

BILL ANALYSIS

Senate Research Center
86R3210 KJE-D

H.B. 1244
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Education
5/8/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A national survey in 2012 from Xavier University found that one in three Americans would fail the civics portion of the naturalization test. In order to combat this statistic, H.B. 1244 would require that 10 questions on the United States history end-of-course assessment, or STAAR test, be replaced with 10 questions from the United States Citizenship and Immigration Services Citizenship test. These questions must align with the current United States History TEKS and the data on student performance on these questions would be collected and aggregated by the Texas Education Agency by school, district, and statewide.

H.B. 1244 amends current law relating to including a civics test in the graduation requirements for public high school students and to eliminating the United States history end-of-course assessment instrument.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 3 (Section 39.02304, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 28.025(c), Education Code, as follows:

(c) Authorizes a student, in cases other than the case of a person being eligible for a diploma under Section 28.0251 (High School Diploma For Certain Veterans), to graduate and receive a diploma only if:

(1) the student successfully completes the curriculum requirements identified by the State Board of Education under Subsection (a) (relating to authorizing a student school district to issue a high school diploma to certain veterans) and complies with Sections 39.02304 and 39.025 (Secondary-Level Performance Required), rather than complies with Section 39.025; or

(2) makes no changes to this subdivision.

SECTION 2. Amends Section 39.023(c), Education Code, to require the Texas Education Agency (TEA) to also adopt end-of-course assessment instruments for secondary-level courses in Algebra I, biology, English I, and English II, rather than Algebra I, biology, English I, English II, and United States history.

SECTION 3. Amends Subchapter B, Chapter 39, Education Code, by adding Section 39.02304, as follows:

Sec. 39.02304. CIVICS TEST. (a) Requires the commissioner of education (commissioner) to adopt rules requiring a school district to administer a civics test to a student in the foundation high school program under Section 28.025 (High School Diploma and Certificate; Academic Achievement Record). Prohibits a student from receiving a high school diploma until the student has performed satisfactorily on the civics test.

(b) Requires the civics test to consist of all of the questions on the civics test administered by the United States Citizenship and Immigration Services as part of the naturalization process under the federal Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.). Requires the questions to be presented in a multiple-choice format.

(c) Requires a student, to perform satisfactorily on the civics test, to answer at least 70 percent of the questions correctly.

(d) Requires a school district to administer the civics test to a student when the school counselor or the teacher of the United States history course in which the student is enrolled, if applicable, determines that the student is prepared for the test.

(e) Requires the admission, review, and dismissal committee of a student in a special education program under Subchapter A (Special Education Program), Chapter 29, to determine:

(1) whether any allowable modification is necessary in administering the civics test to the student to appropriately measure the student's achievement; and

(2) if the committee determines that the civics test, even with allowable modifications, would not provide an appropriate measure of the student's achievement, whether the student is required to achieve satisfactory performance on the civics test to receive a high school diploma.

(f) Requires the commissioner to adopt rules regarding the administration of the civics test. Provides that the rules:

(1) are required to require:

(A) the test to be administered electronically in the presence of a teacher, teacher's aide, proctor, or campus testing coordinator and be scored by that person or by the school district; and

(B) the results of the test to be submitted to TEA not later than the last instructional day of the school year in which the test is administered; and

(2) are prohibited from:

(A) restricting the high school grade level at which a student is authorized to take the civics test; or

(B) limiting the number of attempts a student is authorized to make to perform satisfactorily on the test.

(g) Authorizes a student who is required to perform satisfactorily on a United States history end-of-course assessment instrument under Section 39.025(a) (relating to requiring the commissioner to adopt rules requiring a student in a certain foundation high school program to be administered a certain end-of-course assessment) based on the provisions of Section 39.023(c) in effect on January 1, 2019, to elect to satisfy that requirement by performing satisfactorily on the civics test. Provides that this subsection expires September 1, 2027.

(h) Provides that, for purposes of the public school accountability system, a reference in this code to an assessment instrument under Section 39.023(c) includes the civics test. Provides that performance at the level required under

Subsection (c) of this section is considered satisfactory performance for purposes of Section 39.0241(a) (relating to requiring the commissioner to determine the level of performance considered to be satisfactory on the assessment instruments), and the commissioner is required to determine the level of performance considered to indicate college readiness for purposes of Section 39.0241(a-1) (relating to requiring the commissioner, in collaboration with the commissioner of higher education, to determine the level of performance necessary to indicate college readiness). Provides that to the extent of a conflict between this section and any other provision of law, this section controls.

SECTION 4. Provides that this Act applies beginning with students who enter the ninth grade during the 2020–2021 school year.

SECTION 5. Effective date: upon passage or September 1, 2019.