

By: Brown of Kaufman

H.B. No. 849

Substitute the following for H.B. No. 849:

By: Eissler

C.S.H.B. No. 849

A BILL TO BE ENTITLED

AN ACT

1
2 relating to release by the Texas Education Agency of questions and
3 answer keys to assessment instruments.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 39.023, Education Code, is amended by
6 amending Subsection (e) and adding Subsection (e-1) to read as
7 follows:

8 (e) Under rules adopted by the State Board of Education:

9 (1) the agency shall release to each school district
10 questions and answer keys to each assessment instrument
11 administered under Subsections (a), (b), (c), and (l) not later
12 than the 30th day after the date results are released under
13 Subsection (h); and

14 (2) [7] every other year, the agency shall release the
15 questions and answer keys to each assessment instrument
16 administered under Subsection [(a), (b), (c),] (d) [7, or (l)] after
17 the last time the instrument is administered for that school year.

18 (e-1) To ensure a valid bank of questions for use in
19 assessment instruments administered under Subsection (a), (b),
20 (c), (d), or (l) each year, the agency is not required under
21 Subsection (e) to release a question that is being field-tested and
22 was not used to compute the student's score on the instrument. The
23 agency, under board rule, shall [also] release, after the last time
24 an assessment instrument is administered for that school year [7

1 ~~under board rule]~~, each question that is no longer being
2 field-tested and that was not used to compute a student's score.

3 SECTION 2. This Act applies beginning with the 2006-2007
4 school year.

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2005.