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Chapter 1210

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 Subsection (c) and adding Subsections (c-1) and (c-2) to read as follows:

(c) State and national norms of averages shall be computed using data that are not more than eight [~~six~~] years old at the time the assessment instrument is administered and 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:

(1) based on a national probability sample that meets accepted standards for educational and psychological testing; and

(2) [~~shall be~~] updated at least every eight [~~six~~] years using proven psychometric procedures approved by the State Board of Education.

(c-2) The eight-year limitation on data to compute norms under this section does not apply if only data older than eight years is available for an assessment instrument. The commissioner by rule may limit the exception created by this subsection based on the type of assessment instrument.

1 SECTION 2. Subsections (a), (b), and (d), Section 39.032,
2 Education Code, are repealed.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2009.

David Newkum

President of the Senate

Jim Strawn

Speaker of the House

I hereby certify that S.B. No. 759 passed the Senate on March 19, 2009, by the following vote: Yeas 29, Nays 0; and that the Senate concurred in House amendment on May 29, 2009, by the following vote: Yeas 31, Nays 0.

Datsy Spaw

Secretary of the Senate

I hereby certify that S.B. No. 759 passed the House, with amendment, on May 26, 2009, by the following vote: Yeas 141, Nays 0, one present not voting.

Robert Haney

Chief Clerk of the House

Approved:

19 JUN '09

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK

JUN 19 2009

Colby Shuter III