

BILL ANALYSIS

Senate Research Center
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S.B. 1308
By: Davis
Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Chapter 39 (Public School System Accountability) of the Education Code, which covers state mandated assessments, allows the Texas Education Agency (TEA) to periodically review schools with on-site visits, allows the comptroller of public accounts of the State of Texas to review the costs associated with testing, and allows the commissioner of education to levy sanctions against poor performing districts. At no point, however, does the statute require or allow TEA to go back and review its assessment contract with a vendor to ensure full compliance with contractual obligations.

S.B. 1308 allows and encourages TEA to review its current assessments contract and to develop criteria for auditing future assessment contracts.

S.B. 1308 requires TEA to develop a comprehensive methodology for auditing assessment contracts. All new and renewed assessment contracts by TEA shall include a provision which allows for periodic contract review without notice.

As proposed, S.B. 1308 amends current law relating to auditing and monitoring of performance under contracts for state-adopted assessment instruments administered to public school students.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Education Agency in SECTION 1 (Section 39.038, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 39, Education Code, by adding Section 39.038, as follows:

Sec. 39.038. AUDITING AND MONITORING PERFORMANCE UNDER CONTRACTS FOR ASSESSMENT INSTRUMENTS. (a) Requires the Texas Education Agency (TEA) by rule to develop a comprehensive methodology for auditing and monitoring performance under contracts for services to develop or administer assessment instruments required by Section 39.023 (Adoption and Administration of Instruments) to verify compliance with contractual obligations.

(b) Requires TEA to ensure that all new and renewed contracts described by Subsection (a) include a provision that the agency or a designee of TEA is authorized to conduct periodic contract compliance reviews, without advance notice, to monitor vendor performance.

(c) Requires TEA to adopt rules to administer this section.

SECTION 2. Effective date: upon passage, or September 1, 2013.