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107TH CONGRESS
1ST SESSION

H. R. 1163

To limit the use of Federal funds appropriated for conducting testing in elementary or secondary schools to testing that meets certain conditions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2001

Mr. AKIN introduced the following bill; which was referred to the Committee on Education and the Workforce

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A BILL

To limit the use of Federal funds appropriated for conducting testing in elementary or secondary schools to testing that meets certain conditions, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Accountability in Testing Act of 2001''.

SEC. 2. FUNDS APPROPRIATED FOR ELEMENTARY AND SECONDARY SCHOOL TESTING.

(a) IN GENERAL.—No funds appropriated to carry out any Federal law may be used to conduct any test or assessment in a public elementary school or a public secondary school unless—

(1) the test or assessment is selected or designed by the State educational agency (or by a local educational agency to which the State has delegated such authority) in the State in which the test is to be administered;

(2) the test or assessment is appropriate for students at least at the grade level of the students being tested;

(3) the test or assessment is objectively scored by machine or other standardized means;

(4) each question of the test or assessment—

(A) is with respect to its design uninfluenced by any 1 opinion, belief, or attitude, and does not test the individual student's personal opinions, beliefs, or attitudes; and

(B) tests objective knowledge based on widely-agreed-upon, measurable, and verifiable professional psychometric standards; and

(5) the results of the test or assessment—

(A) with respect to each individual student, are made available to the student's parents or guardians;

(B) with respect to each school as a whole, are made publicly available; and

(C) with respect to each State as a whole, are made publicly available.

(b) PROHIBITED CONDITIONS.—No Federal official, including the Secretary of Education, may require, as a condition of the receipt or use of any funds appropriated to carry out any Federal law for the purpose of conducting testing in an elementary school or a secondary school, that—

(1) a test be verified by the Federal government for any reason other than to verify that the conditions set forth in subsection (a) have been met;

(2) a private school or a home school test any of its students;

(3) the test data or results be used for the purposes of tracking or career selection; or

(4) the demographic data collected from the individual students as part of the test be used for anything other than aggregate statistics.

(c) DEFINITIONS.—In this section, the terms ''elementary school'', ''local educational agency'', ''State edu-

1 cational agency'', and ''secondary school'' have the mean-
2 ings given such terms in section 14101 of the Elementary
3 and Secondary Education Act of 1965 (20 U.S.C. 8801).

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