

House Bill 425 (AS PASSED HOUSE AND SENATE)

By: Representatives Chandler of the 105<sup>th</sup>, Belton of the 112<sup>th</sup>, Cantrell of the 22<sup>nd</sup>, Cox of the 108<sup>th</sup>, and Glanton of the 75<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
2 elementary and secondary education, so as to provide for administration of standardized  
3 assessments in paper-and-pencil format upon parental request; to discourage punitive actions  
4 for students refusing to participate in federal, state, or locally mandated standardized  
5 assessments; to provide for alternative administrations of student assessments; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
10 secondary education, is amended by adding new subsections to Code Section 20-2-281,  
11 relating to student assessments, to read as follows:

12 "(t) With respect to any standardized assessments developed and administered pursuant to  
13 this Code section, the State Board of Education or local school system is strongly  
14 encouraged to allow the administration of any such assessment in a paper-and-pencil  
15 format for any student whose parent or guardian requests such format and to any student  
16 18 years of age or older who requests such format; provided, however, that this shall not  
17 apply to make-up assessments.

18 (u) The State School Superintendent shall develop guidelines, approved by the State Board  
19 of Education, by September 1, 2017, that identify a range of appropriate policies which a  
20 local school system is strongly encouraged to adopt when considering how students not  
21 participating in a state-wide assessment will be supervised and what, if any, alternative to  
22 the assessment will be provided to them during the test administration. The guidelines  
23 shall prohibit a school system from taking punitive action against a student, including, but  
24 not limited to, the adoption of sit and stare policies, in response to a student's refusal to  
25 participate in a federal, state, or locally mandated standardized assessment. The guidelines  
26 shall provide that students do not have undirected free time but are provided alternate

27 instructional activities. The guidelines shall also address how and when the local school  
28 system's policy will be communicated to parents, students, and school system staff. As  
29 used in this subsection, the term 'sit and stare' means any policy that requires a student  
30 whose parent or guardian has given written instructions for such student not to participate  
31 in federal, state, or locally mandated standardized assessments to remain with his or her  
32 class in the test room or in another location without any alternate instructional activity  
33 provided."

34 **SECTION 2.**

35 All laws and parts of laws in conflict with this Act are repealed.