

Chapter 101. Assessment

Subchapter B. Implementation of Assessments

§101.25. Schedule.

- (a) The commissioner of education shall specify the schedule for testing and field testing that is in compliance with the Texas Education Code (TEC), §39.023(c-3)(1) and (2), and supports reliable and valid assessments.
- (b) The superintendent of each school district or chief administrative officer of each charter school and any private school administering the tests as allowed under the TEC, §39.033, shall be responsible for administering tests.
- (c) The commissioner of education may provide alternate dates for the administration of tests required for a high school diploma to students who are migratory children, as defined in the TEC, §39.029, and who are out of the state.
- (d) Participation in University Interscholastic League area, regional, or state competitions is prohibited on any days on which testing is scheduled between Monday and Thursday of the school week in which the primary administration of assessment instruments under the TEC, §39.023(a), (c), or (l), occurs.

Statutory Authority: The provisions of this §101.25 issued under the Texas Education Code, §39.023 and §39.025.

Source: The provisions of this §101.25 adopted to be effective November 15, 2001, 26 TexReg 9091; amended to be effective May 28, 2006, 31 TexReg 4196; amended to be effective March 14, 2013, 38 TexReg 1676.

§101.27. Administrative Procedures.

A school district, charter school, or private school administering the tests required by the Texas Education Code (TEC), Chapter 39, Subchapter B, shall follow procedures specified in the applicable test administration materials.

Statutory Authority: The provisions of this §101.27 issued under the Texas Education Code, §39.023 and §39.025.

Source: The provisions of this §101.27 adopted to be effective November 15, 2001, 26 TexReg 9091; amended to be effective March 14, 2013, 38 TexReg 1676.

§101.31. Private Schools.

- (a) A private school administering the assessments under the Texas Education Code (TEC), Chapter 39, Subchapter B, shall follow procedures specified in the applicable test administration materials. Each private school shall maintain test security and confidentiality as delineated in the TEC, §39.030.
- (b) A private school administering the assessments under the TEC, Chapter 39, Subchapter B, shall reimburse the Texas Education Agency for each assessment administered. The per-student cost may not exceed the cost of administering the same assessment to a student enrolled in a school district.
- (c) A private school administering the assessments under the TEC, Chapter 39, Subchapter B, shall provide to the commissioner of education, as required by law and determined appropriate by the commissioner, academic excellence indicator information described in the TEC, §39.053(c) and §39.301(c). For indicator information defined and collected through the Public Education Information Management System (PEIMS), private schools shall follow the PEIMS Data Standards.

Statutory Authority: The provisions of this §101.31 issued under the Texas Education Code, Chapter 39, Subchapter B.

Source: The provisions of this §101.31 adopted to be effective November 15, 2001, 26 TexReg 9091; amended to be effective December 23, 2009, 34 TexReg 9200.

§101.33. Release of Tests.

Beginning in 2009 with the 2008-2009 school year and each subsequent third school year, the Texas Education Agency shall release all test items and answer keys only for primary administration assessment instruments administered under the Texas Education Code, §39.023(a), (b), (c), (d), and (l), and field test items that are at least four years old and that are no longer eligible for inclusion on a subsequent test form.

Statutory Authority: The provisions of this §101.33 issued under the Texas Education Code, §39.023 and §39.025.

Source: The provisions of this §101.33 adopted to be effective November 15, 2001, 26 TexReg 9091; amended to be effective October 12, 2003, 28 TexReg 8607; amended to be effective June 6, 2004, 29 TexReg 5343; amended to be effective December 25, 2005, 30 TexReg 8682; amended to be effective October 21, 2008, 33 TexReg 8643; amended to be effective December 23, 2009, 34 TexReg 9200; amended to be effective March 14, 2013, 38 TexReg 1676.