



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB5285

Introduced 1/31/2022, by Rep. Lindsey LaPointe

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.64a-15 new

Amends the School Code. Prohibits the State Board of Education from developing, purchasing, or requiring a school district to administer, develop, or purchase a standardized assessment for students enrolled or preparing to enroll in prekindergarten through grade 2, other than for diagnostic purposes. Prohibits the State Board of Education from providing funding for any standardized assessment of students enrolled or preparing to enroll in prekindergarten through grade 2. Effective immediately.

LRB102 23977 CMG 33182 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Section  
5 2-3.64a-15 as follows:

6 (105 ILCS 5/2-3.64a-15 new)

7 Sec. 2-3.64a-15. Restrictions on prekindergarten through  
8 grade 2 assessments.

9 (a) In this Section:

10 "Diagnostic purposes" means for the purpose of determining  
11 if individual students need remedial instruction or to  
12 determine eligibility for special education, early  
13 intervention, or related services. Any assessment used to  
14 determine eligibility for special education or related  
15 services must be consistent with Section 614 of the federal  
16 Individuals with Disabilities Education Act. "Diagnostic  
17 purposes" includes child find and the identification and  
18 evaluation of students with disabilities. "Diagnostic  
19 purposes" does not include any assessment in which student  
20 scores are used to rate or rank a classroom, program, teacher,  
21 school, school district, or jurisdiction.

22 "Standardized assessment" means an assessment that  
23 requires all student test takers to answer the same questions,

1 or a selection of questions from a common bank of questions, in  
2 the same manner or substantially the same questions in the  
3 same manner. "Standardized assessment" does not include an  
4 observational assessment tool used to satisfy the requirements  
5 of Section 2-3.64a-10.

6 (b) The State Board of Education may not develop,  
7 purchase, or require a school district to administer, develop,  
8 or purchase a standardized assessment for students enrolled or  
9 preparing to enroll in prekindergarten through grade 2, other  
10 than for diagnostic purposes.

11 (c) The State Board of Education may not provide funding  
12 for any standardized assessment of students enrolled or  
13 preparing to enroll in prekindergarten through grade 2.

14 (d) Nothing in this Section shall be construed to limit  
15 the ability of a classroom teacher or school district to  
16 develop, purchase, administer, or score an assessment for an  
17 individual classroom, grade level, or group of grade levels in  
18 any subject area in prekindergarten through the grade 2.

19 (e) Nothing in this Section limits procedures used by a  
20 school or school district for Child Find under 34 C.F.R.  
21 300.111(c) or evaluation under 34 C.F.R. 300.304.

22 (f) Nothing in this Section restricts the use of an annual  
23 assessment of English proficiency of all English learners to  
24 comply with Section 1111(b)(2)(G) of the federal Elementary  
25 and Secondary Education Act of 1965.

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.