

SUBJECT: Revising an electronic testing transition plan, authorizing a grant program

COMMITTEE: Public Education — favorable, without amendment

VOTE: 11 ayes — Dutton, Allen, Allison, K. Bell, Bernal, Buckley, Huberty, K. King, Meza, Talarico, VanDeaver

0 nays

2 absent — Lozano, M. González

SENATE VOTE: On final passage, May 5 — 30-1 (Seliger), on Local and Uncontested Calendar

WITNESSES: No public hearing.

BACKGROUND: It has been suggested that, due to the impact of the COVID-19 pandemic and associated programmatic changes, additional time is needed to complete a statutory plan for the Texas Education Agency to transition to administering all required tests electronically that would otherwise expire this year.

DIGEST: SB 1171 would revise provisions related to a Texas Education Agency (TEA) plan to transition to electronic testing by removing the provisions' August 31, 2021, expiration date and limiting application of those provisions to:

- statewide standardized tests in specified grades designed to assess essential knowledge and skills in reading, writing, mathematics, social studies, science, and any other subject required by federal law;
- such tests in Spanish in grades 3 through 5; and
- end-of-course tests for secondary-level courses in Algebra I, biology, English I and II, and U.S. history.

Beginning with the 2023-2024 school year, each required assessment

instrument in the categories subject to the transition plan would have to be administered electronically unless otherwise provided by education commissioner rule.

SB 1171 would authorize the education commissioner to allow a school district or open-enrollment charter school to administer required statewide standardized tests on the first instructional day of a week if administering the exam on another day would result in a significant administrative burden due to local conditions. The bill also would change the requirement that such tests not present more than 75 percent of questions in a multiple choice format to require that no more than 75 percent of available points on a test could be derived from multiple choice questions.

The bill also would authorize the education commissioner to establish a matching grant program to ensure that all school districts and open-enrollment charter schools had the necessary infrastructure to administer assessment instruments electronically in accordance with the TEA transition plan. The commissioner would be able to set grant eligibility criteria and contract with technology developers to ensure efficient and cost-effective infrastructure implementation.

The commissioner would be required to prioritize grant applicants seeking funding for one-time investments in broadband network infrastructure. If funds remained available after grants were awarded to such applicants, the commissioner could award grants for annual bandwidth and personnel costs associated with electronic administration of assessment instruments. Provisions for the grant program would expire September 1, 2025.

SB 1171 would allow school districts to use certain biennial instructional materials and technology fund allotments to purchase services, equipment, and technology infrastructure necessary to ensure internet connectivity and adequate bandwidth and to pay for training personnel in electronic test administration.

Except as otherwise noted, the bill would apply beginning with the 2021-2022 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.

NOTES:

According to the Legislative Budget Board, the bill would have an estimated negative impact of \$4 million to general revenue through fiscal 2023.

The House companion bill, HB 3261 by Huberty, was considered by the House Public Education Committee in a public hearing on April 6, finally passed by the House on May 8, and finally passed by the Senate on May 22.