



FLOOR AMENDMENT NO. \_\_\_\_\_

BY:

Buckley

1 Amend C.S.H.B. No. 4 (house committee report) as follows:

2           (1) On page 1, between lines 10 and 11, insert the following  
3 appropriately numbered SECTIONS to the bill:

4       SECTION \_\_\_\_\_. Section 11.185(b), Education Code, is amended  
5 to read as follows:

6 (b) Each plan adopted under Subsection (a) must:

7           (1) identify annual goals for students in each group  
8 evaluated under the closing the gaps domain under Section  
9 39.053(c)(3);

(2) include annual goals for aggregate student growth on the third grade reading language arts or mathematics assessment instrument, as applicable, administered under Section 39.023 or on an alternative assessment instrument determined by the board of trustees;

(3) provide for targeted professional development for classroom teachers in kindergarten or first, second, or third grade who are assigned to campuses that the board of trustees identifies as not meeting the plan's goals;

19           (4) assign at least one district-level administrator  
20 or employee of the regional education service center for the  
21 district's region to:

22 (A) coordinate implementation of the plan; and

23 (B) submit an annual report to the board of  
24 trustees on the district's progress toward the goals set under the  
25 plan; and

26           (5) be reviewed annually by the board of trustees at a  
27 public meeting.

28           SECTION \_\_\_\_\_. Section 21.4552(c), Education Code, is  
29 amended to read as follows:

1           (c) The commissioner shall adopt criteria for selecting  
2 teachers who may attend a literacy achievement academy. In  
3 adopting selection criteria under this subsection, the  
4 commissioner shall:

5           (1) require a teacher to attend a literacy achievement  
6 academy if the teacher provides instruction in reading,  
7 mathematics, science, or social studies to students at the sixth,  
8 seventh, or eighth grade level at a campus that fails to satisfy any  
9 standard under Section 39.054(e) on the basis of student  
10 performance on the reading language arts assessment instrument  
11 administered under Section 39.023(a) to students in any grade level  
12 at the campus;

13           (2) grant priority to teachers employed by a school  
14 district at a campus at which 50 percent or more of the students  
15 enrolled are educationally disadvantaged; and

16           (3) provide a process through which a teacher not  
17 employed at a campus described by Subdivision (2) may attend the  
18 academy if the academy has available space and the school district  
19 employing the teacher pays the costs of the teacher's attendance.

20           (2) On page 1, line 19, between "reading" and the open  
21 bracket, insert "language arts".

22           (3) On page 1, between lines 20 and 21, insert the following  
23 appropriately numbered SECTIONS to the bill:

24           SECTION \_\_\_\_\_. Section 29.056(g), Education Code, is amended  
25 to read as follows:

26           (g) A district may transfer an emergent bilingual student  
27 out of a bilingual education or special language program for the  
28 first time or a subsequent time if the student is able to  
29 participate equally in a regular all-English instructional program  
30 as determined by:

31           (1) agency-approved tests administered at the end of

1 each school year to determine the extent to which the student has  
2 developed oral and written language proficiency and specific  
3 language skills in English;

4 (2) satisfactory performance on the reading language  
5 arts assessment instrument under Section 39.023(a) or [~~an English~~  
6 ~~language arts assessment instrument under Section~~] 39.023(c), as  
7 applicable, with the assessment instrument administered in  
8 English, or, if the student is enrolled in the first or second  
9 grade, an achievement score at or above the 40th percentile in the  
10 reading and language arts sections of an English standardized test  
11 approved by the agency; and

12 (3) agency-approved criterion-referenced tests and  
13 the results of a subjective teacher evaluation.

14 SECTION \_\_\_\_\_. Section 29.1543, Education Code, is amended  
15 to read as follows:

16 Sec. 29.1543. EARLY EDUCATION REPORTS. The agency shall  
17 produce and make available to the public on the agency's Internet  
18 website annual district and campus-level reports containing  
19 information from the previous school year on early education in  
20 school districts and open-enrollment charter schools. A report  
21 under this section must contain:

22 (1) the information required by Section 29.1532(c) to  
23 be reported through the Public Education Information Management  
24 System (PEIMS);

25 (2) a description of the diagnostic reading  
26 instruments administered in accordance with Section 28.006(c) or  
27 (c-2);

28 (3) the number of students who were administered a  
29 diagnostic reading instrument administered in accordance with  
30 Section 28.006(c) or (c-2);

31 (4) the number of students whose scores from a

1 diagnostic reading instrument administered in accordance with  
2 Section 28.006(c) or (c-2) indicate reading proficiency;

3 (5) the number of kindergarten students who were  
4 enrolled in a prekindergarten program in the previous school year  
5 in the same district or school as the district or school in which  
6 the student attends kindergarten;

7 (6) the number and percentage of students who perform  
8 satisfactorily on the third grade reading language arts or  
9 mathematics assessment instrument administered under Section  
10 39.023, disaggregated by whether the student was eligible for free  
11 prekindergarten under Section 29.153;

12 (7) the number of students described by Subdivision  
13 (6) who attended kindergarten in the district, disaggregated by:

14 (A) whether the student met the kindergarten  
15 readiness standard on the reading instrument adopted under Section  
16 28.006;

17 (B) whether the student attended prekindergarten  
18 in the district; and

19 (C) the type of prekindergarten the student  
20 attended, if applicable; and

21 (8) the information described by Subdivisions (6) and  
22 (7) disaggregated by whether the student is educationally  
23 disadvantaged.

