

House Bill 425

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

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 offer positive learning opportunities for students and not be undirected free time. The

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

33 **SECTION 2.**

34 All laws and parts of laws in conflict with this Act are repealed.