

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a pilot program for the electronic administration of assessment instruments in public schools.

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

SECTION 1. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.0235 to read as follows:

Sec. 39.0235. PILOT PROGRAM: ELECTRONIC ADMINISTRATION OF ASSESSMENT INSTRUMENTS. (a) The commissioner shall establish a pilot program to evaluate the feasibility of administering assessment instruments required under Section 39.023 electronically through the use of personal digital assistant devices.

(b) The commissioner shall adopt rules necessary for the implementation of the pilot program. The rules must:

(1) define the scope of the program;

(2) establish a procedure and criteria for the selection of school districts and schools for participation in the program;

(3) establish a procedure and criteria for the selection of one or more vendors to provide equipment and services necessary for the program, which procedure and criteria must involve the selection of vendors on the basis of competitive proposals submitted by prospective vendors;

(4) define the conditions applicable to distribution

1 and use of the personal digital assistant devices and associated
2 software necessary to provide for electronic administration of the
3 assessment instruments;

4 (5) establish procedures for contracting for,
5 purchasing, and distributing the personal digital assistant
6 devices and associated software to participating school districts
7 and schools; and

8 (6) provide for ensuring the security of the
9 electronic administration of the assessment instruments.

10 (c) Not later than December 1, 2010, the commissioner shall
11 submit a report evaluating the pilot program to the governor, the
12 lieutenant governor, the speaker of the house of representatives,
13 each member of the legislature, the Legislative Budget Board, and
14 the clerks of the standing committees of the senate and house of
15 representatives with primary jurisdiction over the public school
16 system.

17 (d) This section expires September 1, 2011.

18 SECTION 2. Section 39.031(a), Education Code, is amended to
19 read as follows:

20 (a) The cost of preparing, administering, including
21 administering through electronic means, or grading the assessment
22 instruments shall be paid from the funds allotted under Section
23 42.152, and each district shall bear the cost in the same manner
24 described for a reduction in allotments under Section 42.253. If a
25 district does not receive an allotment under Section 42.152, the
26 commissioner shall subtract the cost from the district's other
27 foundation school fund allotments.

1 SECTION 3. In implementing the pilot program required by
2 Section 39.0235, Education Code, as added by this Act, the
3 commissioner of education shall, not later than the 90th day after
4 the effective date of this Act:

5 (1) define the scope of the project and the procedures
6 and criteria for selection of participating school districts and
7 schools; and

8 (2) complete the selection of vendors to be used in
9 administering the program.

10 SECTION 4. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2007.