

2015 -- H 5845

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO EDUCATION - THE RHODE ISLAND BOARD OF EDUCATION ACT

Introduced By: Representatives Amore, Canario, Regunberg, Keable, and O'Brien

Date Introduced: March 12, 2015

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-97-8 of the General Laws in Chapter 16-97 entitled "The Rhode  
2 Island Board of Education Act" is hereby amended to read as follows:

3 **16-97-8. Assessment of student performance.** -- (a) The commissioner of elementary  
4 and secondary education shall implement the state assessment program. The program shall  
5 include performance standards and an annual report that disaggregates performance by race,  
6 poverty, native language, and gender.

7 (b) Prior to the graduating class of 2017, no state assessment conducted pursuant to this  
8 chapter, and no other standardized testing program or assessment, shall be used to determine a  
9 student's eligibility to graduate from high school. Any such assessments implemented prior to the  
10 graduating class of 2017 shall be used to promote school improvement and to target remediation  
11 programs to individual students and groups of students.

12 (c)(1)The commissioner shall establish a procedure for the parent or legal guardian of a  
13 child attending a public school in this state to opt out of such testing or assessment program set  
14 forth in subsection (a) herein, including, but not limited to, the Partnership for the Assessment of  
15 Readiness for Colleges and Careers ("PARCC") assessment, or similar assessments. Such  
16 procedure shall take into consideration the fact that the parent or legal guardian is acting in the  
17 best interest of the child, and the parent's, or guardian's decision to opt out of the testing or  
18 assessment program shall be given great deference.

19 (2) In order to accomplish the goals of this subsection, the commissioner shall provide to

1 each school, for distribution to the parent(s) or legal guardian(s) of a child attending a public  
2 school in this state, a standardized form that informs the parent, or legal guardian of his or her  
3 right to opt out of the testing of his or her child provided for in this section. The form shall clearly  
4 spell out that;

5 (i) No student shall face disciplinary action for not participating in the testing or  
6 assessment program established in this section;

7 (ii) Each school shall provide an alternative academic setting and activity for students  
8 not participating in the PARCC assessment for the time when the PARCC assessment is being  
9 administered; and

10 (iii) No student shall have his or her academic record adversely affected for not  
11 participating in the testing or assessment program established in this section.

12 (3) Any student who was negatively impacted by his or her not participating in a testing  
13 or assessment program prior to the effective date of this section shall have his or her academic  
14 record changed to reflect the intent of subsection (c)(2) of this section.

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO EDUCATION - THE RHODE ISLAND BOARD OF EDUCATION ACT

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1           This act would allow parents and legal guardians to elect to have their child opt out of  
2 Partnership for the Assessment of Readiness for Colleges and Careers or "PARCC" assessment,  
3 or similar assessments.

4           This act would take effect upon passage.

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