

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 19, 2015**

**TO:** Honorable Larry Taylor, Chair, Senate Committee on Education

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1164** by VanDeaver (Relating to the assessment of public school students in writing and English language arts.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1164, As Engrossed: a positive impact of \$30,720,000 through the biennium ending August 31, 2017.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2016	\$15,320,000
2017	\$15,400,000
2018	\$15,400,000
2019	\$15,400,000
2020	\$15,400,000

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from <i>General Revenue Fund</i> 1</b>
2016	\$15,320,000
2017	\$15,400,000
2018	\$15,400,000
2019	\$15,400,000
2020	\$15,400,000

**Fiscal Analysis**

The bill would require the Texas Education Agency to adopt or develop appropriate criterion-referenced assessment instruments in English language arts (ELA) for grades 4 and 7, instead of in writing.

The bill would prohibit the use of a writing sample from a student in connection with a state required assessment instrument for purposes of accountability, grade promotion, or graduation.

The bill would require each school district to assess a student's writing in grades four and seven and at the end of English I and English II in accordance with the Texas Essential Knowledge and Skills (TEKS). The bill would allow school districts to determine how to properly assess a student's writing, including portfolio assessment.

The bill would require students to demonstrate successful achievement on the TEKS at the end of English I and English II, as determined by the local school board, in order to receive a high school diploma.

The bill would require the Job Corps Diploma Program and juvenile justice alternative education programs to provide writing assessments and notices and reporting of student performance consistent with requirements for schools districts as specified in the bill.

The bill would take effect September 1, 2015, or immediately if passed with the necessary voting margins, and would apply beginning with school year 2016-17.

### **Methodology**

This analysis assumes student writing would be assessed at the local level by school districts and open-enrollment charter schools, thus eliminating the writing assessments in grades four and seven in addition to the writing component of the English I and II end-of-course (EOC) assessments, generating an anticipated state saving of \$15.3 million in fiscal year 2016 and \$15.4 million in subsequent years.

Based on information provided by the Texas Education Agency (TEA), the estimated savings of eliminating the grades four and seven writing assessments would be \$7.9 million per fiscal year (\$4.2 million for the grade 4 assessment and \$3.7 million for the grade 7 assessment). This analysis assumes current reading assessment instruments in grades 4 and 7 would need modification in fiscal year 2016 to assess English language arts as required by the bill, partially offsetting the savings of eliminating the tests. Based on information provided by TEA, the estimated cost of modifying the grades four and seven assessments to assess English language arts and set the new performance standards is \$80,000 in fiscal year 2016 (\$40,000 for each assessment).

Based on information provided by TEA, the estimated savings of eliminating the English I and II EOC would be \$12.0 million per fiscal year (\$6.0 million for each assessment). By removing the writing component of the English I and II EOCs, the agency assumes it could revert to the English I and II reading assessments administered in fiscal years 2012 and 2013 with annual administration costs of \$4.5 million (\$2.25 million for each assessment).

This analysis assumes cost estimates based on the per assessment costs of the current state assessment contract. To the extent that assessment costs change with a new contract, savings may vary.

### **Local Government Impact**

School districts, open-enrollment charter schools, the Job Corps Diploma Program, and juvenile justice alternative education programs would be required to assess writing using any method deemed appropriate, including a portfolio assessment, provide notifications, and report the results. Costs would vary amongst districts and programs given the range of options available to assess writing.

School districts would incur costs to adopt or develop alternative English language arts assessments for students receiving special education services that elected to opt out of the state English language arts assessments. Costs would vary amongst districts based on the assessment instrument selected and the number of students that opted out of the state English language arts assessment.

School districts and open-enrollment charter schools may also experience varying savings from eliminating the administration of grades four and seven writing assessments.

**Source Agencies:** 701 Central Education Agency, 644 Juvenile Justice Department

**LBB Staff:** UP, JBi, AM, AW