

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 changing Section  
5 2-3.64a-15 as follows:

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

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

9 (a) In this Section:

10 "Diagnostic and screening purposes" means for the purpose  
11 of determining if individual students need remedial  
12 instruction or to determine eligibility for special education,  
13 early intervention, bilingual education, dyslexia services,  
14 advanced academic programs as defined in Section 14A-17 of  
15 this Code, or other related educational services. Any  
16 assessment used to determine eligibility for special education  
17 or related services must be consistent with Section 614 of the  
18 federal Individuals with Disabilities Education Act.  
19 "Diagnostic and screening purposes" includes the  
20 identification and evaluation of students with disabilities.  
21 "Diagnostic and screening purposes" does not include any  
22 assessment in which student scores are used to rate or rank a  
23 classroom, program, teacher, school, school district, or

1 jurisdiction.

2 "Standardized assessment" means an assessment that  
3 requires all student test takers to answer the same questions,  
4 or a selection of questions from a common bank of questions, in  
5 the same manner or substantially the same questions in the  
6 same manner. "Standardized assessment" does not include an  
7 observational assessment tool used to satisfy the requirements  
8 of Section 2-3.64a-10.

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

14 (c) The State Board of Education may not provide funding  
15 for any standardized assessment of students enrolled or  
16 preparing to enroll in prekindergarten through grade 2, other  
17 than for diagnostic and screening purposes.

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

23 (e) Nothing in this Section limits procedures used by a  
24 school or school district for child find under 34 CFR  
25 300.111(c) or evaluation under 34 CFR 300.304.

26 (f) Nothing in this Section restricts the use of an annual

1 assessment of English proficiency of all English learners to  
2 comply with Section 1111(b)(2)(G) of the federal Elementary  
3 and Secondary Education Act of 1965.

4 (Source: P.A. 102-875, eff. 5-13-22.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.