

1 AN ACT regarding 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  
5 Section 2-3.64 as follows:

6 (105 ILCS 5/2-3.64) (from Ch. 122, par. 2-3.64)

7 Sec. 2-3.64. State goals and assessment.

8 (a) Beginning in the 1998-1999 school year, the State  
9 Board of Education shall establish standards and  
10 periodically, in collaboration with local school districts,  
11 conduct studies of student performance in the learning areas  
12 of fine arts and physical development/health. Beginning with  
13 the 1998-1999 school year, the State Board of Education shall  
14 annually test: (i) all pupils enrolled in the 3rd, 5th, and  
15 8th grades in English language arts (reading, writing, and  
16 English grammar) and mathematics; and (ii) all pupils  
17 enrolled in the 4th and 7th grades in the biological and  
18 physical sciences and the social sciences (history,  
19 geography, civics, economics, and government). The State  
20 Board of Education shall establish the academic standards  
21 that are to be applicable to pupils who are subject to State  
22 tests under this Section beginning with the 1998-1999 school  
23 year. However, the State Board of Education shall not  
24 establish any such standards in final form without first  
25 providing opportunities for public participation and local  
26 input in the development of the final academic standards.  
27 Those opportunities shall include a well-publicized period of  
28 public comment, public hearings throughout the State, and  
29 opportunities to file written comments. Beginning with the  
30 1998-99 school year and thereafter, the State tests will  
31 identify pupils in the 3rd grade or 5th grade who do not meet

1 the State standards. If, by performance on the State tests  
2 or local assessments or by teacher judgment, a student's  
3 performance is determined to be 2 or more grades below  
4 current placement, the student shall be provided a  
5 remediation program developed by the district in consultation  
6 with a parent or guardian. Such remediation programs may  
7 include, but shall not be limited to, increased or  
8 concentrated instructional time, a remedial summer school  
9 program of not less than 90 hours, improved instructional  
10 approaches, tutorial sessions, retention in grade, and  
11 modifications to instructional materials. Each pupil for  
12 whom a remediation program is developed under this subsection  
13 shall be required to enroll in and attend whatever program  
14 the district determines is appropriate for the pupil.  
15 Districts may combine students in remediation programs where  
16 appropriate and may cooperate with other districts in the  
17 design and delivery of those programs. The parent or  
18 guardian of a student required to attend a remediation  
19 program under this Section shall be given written notice of  
20 that requirement by the school district a reasonable time  
21 prior to commencement of the remediation program that the  
22 student is to attend. The State shall be responsible for  
23 providing school districts with the new and additional  
24 funding, under Section 2-3.51.5 or by other or additional  
25 means, that is required to enable the districts to operate  
26 remediation programs for the pupils who are required to  
27 enroll in and attend those programs under this Section.  
28 Every individualized educational program as described in  
29 Article 14 shall identify if the State test or components  
30 thereof are appropriate for that student. For those pupils  
31 for whom the State tests or components thereof are not  
32 appropriate, the State Board of Education shall develop rules  
33 and regulations governing the administration of alternative  
34 tests prescribed within each student's individualized

1 educational program which are appropriate to the disability  
2 of each student. All pupils who are in a State approved  
3 transitional bilingual education program or transitional  
4 program of instruction shall participate in the State tests.  
5 Any student who has been enrolled in a State approved  
6 bilingual education program less than 3 academic years shall  
7 be exempted if the student's lack of English as determined by  
8 an English language proficiency test would keep the student  
9 from understanding the test, and that student's district  
10 shall have an alternative test program in place for that  
11 student. The State Board of Education shall appoint a task  
12 force of concerned parents, teachers, school administrators  
13 and other professionals to assist in identifying such  
14 alternative tests. Reasonable accommodations as prescribed  
15 by the State Board of Education shall be provided for  
16 individual students in the testing procedure. All test  
17 procedures prescribed by the State Board of Education shall  
18 require: (i) that each test used for State and local student  
19 testing under this Section identify by name the pupil taking  
20 the test; (ii) that the name of the pupil taking the test be  
21 placed on the test at the time the test is taken; (iii) that  
22 the results or scores of each test taken under this Section  
23 by a pupil of the school district be reported to that  
24 district and identify by name the pupil who received the  
25 reported results or scores; and (iv) that the results or  
26 scores of each test taken under this Section be made  
27 available to the parents of the pupil. In addition,  
28 beginning with the 2000-2001 school year and in each school  
29 year thereafter, the highest scores and performance levels  
30 attained by a student on the Prairie State Achievement  
31 Examination administered under subsection (c) of this Section  
32 shall become part of the student's permanent record and shall  
33 be entered on the student's transcript pursuant to  
34 regulations that the State Board of Education shall

