

1-1 By: Williams S.B. No. 759
1-2 (In the Senate - Filed February 10, 2009; March 4, 2009,
1-3 read first time and referred to Committee on Education;
1-4 March 13, 2009, reported favorably by the following vote: Yeas 8,
1-5 Nays 0; March 13, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to certain standards for group-administered achievement
1-9 tests used by school districts.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 39.032, Education Code, is amended by
1-12 amending Subsections (a) and (c) and adding Subsection (c-1) to
1-13 read as follows:

1-14 (a) A company or organization may not distribute to, sell
1-15 to, or grade for the same school district the same form of an
1-16 assessment instrument for more than eight [~~three~~] school years. A
1-17 school district may not use the same form of an assessment
1-18 instrument for more than eight [~~three~~] years. This subsection does
1-19 not apply if another form of a particular assessment instrument
1-20 does not exist.

1-21 (c) State and national norms of averages shall be computed
1-22 using data that:

1-23 (1) are not more than eight [~~six~~] years old at the time
1-24 the assessment instrument is administered, unless only data older
1-25 than eight years old are available; and

1-26 (2) [~~that~~] are representative of the group of students
1-27 to whom the assessment instrument is administered.

1-28 (c-1) The standardization norms computed under Subsection
1-29 (c) shall be based on a national probability sample that meets
1-30 accepted standards for educational and psychological testing and,
1-31 using proven psychometric procedures approved by the State Board of
1-32 Education, shall be updated at least every eight [~~six~~] years,
1-33 unless sufficient data to update the sample are not available
1-34 [using proven psychometric procedures approved by the State Board
1-35 of Education].

1-36 SECTION 2. This Act takes effect immediately if it receives
1-37 a vote of two-thirds of all the members elected to each house, as
1-38 provided by Section 39, Article III, Texas Constitution. If this
1-39 Act does not receive the vote necessary for immediate effect, this
1-40 Act takes effect September 1, 2009.

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