House Bill 425 (AS PASSED HOUSE AND SENATE)
By: Representatives Chandler of the 105th, Belton of the 112th, Cantrell of the 22nd, Cox of the 108th, and Glanton of the 75th

A BILL TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.
Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by adding new subsections to Code Section 20-2-281, relating to student assessments, to read as follows:

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

(u) The State School Superintendent shall develop guidelines, approved by the State Board of Education, by September 1, 2017, that identify a range of appropriate policies which a local school system is strongly encouraged to adopt when considering how students not participating in a state-wide assessment will be supervised and what, if any, alternative to the assessment will be provided to them during the test administration. The guidelines shall prohibit a school system from taking punitive action against a student, including, but not limited to, the adoption of sit and stare policies, in response to a student's refusal to participate in a federal, state, or locally mandated standardized assessment. The guidelines shall provide that students do not have undirected free time but are provided alternate
instructional activities. The guidelines shall also address how and when the local school
system's policy will be communicated to parents, students, and school system staff. As
used in this subsection, the term 'sit and stare' means any policy that requires a student
whose parent or guardian has given written instructions for such student not to participate
in federal, state, or locally mandated standardized assessments to remain with his or her
class in the test room or in another location without any alternate instructional activity
provided."

SECTION 2.

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