1 promulgate for that purpose in accordance with Section 3 and  
2 subsection (e) of Section 2 of the Illinois School Student  
3 Records Act. Beginning with the 1998-1999 school year and in  
4 every school year thereafter, scores received by students on  
5 the State assessment tests administered in grades 3 through 8  
6 shall be placed into students' temporary records. The State  
7 Board of Education shall establish a common month in each  
8 school year for which State testing shall occur to meet the  
9 objectives of this Section. However, if the schools of a  
10 district are closed and classes are not scheduled during any  
11 week that is established by the State Board of Education as  
12 the week of the month when State testing under this Section  
13 shall occur, the school district may administer the required  
14 State testing at any time up to 2 weeks following the week  
15 established by the State Board of Education for the testing,  
16 so long as the school district gives the State Board of  
17 Education written notice of its intention to deviate from the  
18 established schedule by December 1 of the school year in  
19 which falls the week established by the State Board of  
20 Education for the testing. The maximum time allowed for all  
21 actual testing required under this subsection during the  
22 school year shall not exceed 25 hours as allocated among the  
23 required tests by the State Board of Education.

24 (a-5) All tests administered pursuant to this Section  
25 shall be academically based. For the purposes of this  
26 Section "academically based tests" shall mean tests  
27 consisting of questions and answers that are measurable and  
28 quantifiable to measure the knowledge, skill, and ability of  
29 students in the subject matters covered by tests. The  
30 scoring of academically based tests shall be reliable, valid,  
31 unbiased and shall meet the guidelines for test development  
32 and use prescribed by the American Psychological Association,  
33 the National Council of Measurement and Evaluation, and the  
34 American Educational Research Association. Academically based

1 tests shall not include assessments or evaluations of  
2 attitudes, values, or beliefs, or testing of personality,  
3 self-esteem, or self-concept. Nothing in this amendatory Act  
4 is intended, nor shall it be construed, to nullify,  
5 supersede, or contradict the legislative intent on academic  
6 testing expressed during the passage of HB 1005/P.A. 90-296.

7 Beginning in the 1998-1999 school year, the State Board  
8 of Education may, on a pilot basis, include in the State  
9 assessments in reading and math at each grade level tested no  
10 more than 2 short answer questions, where students have to  
11 respond in brief to questions or prompts or show  
12 computations, rather than select from alternatives that are  
13 presented. In the first year that such questions are used,  
14 scores on the short answer questions shall not be reported on  
15 an individual student basis but shall be aggregated for each  
16 school building in which the tests are given. State-level,  
17 school, and district scores shall be reported both with and  
18 without the results of the short answer questions so that the  
19 effect of short answer questions is clearly discernible.  
20 Beginning in the second year of this pilot program, scores on  
21 the short answer questions shall be reported both on an  
22 individual student basis and on a school building basis in  
23 order to monitor the effects of teacher training and  
24 curriculum improvements on score results.

25 The State Board of Education shall not continue the use  
26 of short answer questions in the math and reading  
27 assessments, or extend the use of such questions to other  
28 State assessments, unless this pilot project demonstrates  
29 that the use of short answer questions results in a  
30 statistically significant improvement in student achievement  
31 as measured on the State assessments for math and reading and  
32 is justifiable in terms of cost and student performance.