24 (4) On page 3, line 7, between "reading" and the underlined  
25 comma, insert "language arts".

26 (5) On page 4, strike lines 1 through 3 and substitute  
27 "amending Subsections (a), (a-1), (a-2), (a-3), (a-11), (a-12),  
28 (a-13), (b), (b-1), (c), (c-1), (c-8), (g), (h), and (n) and adding  
29 Subsections (a-5), (a-10), (o-1), (q), and (r) to read as  
30 follows:".

31 (6) On page 4, line 10, between "reading" and the comma,



1 insert "language arts".

2 (7) On page 4, line 16, between "reading" and the comma,

3 insert "language arts".

4 (8) On page 5, line 14, between "reading" and "assessment",

5 insert "language arts".

6 (9) On page 6, strike lines 3 through 5 and substitute

7 "state curriculum standards and a student's annual through-year

8 instructional growth;".

9 (10) On page 6, strike lines 6 and 7 and reletter subsequent

10 paragraphs of the subdivision accordingly.

11 (11) On page 6, between lines 26 and 27, insert the

12 following:

13 (a-3) The agency may not adopt or develop a nationally

14 norm-referenced or criterion-referenced assessment instrument

15 under this section based on common core state standards as defined

16 by Section 28.002(b-1). This subsection does not prohibit the use

17 of college advanced placement tests or international baccalaureate

18 examinations as those terms are defined by Section 28.051.

19 (12) On page 8, line 13, between "reading" and the

20 underlined comma, insert "language arts".

21 (13) On page 8, between lines 16 and 17, insert the

22 following:

23 (b) The agency shall [~~develop or~~] adopt appropriate

24 nationally norm-referenced [~~criterion-referenced~~] alternative

25 assessment instruments to be administered to each student in a

26 special education program under Subchapter A, Chapter 29, for whom

27 an assessment instrument adopted under Subsection (a), even with

28 allowable accommodations, would not provide an appropriate measure

29 of student achievement, as determined by the student's admission,

30 review, and dismissal committee[~~, including assessment instruments~~

31 ~~approved by the commissioner that measure growth~~]. The assessment

1 instruments [~~developed or~~] adopted under this subsection[,  
2 ~~including the assessment instruments approved by the~~  
3 ~~commissioner,~~] must, to the extent allowed under federal law,  
4 provide a district with options for the assessment of students  
5 under this subsection. The agency may not adopt a performance  
6 standard that indicates that a student's performance on the  
7 alternate assessment does not meet standards if the lowest level of  
8 the assessment accurately represents the student's developmental  
9 level as determined by the student's admission, review, and  
10 dismissal committee.

11 (b-1) The agency, in conjunction with appropriate  
12 interested persons, shall redevelop assessment instruments adopted  
13 [~~or developed~~] under Subsection (b) for administration to  
14 significantly cognitively disabled students in a manner consistent  
15 with federal law. An assessment instrument under this subsection  
16 may not require a teacher to prepare tasks or materials for a  
17 student who will be administered such an assessment instrument. A  
18 classroom portfolio method used to assess writing performance may  
19 require a teacher to prepare tasks and materials.

20 (14) On page 8, line 18, between "reading" and the comma,  
21 insert "language arts".

22 (15) Strike page 9, line 24, through page 10, line 21.

23 (16) On page 10, between lines 21 and 22, insert the  
24 following:

25 (g) The State Board of Education may adopt one appropriate,  
26 nationally recognized, norm-referenced assessment instrument in  
27 reading language arts and mathematics to be administered to a  
28 selected sample of students in the spring. If adopted, a  
29 norm-referenced assessment instrument must be a secured test. The  
30 state may pay the costs of purchasing and scoring the adopted  
31 assessment instrument and of distributing the results of the

1 adopted instrument to the school districts. A district that  
2 administers the norm-referenced test adopted under this subsection  
3 shall report the results to the agency in a manner prescribed by the  
4 commissioner.

5 (17) On page 11, between lines 5 and 6, insert the  
6 following:

7 (n) This subsection applies only to a student who is  
8 determined to have dyslexia or a related disorder and who is an  
9 individual with a disability under 29 U.S.C. Section 705(20) and  
10 its subsequent amendments. The agency shall adopt [~~or develop~~]  
11 appropriate norm-referenced [~~criterion-referenced~~] assessment  
12 instruments designed to assess the ability of and to be  
13 administered to each student to whom this subsection applies for  
14 whom the assessment instruments adopted under Subsection (a), even  
15 with allowable modifications, would not provide an appropriate  
16 measure of student achievement, as determined by the committee  
17 established by the board of trustees of the district to determine  
18 the placement of students with dyslexia or related disorders. The  
19 committee shall determine whether any allowable modification is  
20 necessary in administering to a student an assessment instrument  
21 required under this subsection. The assessment instruments  
22 required under this subsection shall be administered on the same  
23 schedule as the assessment instruments administered under  
24 Subsection (a).

