

BILL ANALYSIS

C.S.H.B. 3906
By: Huberty
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised that the changes in routine and daily schedule that occur on days in which statewide standardized tests are administered may cause undue stress for students. In addition, there have been calls to make changes to the administration of statewide standardized tests, such as giving students more flexibility on when they take these tests and how much time they are allotted to complete such tests. C.S.H.B. 3906 provides for these changes.

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 commissioner of education in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 3906 revises the requirements for statewide standardized tests to be designed so that 85 percent of students in an applicable grade level will be able to complete the test within a time frame by:

- requiring tests for students in grades three through five to be designed so that 85 percent of students will be able to complete all tests for that grade within an aggregate period equal to the number of tests for that grade multiplied by 120 minutes; and
- requiring tests for students in grades six through eight to be designed so that 85 percent of students will be able to complete all tests for that grade within an aggregate period equal to the number of tests for that grade multiplied by 180 minutes.

C.S.H.B. 3906 authorizes the administration of statewide standardized tests adopted or developed by the Texas Education Agency (TEA) to occur in multiple parts over more than one day. The bill's provisions relating to the revision of statewide standardized test design requirements and administration of tests over more than one day do not apply to a classroom portfolio method used to assess writing performance.

C.S.H.B. 3906 establishes that a classroom portfolio method used to assess the writing performance of significantly cognitively disabled students may require a teacher to prepare tasks and materials.

C.S.H.B. 3906 removes a requirement that the English I and English II end-of-course tests adopted by TEA assess essential knowledge and skills in both reading and writing in the same test.

C.S.H.B. 3906 authorizes an end-of-course test to be administered in multiple parts over more than one day. The bill removes the requirement for the State Board of Education to adopt a schedule for the administration of end-of-course tests that complies with provisions relating to standardized test scheduling requirements and makes those standardized test scheduling requirement provisions inapplicable to a classroom portfolio method used to assess writing performance if student performance under that method is less than 50 percent of a student's overall assessed performance in writing.

C.S.H.B. 3906 requires the commissioner of education to adopt rules necessary to implement the bill's provisions. The bill applies beginning with the 2019-2020 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3906 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 does not include the following:

- provisions revising requirements for TEA to adopt or develop statewide standardized tests in reading and writing and in mathematics in regard to certain grade levels;
- an authorization for the commissioner to designate sections of such mathematics tests for a grade level that may be completed with the aid of technology and that must be completed without the aid of technology;
- a provision establishing that certain provisions relating to the revision of statewide standardized test design requirements and administration of tests over more than one day do not apply to the administration of tests for a certain grade level; and
- an authorization for the end-of-course test adopted by TEA for secondary-level courses in Algebra I to include one or more parts that prohibit the use of technology.