

Amend CSHB 5 (house committee printing) as follows:

(1) On page 22, strike lines 11 and 12 and substitute the following:

SECTION 16. (a) Section 39.023, Education Code, is amended by amending Subsections (c), (c-2), (c-3), and (e) and adding Subsections (e-1), (e-2), (e-3), and (e-4) to read as follows:

(2) On page 24, between lines 17 and 18, insert the following:

(e) Under rules adopted by the State Board of Education, beginning with the 2014-2015 school year, as possible [~~every third year~~], the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (c-2), (d), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument, after the last time the instrument is administered for that school year.

(e-1) Under rules adopted by the State Board of Education, for the 2012-2013 school year, the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (c), (d), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument, after the last time the instrument is administered for that school year. This subsection expires December 31, 2013.

(e-2) Under rules adopted by the State Board of Education, for the 2013-2014 school year, the agency each year shall release the questions and answer keys to each assessment instrument administered under Subsection (b), (c), (c-2), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument and any assessment instrument covering a subject or course for which the questions and answer keys for the 2012-2013 assessment instrument covering that subject or course were released, after the last time the instrument is administered for the 2013-2014 school year. This subsection expires December 31, 2014.

(e-3) Under rules adopted by the State Board of Education, for the 2013-2014 school year, the agency each year shall release

the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (d), or (l) during the 2011-2012 school year after the last time any assessment instrument is administered for the 2013-2014 school year. This subsection expires December 31, 2014.

(e-4) To ensure a valid bank of questions for use each year, the agency is not required to release a question that is being field-tested and was not used to compute the student's score on the instrument. The agency shall also release, under board rule, each question that is no longer being field-tested and that was not used to compute a student's score.