TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE

CORRECTED FISCAL MEMORANDUM

HB 1394 - SB 1267

April 10, 2019

SUMMARY OF ORIGINAL BILL: Creates a 60-day deadline for the Department of Education (DOE) to provide LEA's access to their students' Tennessee Comprehensive Assessment Program (TCAP) and end-of course assessments. Requires DOE to include all questions posed to students unless it violates copyright infringement laws. Requires local education agencies (LEAs) to provide each teacher with access to the teacher's students' information within 90 days following the administration of assessments. Requires LEAs to include all questions posed to the teacher's students unless it violates copyright infringement laws.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – $8,401,400

Other Fiscal Impact – Passage of this legislation may jeopardize part of the annual federal K-12 education funding.

SUMMARY OF AMENDMENT (007861): Deletes all language after the enacting clause and rewrites the bill such that the only substantive changes are: (1) to require DOE to publicly release TCAP test questions and each question's correct answer by August 1 of each year; (2) to exclude items that are being field tested for future administrations of the assessments or items that DOE has designated as linking questions; and (3) to change, from the 2016-17 school year to the expiration of the contract executed by DOE for the provision of state assessments in 2019, as the group of assessments that the proposed legislation will apply.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

On April 9, 2019, a fiscal memorandum was issued with the following fiscal impact:

Increase State Expenditures – $8,401,400

Based on additional information from DOE and further analysis, this impact was determined to be in error. The corrected fiscal impact is as follows:

HB 1394 - SB 1267 (CORRECTED)

(CORRECTED)
Increase State Expenditures – Exceeds $430,000

Corrected Assumptions for the bill as amended:

- Tennessee Code Annotated § 49-1-610 requires that 30 percent of assessment questions must be new each year and items that are no longer needed may be released.
- DOE's current budget and contract allows for spending associated with the release of 30 percent of assessment items which costs $4,092,531.
- The requirement to release assessment TCAP test questions and each question's correct answer will result in a recurring increase in state expenditures exceeding $430,000 in FY19-20 and subsequent years.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

Krista Lee Carsner RVC

Krista Lee Carsner, Executive Director

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