

By: Hernandez Luna

H.B. No. 504

A BILL TO BE ENTITLED

AN ACT

1
2 relating to restricting certain state and school district
3 assessments of public school students in prekindergarten and
4 kindergarten.

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

6 SECTION 1. Subchapter B, Chapter 39, Education Code, is
7 amended by adding Section 39.0263 to read as follows:

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

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

15 (1) a reading instrument administered under Section
16 28.006;

17 (2) an English language proficiency test under Section
18 29.056(a); or

19 (3) an assessment instrument administered to students
20 in one or more of a school's prekindergarten or kindergarten
21 classes to assess learning of specific instructional material, such
22 as a spelling test.

23 SECTION 2. Section 39.026, Education Code, is amended to
24 read as follows:

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

8 SECTION 3. This Act applies beginning with the 2013-2014
9 school year.

10 SECTION 4. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2013.