 (ii) high school graduation rates, computed
13 in accordance with standards and definitions adopted in compliance
14 with the Every Student Succeeds Act [~~No Child Left Behind Act of~~
15 ~~2001~~] (20 U.S.C. Section 6301 et seq.);

16 (iii) the percentage of students who
17 successfully completed the curriculum requirements for the
18 distinguished level of achievement under the foundation high school
19 program;

20 (iv) the percentage of students who
21 successfully completed the curriculum requirements for an
22 endorsement under Section [28.025\(c-1\)](#);

23 (v) the percentage of students who
24 completed a coherent sequence of career and technical courses;

25 (vi) the percentage of students who satisfy
26 the Texas Success Initiative (TSI) college readiness benchmarks
27 prescribed by the Texas Higher Education Coordinating Board under

1 Section 51.3062(f) on an assessment instrument in reading, writing,
2 or mathematics designated by the Texas Higher Education
3 Coordinating Board under Section 51.3062(c);

4 (vii) the percentage of students who earn
5 at least 12 hours of postsecondary credit required for the
6 foundation high school program under Section 28.025 or to earn an
7 endorsement under Section 28.025(c-1);

8 (viii) the percentage of students who have
9 completed an advanced placement course;

10 (ix) the percentage of students who enlist
11 in the armed forces of the United States; and

12 (x) the percentage of students who earn an
13 industry certification;

14 (B) for evaluating the performance of middle and
15 junior high school and elementary school campuses and districts
16 that include those campuses:

17 (i) student attendance; ~~and~~

18 (ii) for middle and junior high school
19 campuses:

20 (a) dropout rates, computed in the
21 manner described by Paragraph (A)(i); and

22 (b) the percentage of students in
23 grades seven and eight who receive instruction in preparing for
24 high school, college, and a career that includes information
25 regarding the creation of a high school personal graduation plan
26 under Section 28.02121, the distinguished level of achievement
27 described by Section 28.025(b-15), each endorsement described by

1 Section 28.025(c-1), college readiness standards, and potential
2 career choices and the education needed to enter those careers; and
3 (iii) the percentage of students formerly
4 receiving special education services who achieved satisfactory
5 academic performance for those students, as determined by
6 commissioner rule, on assessment instruments administered under
7 Section 39.023 in grades three through eight; and

8 (C) any additional indicators of student
9 achievement not associated with performance on standardized
10 assessment instruments determined appropriate for consideration by
11 the commissioner in consultation with educators, parents, business
12 and industry representatives, and employers; and

13 (5) in the fifth domain, three programs or specific
14 categories of performance related to community and student
15 engagement locally selected and evaluated as provided by Section
16 39.0546.

17 (g-3) For purposes of Subsection (c)(4)(B)(iii), a student
18 formerly receiving special education services means a student whose
19 enrollment information:

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

24 (2) for the current year, as reported through the
25 Public Education Information Management System (PEIMS) and as
26 reported on assessment instruments administered to the student
27 under Section 39.023, indicates the student is enrolled at the

1 campus and is not participating in a special education program.

2 SECTION 2. Section 39.202, Education Code, is amended to
3 read as follows:

4 Sec. 39.202. ACADEMIC DISTINCTION DESIGNATION FOR
5 DISTRICTS AND CAMPUSES. (a) The commissioner by rule shall
6 establish an academic distinction designation for districts and
7 campuses for outstanding performance in attainment of
8 postsecondary readiness. The commissioner shall adopt criteria
9 for the designation under this section, including:

10 (1) percentages of students who:

11 (A) performed satisfactorily, as determined
12 under the college readiness performance standard under Section
13 39.0241, on assessment instruments required under Section
14 39.023(a), (b), (c), or (l), aggregated across grade levels by
15 subject area; or

16 (B) met the standard for annual improvement, as
17 determined by the agency under Section 39.034, on assessment
18 instruments required under Section 39.023(a), (b), (c), or (l),
19 aggregated across grade levels by subject area, for students who
20 did not perform satisfactorily as described by Paragraph (A);

21 (2) percentages of:

22 (A) students who earned a nationally or
23 internationally recognized business or industry certification or
24 license;

25 (B) students who completed a coherent sequence of
26 career and technical courses;

27 (C) students who completed a dual credit course

1 or an articulated postsecondary course provided for local credit;

2 (D) students who achieved applicable College
3 Readiness Benchmarks or the equivalent on the Preliminary
4 Scholastic Assessment Test (PSAT), the Scholastic Assessment Test
5 (SAT), the American College Test (ACT), or the ACT-Plan assessment
6 program; ~~and~~

7 (E) students who received a score on either an
8 advanced placement test or an international baccalaureate
9 examination to be awarded college credit; and

10 (F) students formerly receiving special
11 education services who achieved satisfactory academic performance
12 for those students, as determined by commissioner rule, on
13 assessment instruments administered under Section 39.023 in grades
14 three through eight; and

15 (3) other factors for determining sufficient student
16 attainment of postsecondary readiness.

17 (b) For purposes of Subsection (a)(2)(F), a student
18 formerly receiving special education services is a student whose
19 enrollment information:

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

24 (2) for the current year, as reported through the
25 Public Education Information Management System (PEIMS) and as
26 reported on assessment instruments administered to the student
27 under Section 39.023, indicates the student is enrolled in the

1 district and is not participating in a special education program.

2 SECTION 3. This Act applies beginning with the 2017-2018
3 school year.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2017.