

House Bill 1500
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SENATE VERSION (IE)

SECTION __.Section 12A.001(b), Education Code, is amended to read as follows:
(b) A school district is eligible for designation as a district of innovation only if the districts' most recent overall performance rating under Section 39.054 is exemplary, recognized, or acceptable as reflected by an overall [reflects at least acceptable] performance rating of A, B, or C. [FA3(3)]

CONFERENCE

No equivalent provision.

SECTION __.Section 12A.001(b), Education Code, as amended by this Act, applies only to a school district designated as a district of innovation on or after the effect date of this Act. [FA3(3)]

No equivalent provision.

SECTION __. Section 39.053(b), Education Code, is amended to read as follows:
(b) Performance on the achievement indicators adopted under Subsections (c) (1)-(4) shall be compared to state-established standards. To the extent feasible, the [The] indicators should allow for disaggregation [must be based on information that is disaggregated] by race, ethnicity, and socioeconomic status. [FA3(1)]

SECTION 1. Section 39.053(c), Education Code, is amended to read as follows:

(c) School districts and campuses must be evaluated based on five domains of indicators of achievement adopted under this section that include:
(1) in the first domain, the results of:

SECTION 1. Section 39.053, Education Code, is amended by amending Subsection (c) and adding Subsections (c-4) and (g-3) to read as follows:
(c) School districts and campuses must be evaluated based on five domains of indicators of achievement adopted under this section that include:
(1) in the first domain, the results of:

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

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

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

(2) in the second domain:

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

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

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

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

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

(2) in the second domain:

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

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

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by rule or by the method for measuring annual improvement under Section 39.034, aggregated across grade levels by subject area; and

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

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

(4) in the fourth domain:

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

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

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

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

(iv) the percentage of students who successfully completed the curriculum requirements for an endorsement under Section 28.025(c-1);

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

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by rule or by the method for measuring annual improvement under Section 39.034, aggregated across grade levels by subject area; and

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

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

(4) in the fourth domain:

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

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

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

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

(iv) the percentage of students who successfully completed the curriculum requirements for an endorsement under Section 28.025(c-1);

(v) the percentage of students who completed a coherent sequence of career and technical or fine arts courses; [FA2]

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- (vi) the percentage of students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.3062(f) on an assessment instrument in reading, writing, or mathematics designated by the Texas Higher Education Coordinating Board under Section 51.3062(c);
- (vii) the percentage of students who earn at least 12 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);
- (viii) the percentage of students who have completed an advanced placement course;
- (ix) the percentage of students who enlist in the armed forces of the United States; and
- (x) the percentage of students who earn an industry certification; and

(xi) the percentage of students who earn an associate degree;
(B) for evaluating the performance of middle and junior high school and elementary school campuses and districts that include those campuses:

- (i) student attendance; and
- (ii) for middle and junior high school campuses:
 - (a) dropout rates, computed in the manner described by

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- (vi) the percentage of students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.3062(f) on an assessment instrument in reading, writing, or mathematics designated by the Texas Higher Education Coordinating Board under Section 51.3062(c);
- (vii) the percentage of students who earn at least 12 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);
- (viii) the percentage of students who have completed an advanced placement or international baccalaureate course;
- (ix) the percentage of students who enlist in the armed forces of the United States; and
- (x) the percentage of students who earn an industry certification;
- (xi) the percentage of students who successfully completed an OnRamps dual enrollment course;
- (xii) the percentage of students who have received credit by examination;
- (xiii) the percentage of students who have been promoted to higher grade levels than the grade levels to which the students would ordinarily be assigned;
- (xiv) the percentage of students who have earned a diploma after not more than three years of high school attendance; and
- (xv) the percentage of students who earn an associate degree;

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

- (i) student attendance; and
- (ii) for middle and junior high school campuses:
 - (a) dropout rates, computed in the manner described by

