



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3556

Introduced 2/14/2020, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.64a-5

Amends the School Code. With regard to State assessments, provides that the State Board of Education shall develop a process for the State's final accountability assessment that allows a school district to apply to the State Board to utilize the nationally recognized and locally selected assessment option of the federal Every Student Succeeds Act. Requires that the State Board adopt technical criteria under specified federal law and rule to evaluate the proposed assessment. Provides that a nationally recognized and locally selected assessment adopted by another state that meets certain requirements under the federal Elementary and Secondary Education Act of 1965 and that demonstrates, through a third-party study, alignment to the Illinois Learning Standards is deemed to meet the State Board's technical criteria and shall be approved by the State Board. Requires the State Board to reimburse a school district for costs associated with the administration of the nationally recognized and locally selected assessment option of the federal Every Student Succeeds Act. Effective immediately.

LRB101 19732 CMG 69236 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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-5 as follows:

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

7 Sec. 2-3.64a-5. State goals and assessment.

8 (a) For the assessment and accountability purposes of this
9 Section, "students" includes those students enrolled in a
10 public or State-operated elementary school, secondary school,
11 or cooperative or joint agreement with a governing body or
12 board of control, a charter school operating in compliance with
13 the Charter Schools Law, a school operated by a regional office
14 of education under Section 13A-3 of this Code, or a public
15 school administered by a local public agency or the Department
16 of Human Services.

17 (b) The State Board of Education shall establish the
18 academic standards that are to be applicable to students who
19 are subject to State assessments under this Section. The State
20 Board of Education shall not establish any such standards in
21 final form without first providing opportunities for public
22 participation and local input in the development of the final
23 academic standards. Those opportunities shall include a

1 well-publicized period of public comment and opportunities to
2 file written comments.

3 (c) Beginning no later than the 2014-2015 school year, the
4 State Board of Education shall annually assess all students
5 enrolled in grades 3 through 8 in English language arts and
6 mathematics.

7 Beginning no later than the 2017-2018 school year, the
8 State Board of Education shall annually assess all students in
9 science at one grade in grades 3 through 5, at one grade in
10 grades 6 through 8, and at one grade in grades 9 through 12.

11 The State Board of Education shall annually assess schools
12 that operate a secondary education program, as defined in
13 Section 22-22 of this Code, in English language arts and
14 mathematics. The State Board of Education shall administer no
15 more than 3 assessments, per student, of English language arts
16 and mathematics for students in a secondary education program.
17 One of these assessments shall be recognized by this State's
18 public institutions of higher education, as defined in the
19 Board of Higher Education Act, for the purpose of student
20 application or admissions consideration. The assessment
21 administered by the State Board of Education for the purpose of
22 student application to or admissions consideration by
23 institutions of higher education must be administered on a
24 school day during regular student attendance hours.

25 The State Board of Education shall develop a process for
26 the State's final accountability assessment that allows a

1 school district to apply to the State Board to utilize the
2 nationally recognized and locally selected assessment option
3 of the federal Every Student Succeeds Act. The State Board of
4 Education shall adopt technical criteria as specified under 20
5 U.S.C. 6311(b)(2)(H) and 34 CFR 200.3 to evaluate proposed
6 assessments. A nationally recognized and locally selected
7 assessment adopted by another state that meets the requirements
8 under Section 1111(b)(2)(H) of the federal Elementary and
9 Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and
10 that demonstrates, through a third-party study, alignment to
11 the Illinois Learning Standards is deemed to meet the technical
12 criteria and shall be approved by the State Board. The State
13 Board shall reimburse a school district for costs associated
14 with the administration of the nationally recognized and
15 locally selected assessment option of the federal Every Student
16 Succeeds Act.

17 Students who do not take the State's final accountability
18 assessment or its approved alternate assessment may not receive
19 a regular high school diploma unless the student is exempted
20 from taking the State assessments under subsection (d) of this
21 Section because the student is enrolled in a program of adult
22 and continuing education, as defined in the Adult Education
23 Act, or the student is identified by the State Board of
24 Education, through rules, as being exempt from the assessment.

25 The State Board of Education shall not assess students
26 under this Section in subjects not required by this Section.

1 Districts shall inform their students of the timelines and
2 procedures applicable to their participation in every yearly
3 administration of the State assessments. The State Board of
4 Education shall establish periods of time in each school year
5 during which State assessments shall occur to meet the
6 objectives of this Section.

