

BILL ANALYSIS

Senate Research Center

S.B. 1629
By: Shapiro
Education
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As Filed

DIGEST AND PURPOSE

Currently, the Texas Education Agency is required to release the Texas Assessment of Knowledge and Skills (TAKS) test administered each year, but annual release is costly as it necessitates the development of a new assessment instrument. The State Board of Education (board) determines the satisfactory level of student performance on the TAKS test, but the board is not required to hear public testimony before setting that standard. As proposed, S.B. 1629 allows the commissioner of education to determine if a version of the TAKS test can be used for a second school year before it is released to the public and requires the board to hold a public hearing at least 30 days before the satisfactory performance level on the TAKS test is changed.

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 39.023(e), Education Code, to require the Texas Education Agency, except as provided in Subdivision (2), under rules adopted by the State Board of Education (board), to release the questions and answer keys to each assessment instrument administered under Subsection (a)-(d) or (l) after the last time the instrument is administered for a school year. Authorizes the commissioner of education to determine to use an assessment instrument for a second school year. Provides that the questions and answer key to an assessment instrument to be used for a second school year are not required to be released under this section.

SECTION 2. Amends Section 39.024(a), Education Code, to require the board, except as otherwise provided by this subsection, to determine the level of performance considered to be satisfactory on an assessment instrument administered under this subchapter. Requires the board, not later than 30 days before changing the level of performance considered to be satisfactory on an assessment instrument, to hold a public hearing to allow interested persons to present comments related to the proposed change.

SECTION 3. Provides that unless otherwise determined by the board, the level of performance considered to be satisfactory on an assessment instrument is the level of performance determined by the board at its November 2002 meeting. Requires the board, if before September 1, 2003, the board adopts a change in the level of performance considered to be satisfactory on an assessment instrument, to hold a public hearing either before or at the meeting at which the change is adopted.

SECTION 4. (a) Effective date: upon passage or September 1, 2003.

(b) Provides that Sections 1 and 2 of this Act take effect September 1, 2003.

(c) Provides that the change in law made by this Act to Section 39.023, Government Code, applies to an assessment instrument administered during the 2003-2004 school year or a subsequent school year.