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Paragraph (A)(i); **and**

(b) the percentage of students in grades seven and eight who receive instruction in preparing for high school, college, and a career that includes information regarding the creation of a high school personal graduation plan under Section 28.02121, the distinguished level of achievement described by Section 28.025(b-15), each endorsement described by Section 28.025(c-1), college readiness standards, and potential career choices and the education needed to enter those careers; and

(C) any additional indicators of student achievement not associated with performance on standardized assessment instruments determined appropriate for consideration by the commissioner in consultation with educators, parents, business and industry representatives, and employers; and
(5) in the fifth domain, three programs or specific categories of performance related to community and student engagement locally selected and evaluated as provided by Section 39.0546.

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Paragraph (A)(i); **[and]**

(b) the percentage of students in grades seven and eight who receive instruction in preparing for high school, college, and a career that includes information regarding the creation of a high school personal graduation plan under Section 28.02121, the distinguished level of achievement described by Section 28.025(b-15), each endorsement described by Section 28.025(c-1), college readiness standards, and potential career choices and the education needed to enter those careers; **and**
(c) the percentage of students in grades seven and eight who complete a pre-advanced placement course or pre-international baccalaureate course; and

(iii) the percentage of students who participate in a University Interscholastic League A+ academic event; and

(C) any additional indicators of student achievement not associated with performance on standardized assessment instruments determined appropriate for consideration by the commissioner in consultation with educators, parents, business and industry representatives, and employers; and
(5) in the fifth domain, three programs or specific categories of performance related to community and student engagement locally selected and evaluated as provided by Section 39.0546.

(c-4) For purposes of evaluating the performance of a district or campus under Subsection (c), the commissioner shall determine a method by which the performance of a student is attributed greater weight for each school year a student has been continuously enrolled in the school district or at the campus, as applicable.

(g-3) The commissioner shall adopt rules for computing the percentage of students participating in a University Interscholastic League A+ academic event under Subsection (c)(4)(B)(iii).

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No equivalent provision.

SECTION __. Sections 39.054(a), (a-1), and (a-3), Education Code, as effective on September 1, 2017, are amended to read as follows:

(a) The commissioner shall adopt rules to evaluate school district and campus performance and assign each district and campus an overall performance rating of A, B, C, D, or F. In addition to the overall performance rating, the commissioner shall assign each district and campus a separate domain performance rating of A, B, C, D, or F for each applicable domain under Section 39.053(c) (1)-(4). An overall or domain performance rating of A reflects exemplary performance. An overall or domain performance rating of B reflects recognized performance. An overall or domain performance rating of C reflects acceptable performance. An overall or domain performance rating of D reflects performance that needs improvements. An overall or domain performance rating of [or]F reflects unacceptable performance. A district may not receive an overall or domain performance rating of A if the district includes any campus with a corresponding overall or domain performance rating of [D-or] F. A reference in law to an acceptable rating or acceptable performance includes an overall or domain performance rating of A, B, [or] C, or D or performance that is exemplary, recognized, or needs improvement [performance].

(a-1) In [For purposes of] assigning [an overall] performance ratings [rating] under Subsection (a, the commission may adjust the overall performance rating of a district or campus if the performance of the district or campus under the indicators described by Section 39.053(c), based on information

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disaggregated by race, ethnicity, socioeconomic status, or other factors, does not meet standards established by the commissioner. The commissioner shall attribute.

- [(1) 55 percent of the performance evaluation to the achievement indicators for the first, second, and third domains under Section 39.053(c)(1)-(3);
- [(2) for middle and junior high school and elementary campuses and districts that include only those campuses, 35 percent of the performance evaluation to the applicable achievement indicators for the fourth domain under Section 39.053(c)(4);
- [(3) for high school campuses and districts that include those campuses:
 - [(A) 10 percent of the performance evaluation to the high school graduation rate achievement indicator described by Section 39.053(c)(4)(A)(ii); and
 - [(B) 25 percent to the remaining applicable achievement indicators for the fourth domain under Section 39.053(c)(4); and
- [(4) 10 percent of the performance evaluation to the locally selected and evaluated achievement indicators provided for under the fifth domain under Section 39.053(c) (5)].

