

## **BILL ANALYSIS**

S.B. 1308  
By: Davis  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties have expressed concern regarding the Texas Education Agency's lack of express authority to review its statewide standardized test contract with a vendor to ensure the vendor's full compliance with contractual obligations and contend that the agency should be allowed and encouraged to review such a contract. S.B. 1308 seeks to address this issue by providing for the development and application of contract performance auditing and monitoring procedures.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Education Agency in SECTION 1 of this bill.

### **ANALYSIS**

S.B. 1308 amends the Education Code to require the Texas Education Agency (TEA) by rule to develop a comprehensive methodology for auditing and monitoring performance under contracts for services relating to the development or administration of statewide standardized tests in order to verify compliance with contractual obligations. The bill requires TEA to ensure that all new and renewed contracts for such services include a provision that TEA or a designee of TEA may conduct periodic contract compliance reviews, without advance notice, to monitor vendor performance. The bill requires TEA to adopt rules to administer these provisions.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.