

By: Williams

S.B. No. 759

A BILL TO BE ENTITLED

AN ACT

relating to certain standards for group-administered achievement tests used by school districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 39.032, Education Code, is amended by amending Subsections (a) and (c) and adding Subsection (c-1) to read as follows:

(a) A company or organization may not distribute to, sell to, or grade for the same school district the same form of an assessment instrument for more than eight [~~three~~] school years. A school district may not use the same form of an assessment instrument for more than eight [~~three~~] years. This subsection does not apply if another form of a particular assessment instrument does not exist.

(c) State and national norms of averages shall be computed using data that:

(1) are not more than eight [~~six~~] years old at the time the assessment instrument is administered, unless only data older than eight years old are available; and

(2) [~~that~~] are representative of the group of students to whom the assessment instrument is administered.

(c-1) The standardization norms computed under Subsection (c) shall be based on a national probability sample that meets accepted standards for educational and psychological testing and,

1 using proven psychometric procedures approved by the State Board of  
2 Education, shall be updated at least every eight [~~six~~] years,  
3 unless sufficient data to update the sample are not available  
4 [~~using proven psychometric procedures approved by the State Board~~  
5 ~~of Education~~].

6 SECTION 2. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2009.