25 (18) On page 12, line 4, immediately following  
26 "prekindergarten," insert "kindergarten".

27 (19) On page 12, line 17, between "reading" and the open  
28 bracket, insert "language arts".

29 (20) On page 13, line 1, between "reading" and the open  
30 bracket, insert "language arts".

31 (21) On page 13, line 7, immediately following "reading",

1 add "language arts".

2 (22) On page 13, between lines 8 and 9, insert the following  
3 appropriately numbered SECTION to the bill:

4 SECTION \_\_\_\_\_. Section 39.027(e), Education Code, is amended  
5 to read as follows:

6 (e) The commissioner shall adopt a norm-referenced [~~develop~~  
7 ~~an~~] assessment system that shall be used for evaluating the  
8 academic progress, including reading proficiency in English, of all  
9 emergent bilingual students, as defined by Section 29.052. A  
10 student who is exempt from the administration of an assessment  
11 instrument under Subsection (a)(1) or (2) who achieves reading  
12 proficiency in English as determined by the assessment system  
13 adopted [~~developed~~] under this subsection shall be administered the  
14 assessment instruments described by Sections 39.023(a) and (c).  
15 The performance under the assessment system adopted [~~developed~~]  
16 under this subsection of students to whom Subsection (a)(1) or (2)  
17 applies shall be included in the indicator systems under Section  
18 39.301, as applicable, the performance report under Section 39.306,  
19 and the comprehensive biennial report under Section 39.332. This  
20 information shall be provided in a manner that is disaggregated by  
21 the bilingual education or special language program, if any, in  
22 which the student is enrolled.

23 (23) On page 14, line 10, between "may" and "modify", insert  
24 "not".

25 (24) On page 14, line 12, strike "only with the express  
26 approval of the legislature" and substitute "unless the legislature  
27 provides written approval for the modification".

28 (25) On page 15, line 23, between "reading" and "or", insert  
29 "language arts".

30 (26) On page 17, line 19, between "reading" and the  
31 underlined comma, insert "language arts".

1 (27) On page 18, line 17, between "activities" and the  
2 underlined semicolon, insert "consistent with the findings of the  
3 extracurricular and cocurricular student activity indicator study  
4 required under Section 39.0533, as that section existed immediately  
5 before September 1, 2023".

6 (28) On page 21, strike lines 6 through 9 and substitute the  
7 following:  
8 eight:

9 (A) attribute not less than 50 percent of the  
10 domain performance rating for the student achievement domain under  
11 Section 39.053(c)(1) to the indicators adopted under Section  
12 39.053(c)(1)(A);

13 (B) attribute 100 percent of the score for the  
14 indicators adopted under Section 39.053(c)(1)(A) to student  
15 performance on end-of-year assessment instruments and may not  
16 consider the results of beginning-of-year and middle-of-year  
17 assessment instruments when scoring those indicators; and

18 (C) attribute 100 percent of the score for the  
19 indicator adopted under Section 39.053(c)(2)(A) to student  
20 performance on annual through-year instructional growth in  
21 assigning the domain performance rating for the school progress  
22 domain under Section 39.053(c)(2);

23 (29) On page 21, line 27, strike "reviews, adjusts, and  
24 recalculates" and substitute "shall review, adjust, and  
25 recalculate".

26 (30) On page 22, strike line 4 and substitute the following:

27 (2) the overall performance rating and each domain  
28 performance rating an elementary school, middle or junior high  
29 school, or high school campus receives has minimal

30 (31) On page 23, line 20, immediately following  
31 "standards", add ". If the commissioner does not adopt performance

1 standards by the date required under this subsection for a school  
2 year, district and campus performance ratings for that school year  
3 shall be based on the performance standards in effect for the  
4 preceding school year".

5 (32) On page 25, immediately following line 27, insert the  
6 following:

7 (d) A court may grant any appropriate relief to a prevailing  
8 party in an action brought by a school district or open-enrollment  
9 charter school described by Subsection (a).

10 (33) On page 26, line 7, strike "[~~English language arts~~]"  
11 and substitute "[~~English~~] language arts".

12 (34) On page 26, between lines 8 and 9, insert the following  
13 appropriately numbered SECTION:

14 SECTION \_\_\_\_\_. Section 39A.064(a), Education Code, is  
15 amended to read as follows:

16 (a) Notwithstanding [~~Section 39A.0545(b) or~~] any other law,  
17 the commissioner may require a school district or open-enrollment  
18 charter school to comply with all requirements of the strong  
19 foundations grant program under Section 29.0881 at a campus that:

20 (1) includes students at any grade level from  
21 prekindergarten through fifth grade;

22 (2) is assigned an overall performance rating of D or  
23 F; and

24 (3) is in the bottom five percent of campuses in the  
25 state based on student performance on the grade three reading  
26 language arts assessment administered under Section 39.023(a)  
27 during the previous school year, as determined by the commissioner.

28 (35) Renumber SECTIONS of the bill accordingly.