

- SUBJECT:** Modifying the transition plan for electronic administration of assessments
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 12 ayes — Dutton, Allen, Allison, K. Bell, Bernal, Buckley, M. González, Huberty, K. King, Meza, Talarico, VanDeaver
- 0 nays
- 1 absent — Lozano
- WITNESSES:** For — (*Registered, but did not testify:* Naomi Miller, Northside ISD; Taylor Sims, Project Lead the Way; Madison Yandell, Texas 2036; Jennifer Bergland, Texas Computer Education Association; Mia McCord, Texas Conservative Coalition; Suzi Kennon, Texas PTA; Starlee Coleman, Texas Public Charter School Association; Gilbert Zavala, The Greater Austin Chamber of Commerce; Knox Kimberly, Upbring; Thomas Parkinson)
- Against — Greg Wright, Instructional Materials Coordinators' Association of Texas; (*Registered, but did not testify:* Carrie Griffith, Texas State Teachers Association)
- On — (*Registered, but did not testify:* Chloe Latham Sikes, Intercultural Development Research Association; Eric Marin and Monica Martinez, Texas Education Agency; Dee Carney, Texas School Alliance)
- BACKGROUND:** Education Code sec. 39.02341 requires the Texas Education Agency in consultation with the State Board of Education to develop a transition plan to administer all required assessment instruments electronically.
- DIGEST:** CSHB 3261 would authorize a matching grant program, allow funds from the instructional materials and technology allotment to be used for certain purposes, and modify the transition plan to electronically administer required assessment instruments, among other provisions.

Matching grant program. The commissioner of education could establish a matching grant program to ensure that all school districts and open-enrollment charter schools had the necessary infrastructure to administer assessment instruments electronically in accordance with the transition plan. In establishing the grant program, the commissioner could:

- set eligibility criteria to receive a matching grant under the program; and
- contract with developers of technology as necessary to ensure the most efficient and cost-effective implementation of internet connectivity infrastructure for electronic administration of assessment instruments.

The provisions permitting the establishment of a grant program would expire September 1, 2025.

Instructional materials and technology allotment. The bill would specify that funds under the instructional materials and technology allotment could be used to purchase services, equipment, and technology infrastructure necessary to ensure internet connectivity and adequate bandwidth and pay for training personnel in the electronic administration of assessment instruments.

Transition plan. The bill would modify the transition plan to administer all assessment instruments electronically by limiting its applicability to:

- assessment instruments designed to assess essential knowledge and skills in reading, mathematics, social studies, and science;
- end-of-course assessment instruments for secondary-level courses in Algebra I, biology, English I, English II, and U.S. history; and
- assessment instruments in Spanish to students in grade three through five who were of limited English proficiency.

Unless otherwise provided by commissioner rule, each of these required assessment instruments would have to be administered electronically. This provision would apply beginning with the 2023-2024 school year.

The bill would remove the expiration date of the transition plan implementation deadline in statute.

Assessment instruments. On request by a school district or open-enrollment charter school, the commissioner could allow the district or school to administer certain required assessment instruments on the first instructional day of a week if administering the assessment instrument on another instructional day would result in a significant administrative burden due to specific local conditions.

The bill would specify that an open-enrollment charter school could not be required to administer interim assessment instruments, and that an interim assessment instrument would have to be predictive of the assessment instrument for the applicable subject or course for that grade level when possible.

Beginning with the 2022-2023 school year, no more than 75 percent of the available points on an assessment instrument could be attributable to multiple-choice questions.

The bill would apply beginning with the 2021-2022 school year, unless otherwise specified.

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, 2021.

SUPPORTERS
SAY:

CSHB 3261 would allow the Texas Education Agency (TEA) sufficient time to implement the required transition plan to administer assessments electronically by removing the statutory expiration date of the plan. COVID-19 disrupted the original intended timeline of the transition plan, and this bill would give TEA the necessary time to implement it. Further, the bill would aid school districts in adapting to the transition to electronic assessments by authorizing the education commissioner to create a matching grant program.

The instructional materials and technology allotment provides school districts with the ability to adapt to the increasingly electronic nature of instruction and assessment. Therefore, the bill appropriately would expand use of the allotment to cover technology and training costs.

**CRITICS
SAY:**

CSHB 3261 inappropriately would authorize the use of funds from the instructional materials and technology allotment to pay for equipment and training for the electronic administration of assessments. These funds are intended to supply students with textbooks and other instructional materials, not to be used for providing assessments electronically.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of about \$30.2 million to general revenue through fiscal 2023.