

By: Van de Putte

S.B. No. 1608

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

(1) a reading instrument administered under Section 28.006;

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

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

SECTION 2. Section 39.026, Education Code, is amended to 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.