

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

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.

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 “Accountability in Test-
5 ing Act of 2001”.

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

3 (a) IN GENERAL.—No funds appropriated to carry
4 out any Federal law may be used to conduct any test or
5 assessment in a public elementary school or a public sec-
6 ondary school unless—

7 (1) the test or assessment is selected or de-
8 signed by the State educational agency (or by a local
9 educational agency to which the State has delegated
10 such authority) in the State in which the test is to
11 be administered;

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

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

17 (4) each question of the test or assessment—

18 (A) is with respect to its design
19 uninfluenced by any 1 opinion, belief, or atti-
20 tude, and does not test the individual student's
21 personal opinions, beliefs, or attitudes; and

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

25 (5) the results of the test or assessment—

1 (A) with respect to each individual student,
2 are made available to the student’s parents or
3 guardians;

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

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

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

14 (1) a test be verified by the Federal government
15 for any reason other than to verify that the condi-
16 tions set forth in subsection (a) have been met;

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

19 (3) the test data or results be used for the pur-
20 poses of tracking or career selection; or

21 (4) the demographic data collected from the in-
22 dividual students as part of the test be used for any-
23 thing other than aggregate statistics.

24 (c) DEFINITIONS.—In this section, the terms “ele-
25 mentary 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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