

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 25, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2836 by Ratliff (Relating to the essential knowledge and skills of the required public school curriculum and to certain state-adopted or state-developed assessment instruments for public school students.), **Conference Committee Report**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2836, Conference Committee Report: a negative impact of (\$1,173,700) through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	(\$623,700)
2015	(\$550,000)
2016	\$0
2017	\$0
2018	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from Foundation School Fund 193
2014	(\$623,700)
2015	(\$550,000)
2016	\$0
2017	\$0
2018	\$0

Fiscal Analysis

The bill would require each assessment instrument to be determined to be valid and reliable on the basis of empirical evidence by an entity that is independent of the test developer and the Texas Education Agency (TEA).

The bill would require assessment instruments to be designed to primarily assess the essential knowledge and skills identified by the State Board of Education of the subject and for the grade level for which the assessment instrument is administered.

The bill would require assessments in grades three through five to be designed such that 85 percent of students complete the assessment within 120 minutes; assessments in grades six through eight shall be designed such that 85 percent of students complete the assessment within 180 minutes; and the maximum time allowed for an assessment is eight hours, to be completed in one calendar day.

The bill would require TEA to conduct a study regarding the essential knowledge and skills of the required curriculum and assessment instruments administered to students in grades three through eight; and would create an advisory committee to review that study.

The bill would require the Commissioner of Education to ensure that procedures are designed to minimize disruptions to school operations and the classroom environment.

The bill would require the Texas Education Agency (TEA) to redevelop assessment instruments for significantly cognitively disabled students. These assessment instruments could not require a teacher to prepare tasks or materials for a student who would be administered the assessment instrument. The bill would require the redeveloped assessment instruments to be administered beginning with the 2015-2016 school year.

The bill would require TEA to develop a comprehensive methodology for auditing and monitoring performance for contracts to provide services to develop or administer assessment instruments. The bill would require TEA to ensure that all such new and renewed contracts for services related to assessment instruments include provisions for compliance reviews to monitor vendor performance. The TEA reports that these provisions would have no significant fiscal impact on the agency, as TEA currently has a comprehensive auditing and monitoring methodology in place for vendors providing assessment instrument services. The TEA would be required to adopt this methodology in commissioner rule.

The bill would exclude students being served in a residential facility for accountability purposes for a campus, district, or open-enrollment charter school. These students would not be counted as dropouts if they left the residential facility after receiving treatment for fewer than 85 days and failed to enroll after treatment unless the campus or district that was serving the facility was the one to which the student was regularly assigned.

Methodology

Based on information provided by TEA, the cost to redevelop assessment instruments administered to students with significant cognitive disabilities would be \$550,000 in fiscal year 2014 and \$550,000 in fiscal year 2015.

Based on the estimate of TEA, the cost to conduct a study of the essential knowledge and skills of

the required curriculum and assessment instruments would be \$73,700.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc, AH