

HB1169



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1169

Introduced 2/17/2021, by Rep. Emanuel Chris Welch

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.64a-5

Amends the School Code. Makes a technical change in a Section concerning State goals and assessment.

LRB102 03185 CMG 13198 b

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 ~~the~~ assessment and accountability purposes of
9 this 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
13 with the Charter Schools Law, a school operated by a regional
14 office of education under Section 13A-3 of this Code, or a
15 public school administered by a local public agency or the
16 Department 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
22 of 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 Students who do not take the State's final accountability
26 assessment or its approved alternate assessment may not

1 receive a regular high school diploma unless the student is
2 exempted from taking the State assessments under subsection
3 (d) of this Section because the student is enrolled in a
4 program of adult and continuing education, as defined in the
5 Adult Education Act, or the student is identified by the State
6 Board of Education, through rules, as being exempt from the
7 assessment.

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

10 Districts shall inform their students of the timelines and
11 procedures applicable to their participation in every yearly
12 administration of the State assessments. The State Board of
13 Education shall establish periods of time in each school year
14 during which State assessments shall occur to meet the
15 objectives of this Section.

16 The requirements of this subsection do not apply if the
17 State Board of Education has received a waiver from the
18 administration of assessments from the U.S. Department of
19 Education.

20 (d) Every individualized educational program as described
21 in Article 14 shall identify if the State assessment or
22 components thereof require accommodation for the student. The
23 State Board of Education shall develop rules governing the
24 administration of an alternate assessment that may be
25 available to students for whom participation in this State's
26 regular assessments is not appropriate, even with

1 accommodations as allowed under this Section.

2 Students receiving special education services whose
3 individualized educational programs identify them as eligible
4 for the alternative State assessments nevertheless shall have
5 the option of also taking this State's regular final
6 accountability assessment, which shall be administered in
7 accordance with the eligible accommodations appropriate for
8 meeting these students' respective needs.

9 All students determined to be English learners shall
10 participate in the State assessments. The scores of those
11 students who have been enrolled in schools in the United
12 States for less than 12 months may not be used for the purposes
13 of accountability. Any student determined to be an English
14 learner shall receive appropriate assessment accommodations,
15 including language supports, which shall be established by
16 rule. Approved assessment accommodations must be provided
17 until the student's English language skills develop to the
18 extent that the student is no longer considered to be an
19 English learner, as demonstrated through a State-identified
20 English language proficiency assessment.

21 (e) The results or scores of each assessment taken under
22 this Section shall be made available to the parents of each
23 student.

24 In each school year, the scores attained by a student on
25 the final accountability assessment must be placed in the
26 student's permanent record pursuant to rules that the State

1 Board of Education shall adopt for that purpose in accordance
2 with Section 3 of the Illinois School Student Records Act. In
3 each school year, the scores attained by a student on the State
4 assessments administered in grades 3 through 8 must be placed
5 in the student's temporary record.

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

9 (g) All schools in this State that are part of the sample
10 drawn by the National Center for Education Statistics, in
11 collaboration with their school districts and the State Board
12 of Education, shall administer the academic assessments under
13 the National Assessment of Educational Progress carried out
14 under Section 411(b)(2) of the federal National Education
15 Statistics Act of 1994 (20 U.S.C. 9010) if the U.S. Secretary
16 of Education pays the costs of administering the assessments.

17 (h) (Blank).

18 (i) For the purposes of this subsection (i), "academically
19 based assessments" means assessments consisting of questions
20 and answers that are measurable and quantifiable to measure
21 the knowledge, skills, and ability of students in the subject
22 matters covered by the assessments. All assessments
23 administered pursuant to this Section must be academically
24 based assessments. The scoring of academically based
25 assessments shall be reliable, valid, and fair and shall meet
26 the guidelines for assessment development and use prescribed

1 by the American Psychological Association, the National
2 Council on Measurement in Education, and the American
3 Educational Research Association.

4 The State Board of Education shall review the use of all
5 assessment item types in order to ensure that they are valid
6 and reliable indicators of student performance aligned to the
7 learning standards being assessed and that the development,
8 administration, and scoring of these item types are
9 justifiable in terms of cost.

10 (j) The State Superintendent of Education shall appoint a
11 committee of no more than 21 members, consisting of parents,
12 teachers, school administrators, school board members,
13 assessment experts, regional superintendents of schools, and
14 citizens, to review the State assessments administered by the
15 State Board of Education. The Committee shall select one of
16 its members as its chairperson. The Committee shall meet on an
17 ongoing basis to review the content and design of the
18 assessments (including whether the requirements of subsection
19 (i) of this Section have been met), the time and money expended
20 at the local and State levels to prepare for and administer the
21 assessments, the collective results of the assessments as
22 measured against the stated purpose of assessing student
23 performance, and other issues involving the assessments
24 identified by the Committee. The Committee shall make periodic
25 recommendations to the State Superintendent of Education and
26 the General Assembly concerning the assessments.

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

3 (Source: P.A. 100-7, eff. 7-1-17; 100-222, eff. 8-18-17;
4 100-863, eff. 8-14-18; 100-1046, eff. 8-23-18; 101-643, eff.
5 6-18-20.)