7 (d) Every individualized educational program as described
8 in Article 14 shall identify if the State assessment or
9 components thereof require accommodation for the student. The
10 State Board of Education shall develop rules governing the
11 administration of an alternate assessment that may be available
12 to students for whom participation in this State's regular
13 assessments is not appropriate, even with accommodations as
14 allowed under this Section.

15 Students receiving special education services whose
16 individualized educational programs identify them as eligible
17 for the alternative State assessments nevertheless shall have
18 the option of also taking this State's regular final
19 accountability assessment, which shall be administered in
20 accordance with the eligible accommodations appropriate for
21 meeting these students' respective needs.

22 All students determined to be English learners shall
23 participate in the State assessments. The scores of those
24 students who have been enrolled in schools in the United States
25 for less than 12 months may not be used for the purposes of
26 accountability. Any student determined to be an English learner

1 shall receive appropriate assessment accommodations, including
2 language supports, which shall be established by rule. Approved
3 assessment accommodations must be provided until the student's
4 English language skills develop to the extent that the student
5 is no longer considered to be an English learner, as
6 demonstrated through a State-identified English language
7 proficiency assessment.

8 (e) The results or scores of each assessment taken under
9 this Section shall be made available to the parents of each
10 student.

11 In each school year, the scores attained by a student on
12 the final accountability assessment must be placed in the
13 student's permanent record pursuant to rules that the State
14 Board of Education shall adopt for that purpose in accordance
15 with Section 3 of the Illinois School Student Records Act. In
16 each school year, the scores attained by a student on the State
17 assessments administered in grades 3 through 8 must be placed
18 in the student's temporary record.

19 (f) All schools shall administer the State's academic
20 assessment of English language proficiency to all children
21 determined to be English learners.

22 (g) All schools in this State that are part of the sample
23 drawn by the National Center for Education Statistics, in
24 collaboration with their school districts and the State Board
25 of Education, shall administer the academic assessments under
26 the National Assessment of Educational Progress carried out

1 under Section 411(b)(2) of the federal National Education
2 Statistics Act of 1994 (20 U.S.C. 9010) if the U.S. Secretary
3 of Education pays the costs of administering the assessments.

4 (h) (Blank).

5 (i) For the purposes of this subsection (i), "academically
6 based assessments" means assessments consisting of questions
7 and answers that are measurable and quantifiable to measure the
8 knowledge, skills, and ability of students in the subject
9 matters covered by the assessments. All assessments
10 administered pursuant to this Section must be academically
11 based assessments. The scoring of academically based
12 assessments shall be reliable, valid, and fair and shall meet
13 the guidelines for assessment development and use prescribed by
14 the American Psychological Association, the National Council
15 on Measurement in Education, and the American Educational
16 Research Association.

17 The State Board of Education shall review the use of all
18 assessment item types in order to ensure that they are valid
19 and reliable indicators of student performance aligned to the
20 learning standards being assessed and that the development,
21 administration, and scoring of these item types are justifiable
22 in terms of cost.

23 (j) The State Superintendent of Education shall appoint a
24 committee of no more than 21 members, consisting of parents,
25 teachers, school administrators, school board members,
26 assessment experts, regional superintendents of schools, and

1 citizens, to review the State assessments administered by the
2 State Board of Education. The Committee shall select one of its
3 members as its chairperson. The Committee shall meet on an
4 ongoing basis to review the content and design of the
5 assessments (including whether the requirements of subsection
6 (i) of this Section have been met), the time and money expended
7 at the local and State levels to prepare for and administer the
8 assessments, the collective results of the assessments as
9 measured against the stated purpose of assessing student
10 performance, and other issues involving the assessments
11 identified by the Committee. The Committee shall make periodic
12 recommendations to the State Superintendent of Education and
13 the General Assembly concerning the assessments.

14 (k) The State Board of Education may adopt rules to
15 implement this Section.

16 (Source: P.A. 99-30, eff. 7-10-15; 99-185, eff. 1-1-16; 99-642,
17 eff. 7-28-16; 100-7, eff. 7-1-17; 100-222, eff. 8-18-17;
18 100-863, eff. 8-14-18; 100-1046, eff. 8-23-18.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.