

## **BILL ANALYSIS**

Senate Research Center  
86R32480 MP-D

C.S.H.B. 808  
By: Dutton (Miles)  
Education  
5/19/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

African-American and Latino males are notably and consistently clustered at the bottom on all of the indicators of academic achievement, educational attainment, and school success. This dismal pattern exists throughout the United States. In most states, dropout rates for African-American and Latino males are well above 50 percent, and they are less likely to enroll in or graduate from college than any other group.

African-American and Latino males make up a greater percentage of those students identified by the public school accountability system as developmentally disabled, than other race and ethnicity groups, and placed in special education. Furthermore, African-American and Latino males make up a lower percentage of students in advanced placement, honors courses, or international baccalaureate programs than other race and ethnicity groups. Finally, when compared to their peers, middle-class African-American and Latino males lag significantly in grade point average and on standardized tests. This pattern has become so normalized that data reported by state agencies no longer generates surprise nor alarm.

C.S.H.B. 808, authored by Representative Dutton, amends the Texas public school accountability system for evaluating school districts and campus performance. The bill disaggregates African-Americans and Latinos by gender in each race/ethnicity subgroup of Domain 3, of the public school accountability system, Closing the Gaps.

C.S.H.B. 808 amends current law relating to the consideration of certain student differentials based on sex under the public school accountability system.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 39.053(c), Education Code, as amended by Chapters 807 (H.B. 22), 842 (H.B. 2223), and 1088 (H.B. 3593), Acts of the 85th Legislature, Regular Session, 2017, as follows:

(c) Requires school districts and campuses to be evaluated based on three domains of indicators of achievement adopted under this section that include:

(1) in the student achievement domain, indicators of student achievement that must include:

(A) makes no changes to this paragraph;

(B) for evaluating the performance of high school campuses and districts that include high school campuses, indicators that account for:

(i)-(ix) makes no changes to these subparagraphs;

(x) makes a nonsubstantive change;

(xi) students, rather than the percentage of students, who successfully completed a practicum or internship approved by the State Board of Education; and

(xii) creates this subparagraph from existing text and makes a nonsubstantive change.

(2) makes no changes to this subdivision;

(3) in the closing the gaps domain, the use of disaggregated data to demonstrate the differentials among students:

(A) from different:

(i) racial and ethnic groups, including African American and Hispanic students; and

(a) considered as a whole; and

(b) disaggregated by sex; and

(ii) creates this subparagraph from existing text and makes a nonsubstantive change;

(B) based on other relevant factors not described by Paragraph (A), including:

(i)-(iii) redesignates Paragraphs (A), (B), and (C) as Subparagraphs (i), (ii), and (iii).

SECTION 2. Amends Section 39.053, Education Code, by adding Subsection (i-1), as follows:

(i-1) Prohibits information reported under Subsection (c)(3)(A)(i)(b), notwithstanding that sub-paragraph, from being used by the Texas Education Agency for accountability purposes before the accountability ratings assigned for the 2022–2023 school year. Provides that this subsection expires September 1, 2023.

SECTION 3. Provides that this Act applies beginning with the 2019–2020 school year.

SECTION 4. Provides that this Act, to the extent of any conflict, prevails over another Act of the 86th Legislature, Regular Session, 2019, relating to nonsubstantive additions to and corrections in enacted codes.

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