

115TH CONGRESS
1ST SESSION

S. 1762

To amend the Elementary and Secondary Education Act of 1965 to clarify when certain academic assessments shall be administered.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 5, 2017

Mr. TESTER introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Elementary and Secondary Education Act of 1965 to clarify when certain academic assessments shall be administered.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Student Testing Im-
5 provement and Accountability Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The Elementary and Secondary Education
9 Act of 1965 supports programs to level the playing
10 field for the most vulnerable, including children of

1 poverty, students with disabilities, and English lan-
2 guage learners.

3 (2) Prior to 2001, Federal law required States
4 only to test students once per grade span. Current
5 Federal law requires students to undergo standard-
6 ized testing every year in grades 3 through 8.

7 (3) Reducing the frequency of federally required
8 testing will allow more time for student learning and
9 inspire their natural curiosity and creativity.

10 (4) Students will have more time to receive one-
11 on-one instruction and develop critical thinking and
12 problem-solving skills through a well-rounded edu-
13 cation and curriculum.

14 (5) Moving away from the practice of annually
15 “teaching to the test” will empower educators to
16 provide instruction in a way that best inspires and
17 prepares our Nation’s next generation of leaders.

18 (6) With grade span testing, our educators will
19 be more able to focus on those students who are
20 most in need but who also lose the most class time
21 preparing for annual tests.

22 (7) Grade span testing will allow States the
23 flexibility to develop more meaningful, tailored as-
24 sessment systems that provide valid, reliable data.

1 (8) The yearly testing currently required by
 2 Federal law should be replaced with grade span test-
 3 ing.

4 **SEC. 3. ACADEMIC ASSESSMENTS.**

5 Section 1111(b)(2) of the Elementary and Secondary
 6 Education Act of 1965 (20 U.S.C. 6311(b)(2)) is amend-
 7 ed—

8 (1) in subparagraph (B)(v), by striking sub-
 9 clause (I) and inserting the following:

10 “(I) in the case of mathematics
 11 and reading or language arts, be ad-
 12 ministered not less than one time dur-
 13 ing—

14 “(aa) grades 3 through 5;

15 “(bb) grades 6 through 8;

16 and

17 “(cc) grades 9 though 12;”;

18 (2) in subparagraph (C)—

19 (A) in the matter preceding clause (i), and
 20 in clause (ii), by striking “subparagraph
 21 (B)(v)(I)(aa)” and inserting “subparagraph
 22 (B)(v)(I)(bb)”; and

23 (B) in clauses (i) and (iii), by striking
 24 “subparagraph (B)(v)(I)(bb)” and inserting
 25 “subparagraph (B)(v)(I)(cc)”; and

- 1 (3) in subparagraph (H), in clauses (i) and (vi),
- 2 by striking “subclause (I)(bb) and” and inserting
- 3 “subclause (I)(cc) or”.

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