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HOUSE OF REPRESENTATIVES



*Ana Luna*

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

1 Amend C.S.H.B. No. 5 (house committee report) by adding to  
2 the bill the following appropriately numbered SECTIONS and  
3 renumbering SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. (a) Section 39.026, Education Code, is amended  
5 to read as follows:

6 Sec. 39.026. LOCAL OPTION. In addition to the assessment  
7 instruments adopted by the agency and administered by the State  
8 Board of Education, a school district may adopt and administer  
9 criterion-referenced or norm-referenced assessment instruments, or  
10 both, at any grade level beginning at the first grade level. A  
11 norm-referenced assessment instrument adopted under this section  
12 must be economical, nationally recognized, and state-approved.

13 (b) This section applies beginning with the 2013-2014  
14 school year.

15 SECTION \_\_\_\_\_. (a) Subchapter B, Chapter 39, Education Code,  
16 is amended by adding Section 39.0263 to read as follows:

17 Sec. 39.0263. RESTRICTION ON ASSESSMENT OF STUDENTS IN  
18 CERTAIN GRADE LEVELS. (a) Except as provided by Subsection (b),  
19 the agency, the State Board of Education, or a school district may  
20 not require administration of a standardized criterion-referenced  
21 or norm-referenced assessment instrument, including an achievement  
22 test, to students in prekindergarten or kindergarten.

23 (b) Subsection (a) does not apply to:

24 (1) a reading instrument administered under Section  
25 28.006;

26 (2) an English language proficiency test under Section  
27 29.056(a);

28 (3) an assessment instrument administered to students  
29 in one or more of a school's prekindergarten or kindergarten

1 classes to assess learning of specific instructional material, such  
2 as a spelling test;

3 (4) assessment through naturalistic observation; or

4 (5) any authentic assessment or similar assessment in  
5 which a student is required to apply real-world skills.

6 (b) This section applies beginning with the 2013-2014  
7 school year.