

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 8, 2019

TO: Honorable Dan Huberty, Chair, House Committee on Public Education

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB4242 by Bernal (Relating to the administration of state assessments.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4242, As Introduced: a negative impact of (\$2,310,000) through the biennium ending August 31, 2021.

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
2020	(\$1,155,000)
2021	(\$1,155,000)
2022	(\$955,000)
2023	(\$955,000)
2024	(\$955,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
	1
2020	(\$1,155,000)
2021	(\$1,155,000)
2022	(\$955,000)
2023	(\$955,000)
2024	(\$955,000)

Fiscal Analysis

The bill would require that each criterion-referenced assessment instrument used by the state to assess educational knowledge and skills be evaluated by a group of educators for readability within the grade level being assessed. Each assessment item of sufficient length would have to be separately evaluated for readability within the grade level being assessed before being field-

tested. The Commissioner of Education would be required to hold a public hearing before making a determination as to readability.

Each reading assessment instrument would have to be comprised of items that are aligned with the TEKS and that have been determined to have been written at the independent reading level.

The agency would be required to release measures of readability for each question at the time it releases questions and answer keys. The State Board of Education would be required to review at least once a years each assessment instrument and the associated measures of readability.

Transition for Readability Measures

The Commissioner of Education would be required to submit to the Legislature and the Governor the results of the evaluation of readability for each assessment instrument used in the 2018-2019 and 2019-2020 school years.

Accountability ratings could not be applied or used in making determinations for students, campuses, or districts for the 2018-2019 school year. For subsequent school years, state assessment instruments could not be administered unless they meet readability standards. The bill would direct the Commissioner of Education to request a federal waiver. If a waiver is not granted, state assessments that do not meet readability requirements could only be used if they are necessary to comply with federal law or if the use of an assessment allows a district or campus to move from an unacceptable to acceptable rating.

Provisions related to transition for readability measures would expire September 1, 2021. The bill would apply beginning with the 2019-2020 school year. The bill would take immediate effect if it receives a two-thirds vote in each house of the Legislature. Otherwise, the bill would take effect September 1, 2019.

Methodology

According to the Texas Education Agency (TEA), independent educator groups would be required to evaluate each assessment for grade level readability. Evaluations would be required for each of the 24 English STAAR assessments, eight Spanish STAAR assessments, and 22 STAAR Alt-2 assessments. This would require convening committees of educators to attend three- to four-day meetings to review and evaluate the assessments. Additionally, there would be costs associated determining the correlations with readability levels for other assessments commonly used by Texas school districts. It is estimated that beginning in FY 2020, costs for the activities described would total \$955,000 per fiscal year.

In addition, TEA reports that in fiscal year 2020 and 2021, the agency would be required to complete an evaluation of each STAAR assessment that was administered during the 2018-2019 school year and the 2019-2020 school year and then report its findings to the Legislature and the Governor. Costs associated with this evaluation would total \$200,000 in each fiscal year of the biennium.

Local Government Impact

No significant fiscal implication to school districts or charter schools is anticipated.

Source Agencies: 701 Texas Education Agency, 709 Texas A&M University System Health
Science Center

LBB Staff: WP, HL, AM, THo