

ATTACHMENT II
Text of Proposed Amendment to 19 TAC

Chapter 89. Adaptations for Special Populations

Subchapter C. Texas Certificate of High School Equivalency

§89.42. Official Testing Centers.

- (a) Entities eligible to serve as official computer-based testing centers include:
- (1) an accredited school district;
 - (2) an institution of higher education;
 - (3) an education service center;
 - (4) a local workforce development board;
 - (5) a United States Department of Labor One-Stop Career Center;
 - (6) a United States Department of Labor Job Corps Center;
 - (7) a public or private correctional institution;
 - (8) a public or private technical institution or career preparation school;
 - (9) any other public or private postsecondary institution offering academic or technical education or vocational training under a certificate program or an associate degree program; and
 - (10) an independent, stand-alone testing center.
- (b) Entities eligible to serve as official paper-based testing centers include:
- (1) an accredited school district;
 - (2) an institution of higher education; ~~[and]~~
 - (3) an education service center ; ~~[and]~~
 - ~~(4) an entity approved to provide services under the Adult Education and Family Literacy Act; and~~
 - ~~(5) a local workforce development board.~~
- ~~(c) In order for a testing center to administer a paper-based test, the testing center must certify in its application that it will make the following documentation available upon request by the Texas Education Agency (TEA):~~
- ~~(1) a written description of the testing center management structure and how any instruction provided by the center will be separate from testing, including a certification that tests will be administered and/or proctored by an individual that has not provided direct instruction to the test taker in the previous 12 months;~~
 - ~~(2) a written narrative and photographs that describe and show:~~
 - ~~(A) the building;~~
 - ~~(B) distraction-free testing rooms;~~
 - ~~(C) a separate but attached registration and admission room;~~
 - ~~(D) sufficient separation of testing space from classrooms used for instruction; and~~
 - ~~(E) desk layout that includes partitions or sufficient spacing to separate test takers by at least five feet;~~
 - ~~(3) a written plan detailing how the testing center will ensure test security, including:~~

- (A) a secure area for staff to inventory test material and prepare documents for testing sessions;
 - (B) restricted access to administrator workstations, monitors, and printers;
 - (C) a dedicated locked storage unit for secure test material in a locked room with access only to test administrators; and
 - (D) a secure area for the shipping and receiving of all test materials, answer sheets, and related materials;
- (4) written procedures for administering the test; and
 - (5) a written detailed emergency plan.
- (d) A testing center that administers a paper-based test must provide to the test vendor for review written procedures for administering the test. In addition, the testing center must notify both the TEA and the test vendor in writing of testing center changes such as testing personnel, testing rooms, storage of secure documentation, the emergency plan, or any other change impacting operations.
- (e) ~~(e)~~ The appropriate official of an eligible entity desiring to provide the testing service to residents in the community must request approval from the TEA [Texas Education Agency (TEA)] to apply for authorization from the authorized testing organization. If the need for a testing center in the location exists, the appropriate entity official, in writing, shall inform the state administrator appointed by the commissioner of education that the establishment of an official testing center is requested at that particular entity. The contract to operate a center shall be between the applicant entity and the authorized testing organization and its partners.
- (f) ~~(d)~~ The authorization to function as an official testing center may be withdrawn by the TEA if the testing center is in violation of State Board of Education rules. Potential violations include neglecting to follow test, vendor, or jurisdictional policies and procedures; unauthorized use or sale of test candidate information; or misrepresentation of the testing center's authority to issue transcripts or credentials on behalf of the TEA.
- (g) ~~(e)~~ A testing center may administer the test by paper, computer, or both, as approved by the TEA, to eligible candidates.