

By: White

H.B. No. 94

A BILL TO BE ENTITLED

AN ACT

relating to the validity and reliability of assessment instruments administered by the state 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 39.038 to read as follows:

Sec. 39.038. ASSESSMENT INSTRUMENT REVIEW; REPORTING. (a)

To ensure the validity and reliability of an assessment instrument administered under Section 39.023, the agency shall evaluate the assessment instrument:

(1) before the assessment instrument is first administered; and

(2) periodically during the period the assessment instrument is administered.

(b) The commissioner by rule shall adopt, for purposes of this section, standards for the validity and reliability of assessment instruments administered under Section 39.023 and procedures to conduct evaluations of those assessment instruments.

(c) The agency shall post on the agency's Internet website the results of evaluations conducted under this section.

(d) The commissioner shall adopt rules to administer this section.

SECTION 2. Not later than January 1, 2014, the commissioner of education shall adopt rules as provided by Section 39.038,

1 Education Code, as added by this Act.

2           SECTION 3. Notwithstanding Section 39.038(a)(1), Education  
3 Code, as added by this Act, if an assessment instrument  
4 administered under Section 39.023, Education Code, was first  
5 administered before the 2014-2015 school year, the Texas Education  
6 Agency shall evaluate the assessment instrument as provided by  
7 Section 39.038, Education Code, as added by this Act, before  
8 September 1, 2014.

9           SECTION 4. Section 39.038(a), Education Code, as added by  
10 this Act, applies to administration of assessment instruments under  
11 Section 39.023, Education Code, beginning with the 2014-2015 school  
12 year.

13           SECTION 5. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2013.