

ATTACHMENT II
Text of Adopted Repeal of 19 TAC

Chapter 101. Assessment

[Subchapter CC. Commissioner's Rules Concerning Implementation of Testing Program]

§101.3001. Implementation of Assessment Instruments.

- ~~[(a) — In accordance with Senate Bill 103, Section 9, 76th Texas Legislature, 1999, this subsection is adopted by the commissioner of education for the implementation of the Texas Education Code (TEC), §39.023. In this subsection, the Act means Acts of the 76th Texas Legislature, 1999, Chapter 397.]~~
- ~~[(1) — The State Board of Education (SBOE) shall administer each assessment instrument added by the Act not later than the 2002-2003 school year, in accordance with the rules governing the assessment program set forth in Chapter 101 of this title (relating to Assessment).]~~
- ~~[(2) — The Texas Education Agency (TEA), not later than the 2004-2005 school year, shall include the results of student performance on each assessment instrument added by the Act in evaluating the performance of school districts, campuses, and open enrollment charter schools under the TEC, Chapter 39, Subchapter D.]~~
- ~~[(3) — The SBOE, not later than the 2004-2005 school year, shall administer assessment instruments under the TEC, §39.023(b), that correspond to the following assessment instruments required under the TEC, §39.023(a), as amended by the Act:]~~
- ~~[(A) — the mathematics assessment instrument administered in Grades 9 and 10;]~~
- ~~[(B) — the reading assessment instrument administered in Grade 9; and]~~
- ~~[(C) — the English language arts assessment instrument administered in Grade 10.]~~
- ~~[(4) — The TEA, not later than the 2006-2007 school year, shall include the results of student performance on each assessment instrument described by paragraph (3) of this subsection in evaluating the performance of school districts, campuses, and open enrollment charter schools under the TEC, Chapter 39, Subchapter D.]~~
- ~~[(5) — Pending the introduction of any assessment instrument added by the Act:]~~
- ~~[(A) — the SBOE shall administer each appropriate assessment under the TEC, §39.023, as that section existed before amendment by the Act;]~~
- ~~[(B) — a student who performed satisfactorily on the end of course assessment instruments specified by the TEC, §39.025, as that section existed before amendment by the Act, is entitled to receive a high school diploma if the student completes all other requirements for high school graduation; and]~~
- ~~[(C) — the former law as specified in the TEC, Chapter 39, Subchapter B, is continued in effect for the purposes provided by this paragraph.]~~
- ~~[(b) — In accordance with House Bill 411, Section 5, 78th Texas Legislature, 2003, this subsection is adopted by the commissioner of education for the implementation of the TEC, §39.023(a)(6) and (7). In this subsection, the Act means Acts of the 78th Texas Legislature, 2003, Chapter 1212.]~~
- ~~[(1) — The SBOE, not later than the 2006-2007 school year, shall administer a science assessment instrument to students in Grade 8, as amended by this Act.]~~
- ~~[(2) — The TEA, not later than the 2008-2009 school year, shall include the results of student performance on the Grade 8 science assessment instrument in evaluating the performance of school districts, campuses, and open enrollment charter schools under the TEC, Chapter 39, Subchapter B, as amended by this Act.]~~

~~[(3) — The TEA, shall administer to students assessments in any other subject and grade required by federal law.]~~

§101.3003. Assessment Requirements for Graduation.

~~[(a) — Students who were enrolled in Grade 8 or lower on January 1, 2001, and who did not complete all coursework required to graduate by September 1, 2004, must fulfill testing requirements for graduation with the exit level Texas Assessment of Knowledge and Skills (TAKS) tests, as required by the Texas Education Code (TEC), §39.023(c), as that section existed before amendment by Senate Bill (SB) 1031, 80th Texas Legislature, 2007. For purposes of this section, coursework necessary to graduate means all of the coursework required under the student's graduation plan.]~~

~~[(b) — With the exception of students who meet the criteria described in subsection (c) of this section, students who were enrolled as follows shall fulfill testing requirements for graduation with the exit level TAKS under applicable performance standards established by the commissioner of education and published on the Texas Education Agency (TEA) website, in lieu of the exit level Texas Assessment of Academic Skills (TAAS):]~~

~~[(1) — in Grade 9 or higher on January 1, 2001, regardless of when they are scheduled to graduate; or]~~

~~[(2) — in Grade 8 or lower on January 1, 2001, if they were on an accelerated track and fulfilled all coursework necessary to graduate by September 1, 2004.]~~

~~[(c) — A student who entered Grade 11 in the 1989-1990 school year or an earlier school year shall fulfill testing requirements for graduation with the exit level TAKS under an applicable performance standard established by the commissioner of education that corresponds to the performance standard in effect for the exit level Texas Educational Assessment of Minimum Skills (TEAMS) when the student was first eligible to take the exit level TEAMS. Performance standards that apply to TEAMS students will be published on the TEA website.]~~

~~[(d) — A student fulfilling testing requirements under subsection (b) of this section will be required to take only those sections of the exit level TAKS that correspond to the subject areas formerly assessed by the exit level TAAS (reading, writing, and mathematics) for which the student has not yet met the passing standard.]~~

~~[(1) — If a student has not yet met the passing standard on TAAS reading, the student will be administered only the reading multiple-choice items from the TAKS English language arts (ELA) test.]~~

~~[(2) — If a student has not yet met the passing standard on TAAS writing, the student will be administered only the writing prompt and the revising and editing multiple-choice items from the TAKS ELA test.]~~

~~[(e) — A student fulfilling testing requirements under subsection (c) of this section will be required to take only those sections of the exit level TAKS that correspond to the subject areas formerly assessed by the exit level TEAMS (reading and mathematics) for which the student has not yet met the passing standard. If a student has not yet met the passing standard on TAAS reading, the student will be administered only the reading multiple-choice items from the TAKS ELA test.]~~

~~[(f) — Notwithstanding any of the requirements in subsections (a)–(e) of this section, students who pass all of the required exit level TAKS tests have fulfilled their testing requirements for graduation.]~~

~~[(g) — Beginning with the 2011-2012 school year, students first enrolled in Grade 9 or lower must fulfill testing requirements for graduation with the end of course assessment instruments, as specified in the TEC, §39.023(c), as amended by SB 1031, 80th Texas Legislature, 2007.]~~