



**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 126**

March 12, 2003 – Offered by COMMITTEE ON EDUCATION REFORM.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 2: after “Program” insert “and requiring private schools that
3 participate in the program to comply with certain state and federal laws”.

4 **2.** Page 2, line 2: after that line insert:

5 “**SECTION 1r.** 119.23 (10) of the statutes is created to read:

6 119.23 **(10)** The department shall ensure that, to the extent feasible, each
7 private school participating in the program under the section complies with the No
8 Child Left Behind Act, P.L. 107-110, as if it were a public school.”

9 **3.** Page 2, line 7: after that line insert:

10 “(2x) TESTING.

1 (a) In the 2003–04 and 2004–05 school years, the governing body of each private
2 school participating in the program under section 119.23 of the statutes shall do all
3 of the following, except as provided in paragraph (b):

4 1. Administer the 4th grade examination adopted or approved by the state
5 superintendent of public instruction under section 118.30 (1) (a) of the statutes to all
6 pupils attending the 4th grade in the private school under section 119.23 of the
7 statutes.

8 2. Administer the 8th grade examination adopted or approved by the state
9 superintendent of public instruction under section 118.30 (1) (a) of the statutes to all
10 pupils attending the 8th grade in the private school under section 119.23 of the
11 statutes.

12 3. Administer the 10th grade examination adopted or approved by the state
13 superintendent of public instruction under section 118.30 (1) (a) of the statutes to all
14 pupils attending the 10th grade in the private school under section 119.23 of the
15 statutes.

16 (b) 1. If a pupil is enrolled in a special education program under subchapter V
17 of chapter 115 of the statutes, the governing body of a private school participating
18 in the program under section 119.23 of the statutes shall comply with section 115.77
19 (1m) (bg) of the statutes.

20 2. According to criteria established by the state superintendent of public
21 instruction by rule, the governing body of a private school participating in the
22 program under section 119.23 of the statutes may determine not to administer an
23 examination under this section to a limited–English proficient pupil, as defined in
24 section 115.955 (7) of the statutes, may permit the pupil to be examined in his or her

1 native language or may modify the format and administration of an examination for
2 such pupils.

3 3. Upon the request of a pupil's parent or guardian, the governing body of a
4 private school participating in the program under section 119.23 of the statutes shall
5 excuse the pupil from taking an examination administered under paragraph (a).

6 (c) In the 2003-04 and 2004-05 school years, each private school participating
7 in the program under section 119.23 of the statutes shall administer to the pupils
8 attending the 3rd grade in the private school under that section a standardized
9 reading test developed by the department of public instruction.”

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(END)