

- SUBJECT:** Release by the TEA of questions and answer to TAKS tests
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 7 ayes — Grusendorf, Oliveira, Branch, Delisi, Eissler, Hochberg, B. Keffer
- 0 nays
- 2 absent — Dutton, Mowery
- WITNESSES:** For — Ramiro Canales, Texas Association of School Administrators; Harley Eckhart, Texas Elementary Principals and Supervisors Association; Kathy Golson, Texas Association of School Boards; Lindsay Gustafson, Texas Classroom Teachers Association; Pat Hardy; Keith Harrey, Texas Statewide Network of Assessment Professionals, Spring Branch Independent School District; Pat Jacoby; Norma Jost; Sandra Poth, Northside Independent School District and Texas Statewide Network of Assessment Professionals, Texas School Alliance Assessment Group; Gary Reeves, Texas School Alliance; Elaine Say, Spring Independent School District
- Against — None
- On — Susan Barnes, Texas Education Agency
- BACKGROUND:** Education Code, ch. 39, governs the public school accountability system and the assessment of academic skills. HB 3459 by Pitts, enacted by the 78th Legislature in 2003, made appropriations-related changes to education agencies. It also required the State Board of Education (SBOE) to release the questions and answers keys to each assessment instrument every other year.
- DIGEST:** CSHB 849 would require the SBOE to adopt rules requiring the Texas Education Agency (TEA) to release to each school district questions and answer keys to each assessment instrument for reading, writing, mathematics, social studies, science, exit-level tests, tests administered under special education programs, and tests administered in Spanish, no later than 30 days after the date the results were released.

The bill would specify that TEA would not have to release a question being field-tested and that was not used to compute a student's score on the test. The bill would require TEA to release, after the last assessment instrument administered for that school year, each question that was no longer being field-tested and that was not used to compute a student's score.

The bill would apply beginning with the 2006-2007 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2005.

**SUPPORTERS  
SAY:**

Administrators, educators, and parents would benefit from the release of statewide tests, including the Texas Assessment of Knowledge and Skills (TAKS), on an annual basis rather than a bi-annual basis. An annual release of state test data would be an important tool that educators use to make better decisions about instructional interventions and would allow districts to make informed decisions about how to strengthen their programs.

The Texas Education Agency (TEA) began releasing the Texas Assessment of Academic Skills (TAAS) to provide complete information about the state testing program to Texas educators, parents, students, and the general public. The continued release of this test data has helped advance public trust in the state testing program. It has allowed all concerned to obtain data necessary to determine the level of performance required for students to be successful.

At grade levels where meeting the standard is required to be promoted to the next grade or to graduate from high school, released tests are particularly critical because the examination of actual tests students take reveals which items and objectives need attention. Released tests allow TEA to provide districts with an item analysis for each test administered. This item analysis is designed to show how students responded to each item, and when combined with a released test, not only allows teachers to develop a holistic picture of students' understanding of the curriculum, but also helps them make necessary programmatic improvements that benefit all students.

The concerns regarding the bill creating a staggered release of questions and answer keys could be addressed with a floor amendment.

**OPPONENTS  
SAY:**

The bill's requirement that TEA must release the questions and answer keys, also known as the released tests, to each assessment instrument within 30 days after the test results were released would result in a staggered release of this information. Some tests are administered several times a year, including the exit-level test, which is administered four times a year. This could result in TEA releasing tests to be administered as well as the released tests, all at different times, periodically throughout the year.

This would be very confusing for school districts. In one instance a school district mistakenly administered a test that had already been released. Current law requires that the questions and answer keys to tests be released no later than the beginning of the subsequent school year, a more efficient time to send released tests to school districts and less risky because school districts would know when to expect the released tests.

**NOTES:**

The committee substitute would specify that TEA would release to each district the questions and answer keys no later than 30 days after the date the results were released. TEA would not have to release a question being field-tested and that was not used in computing a student's score. The substitute would also require TEA, under board rule, to release each question that was no longer being field-tested and not used to compute a student's score.

A proposed floor amendment would clarify that TEA would have to release to each school district questions and answer keys to each assessment instrument not later than the 30th day after the date the last results were released for that year rather than 30 days after the test results were released.