

BILL ANALYSIS

Senate Research Center
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S.B. 1309
By: Davis
Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 39.023 (Adoption and Administration of Instruments), Education Code, requires the Texas Education Agency (TEA) to develop and administer the State of Texas Assessments of Academic Readiness (STAAR) Alternate examination to assess students in grades three through eight and high school, who have significant cognitive disabilities and are receiving special education services. The Texas Essential Knowledge and Skills (TEKS) statements and student expectations for each reporting category tested in the STAAR examination are summarized into essence statements used for the STAAR Alternate. The essence statements link the grade-level or high school course expectations to the prerequisite skills used for STAAR Alternate. For each essence statement, three tasks have been provided at varying levels of complexity: Level 3 assessment tasks are the most complex and require students to apply knowledge; Level 2 tasks are moderately complex and require students to recall information recently presented; and Level 1 tasks are the least complex and require students to respond at the beginning awareness level. Teachers, via the admission, review, and dismissal (ARD) committees, determine which level of complexity is most appropriate for each student. Teachers then make the tasks accessible by providing presentation supports, choosing appropriate materials, and selecting response modes that allow the student to demonstrate what has been learned.

S.B. 1309 requires the assessment tool developed by TEA to include assessment materials and tasks. The current iteration of the STAAR Alternate requires teachers to review the examination prior to administration, usually in September, and to develop and document materials related to each assessment task. The Texas Council of Administrators of Special Education (TCASE) surveyed their members and found that special needs instructors were spending roughly six hours per week outside the typical work day to develop the STAAR Alternate assessment. Each essence statement requires roughly three pages of description (e.g. materials used, questions asked, response by student, et cetera). In addition, 42 percent of special education directors reported having to hire substitute teachers for multiple days to support teacher administration of the STAAR Alternate.

S.B. 1309 requires the STAAR Alternate assessment to include assessment tasks and materials (no more drafting several poems per question per student per examination or creating individual mathematics questions) for each essence statement. Teachers will still provide presentation supports, which allows teachers to make sufficient individual modifications depending on each student's needs. While assessing progress is important, requiring several hours per week of additional preparation for a "standardized" examination is a misapplication of valuable instruction time.

As proposed, S.B. 1309 amends current law relating to assessment alternatives or accommodations for public school students in special education programs.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 39.023, Education Code, by adding Subsection (b-1), as follows:

(b-1) Prohibits a teacher from being required to prepare individualized prompts for a student who will be administered an alternative assessment instrument developed or adopted under Subsection (b) (relating to requiring the Texas Education Agency to develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program) or an assessment instrument required by this section for which a student's admission, review, and dismissal committee determines allowable modifications are necessary. Requires that any prompt for use in the administration of the assessment instrument be provided as supplementary information for the assessment instrument.

SECTION 2. Effective date: upon passage or September 1, 2013.