

114TH CONGRESS  
1ST SESSION

# H. R. 2382

To amend the Elementary and Secondary Education Act of 1965 to authorize a parent to opt their child out of participation in certain assessments required under such Act.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2015

Mr. REED (for himself, Ms. DELAURO, and Mr. GIBSON) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Elementary and Secondary Education Act of 1965 to authorize a parent to opt their child out of participation in certain assessments required under such Act.

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 “Enable More Parents  
5 to Opt-Out Without Endangering Resources Act”.

1 **SEC. 2. ASSESSMENT OPT-OUT FOR CERTAIN STUDENTS.**

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

5 (1) in subparagraph (C)(iv), by inserting “sub-  
6 ject to subparagraph (L),” before “measures the  
7 progress”;

8 (2) in subparagraph (I)(ii), by inserting “, and  
9 the 95 percent requirement described in this clause  
10 shall exclude any student who, pursuant to subpara-  
11 graph (L), opts out of the assessments” after “about  
12 an individual student”; and

13 (3) by adding at the end the following:

14 “(L) OPT-OUT FOR CERTAIN STUDENTS.—  
15 Upon the request of the parent of a student,  
16 and for any reason stated by the parent, a  
17 State shall allow the student to opt out of the  
18 assessments described in paragraph (3). Such  
19 an opt-out, or any action related to it, may not  
20 be used by the Secretary, the State, any State  
21 or local agency, or any school leader or em-  
22 ployee as the basis for any corrective action,  
23 penalty, or other consequence against the par-  
24 ent, the student, any school leader or employee,  
25 or the school.”.