33 (b) It shall be the policy of the State to encourage  
34 school districts to continuously test pupil proficiency in

1 the fundamental learning areas in order to: (i) provide  
2 timely information on individual students' performance  
3 relative to State standards that is adequate to guide  
4 instructional strategies; (ii) improve future instruction;  
5 and (iii) complement the information provided by the State  
6 testing system described in this Section. Each district's  
7 school improvement plan must address specific activities the  
8 district intends to implement to assist pupils who by teacher  
9 judgment and test results as prescribed in subsection (a) of  
10 this Section demonstrate that they are not meeting State  
11 standards or local objectives. Such activities may include,  
12 but shall not be limited to, summer school, extended school  
13 day, special homework, tutorial sessions, modified  
14 instructional materials, other modifications in the  
15 instructional program, reduced class size or retention in  
16 grade. To assist school districts in testing pupil  
17 proficiency in reading in the primary grades, the State Board  
18 shall make optional reading inventories for diagnostic  
19 purposes available to each school district that requests such  
20 assistance. Districts that administer the reading  
21 inventories may develop remediation programs for students who  
22 perform in the bottom half of the student population. Those  
23 remediation programs may be funded by moneys provided under  
24 the School Safety and Educational Improvement Block Grant  
25 Program established under Section 2-3.51.5. Nothing in this  
26 Section shall prevent school districts from implementing  
27 testing and remediation policies for grades not required  
28 under this Section.

29 (c) Beginning with the 2000-2001 school year, each  
30 school district that operates a high school program for  
31 students in grades 9 through 12 shall annually administer the  
32 Prairie State Achievement Examination established under this  
33 subsection to its students as set forth below. The Prairie  
34 State Achievement Examination shall be developed by the State

1 Board of Education to measure student performance in the  
2 academic areas of reading, writing, mathematics, science, and  
3 social sciences. The State Board of Education shall  
4 establish the academic standards that are to apply in  
5 measuring student performance on the Prairie State  
6 Achievement Examination including the minimum examination  
7 score in each area that will qualify a student to receive a  
8 Prairie State Achievement Award from the State in recognition  
9 of the student's excellent performance. Each school district  
10 that is subject to the requirements of this subsection (c)  
11 shall afford all students 2 opportunities to take the Prairie  
12 State Achievement Examination beginning as late as practical  
13 during the second semester of grade 11, but in no event  
14 before March 1. The State Board of Education shall annually  
15 notify districts of the weeks during which these test  
16 administrations shall be required to occur. Every  
17 individualized educational program as described in Article 14  
18 shall identify if the Prairie State Achievement Examination  
19 or components thereof are appropriate for that student. Each  
20 student, exclusive of a student whose individualized  
21 educational program developed under Article 14 identifies the  
22 Prairie State Achievement Examination as inappropriate for  
23 the student, shall be required to take the examination in  
24 grade 11. For each academic area the State Board of  
25 Education shall establish the score that qualifies for the  
26 Prairie State Achievement Award on that portion of the  
27 examination. Any student who fails to earn a qualifying  
28 score for a Prairie State Achievement Award in any one or  
29 more of the academic areas on the initial test administration  
30 or who wishes to improve his or her score on any portion of  
31 the examination shall be permitted to retake such portion or  
32 portions of the examination during grade 12. Districts shall  
33 inform their students of the timelines and procedures  
34 applicable to their participation in every yearly

1 administration of the Prairie State Achievement Examination.  
2 Students receiving special education services whose  
3 individualized educational programs identify the Prairie  
4 State Achievement Examination as inappropriate for them  
5 nevertheless shall have the option of taking the examination,  
6 which shall be administered to those students in accordance  
7 with standards adopted by the State Board of Education to  
8 accommodate the respective disabilities of those students. A  
9 student who successfully completes all other applicable high  
10 school graduation requirements but fails to receive a score  
11 on the Prairie State Achievement Examination that qualifies  
12 the student for receipt of a Prairie State Achievement Award  
13 shall nevertheless qualify for the receipt of a regular high  
14 school diploma.

15 (d) Beginning with the 2002-2003 school year, all  
16 schools in this State that are part of the sample drawn by  
17 the National Center for Education Statistics, in  
18 collaboration with their school districts and the State Board  
19 of Education, shall administer the biennial State academic  
20 assessments of 4th and 8th grade reading and mathematics  
21 under the National Assessment of Educational Progress carried  
22 out under Section 411(b)(2) of the National Education  
23 Statistics Act of 1994 (20 U.S.C. 9010) if the Secretary of  
24 Education pays the costs of administering the assessments.

25 (e) Every year, the State Board of Education shall make  
26 available a representative form of each test instrument  
27 required under this Section for public review and for  
28 formative student evaluation.

29 (Source: P.A. 91-283, eff. 7-29-99; 92-604, eff. 7-1-02.)

30 Section 99. Effective date. This Act takes effect upon  
31 becoming law.