(a-3) Not later than August 15 of each year, the performance ratings of each district and campus shall be made publicly available as provided by rules adopted under this section. ~~[If a district or campus received an overall or domain performance rating of D or F for the preceding school year, the commissioner shall notify the district of a subsequent such designation on or before June 15.]~~ [FA3(1)]

No equivalent provision.

SECTION ___. Section 39.054(a-1) (1), Education Code, is

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amended to read as follows:

(1) an overall performance rating for a district or campus under Subsection (a), the commissioner shall:
(A) consider either the district's or campus's performance rating under the student achievement domain under Section 39.053(c) (1) or the school performance domain under Section 39.053(c)(2), whichever performance rating is higher, unless the district or campus received a performance rating of F in either domain, in which case the district or campus may not be assigned an overall performance rating higher than a B; and
(B) attribute not less than 20 percent of the performance rating to the school climate domain under Section 39.053(c) (3) if the district or campus has received a performance rating of C or higher for the other two domains; and [FA3(2)]

No equivalent provision.

SECTION ___.Subchapter E, Chapter 39, Education Code, is amended by adding Section 39.101 to read as follows:

Sec. 39.101. NEEDS IMPROVEMENT RATING. (a) Notwithstanding any other law, if a school district or campus is assigned an overall or domain performance rating of D:
(1) the commissioner shall order the district or campus to develop and implement a targeted improvement plan approved by the boards of trustees or the district; and
(2) the interventions and sanctions provided by this subchapter based on failure to satisfy performance standards under Section 39.054€ apply to the district or campus only as provided by this section.
(b) The interventions and sanctions provided by this subchapter based on failure to satisfy performance standards under Section 39.054€ apply to a district or campus ordered to develop and implement a targeted improvement plan under

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Subsection (a) only if the district or campus is assigned an overall or domain performance rating of F, including the assignment of a performance rating of F in the manner provided by Subsection (c) or (d).

(c) If a school district or campus is assigned an overall performance rating of D for two consecutive school years after the district or campus is ordered to develop and implement a targeted improvement plan under Subsection (a), the commissioner shall assign the district or campus an overall performance rating of F for the following school year unless, based on the performance of the district or campus in that following school year, the commissioner determines that the district or campus should be assigned a performance rating of C or higher.

(d) If a district or campus is assigned a domain performance rating of D for the same domain for two consecutive school years after the district or campus is ordered to develop and implement a targeted improvement plan under Subsection (a), the commissioner shall assign that district or campus a domain performance rating of F for the domain for the following school year unless, based on the performance of the district or campus in that following school year, the commissioner determines the district or campus should be assigned a performance rating of C or higher in that domain.

(e) The commissioner shall adopt rules as necessary to implement this section. [FA3(3)]

No equivalent provision.

SECTION __. Section 39.107, Education Code, is amended by adding Subsections (b-10), (b-11) to read as follows:

(b-10) Not later than June 15 of each year, the commissioner shall, in writing, either approve or reject any campus

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turnaround plan prepared and submitted to the commissioner by a district. If the commissioner rejects a campus turnaround plan, the commissioner must also send the district an outline of the specific concerns regarding the turnaround plan that resulted in the rejection.

(b-11) If the commissioner rejects a campus turnaround plan, the district must create a modified plan with assistance from agency staff and submit the modified plan to the commissioner for approval not later than the 60th day after the date the commissioner rejects the campus turnaround plan. The commissioner shall notify the district in writing of the commissioner's decision regarding the modified plan not later than the 15th day after the date the commissioner receives the modified plan. [FA1]

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

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SECTION 3. Same as House version.

SECTION 4. Same as House version.