



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB4955

Introduced 2/7/2024, by Rep. Sue Scherer

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.64a-5

Amends the School Code. Provides that the State Board of Education shall administer no more than one assessment (instead of 3 assessments), per student, of English language arts and mathematics for students in a secondary education program. Removes a provision that specifies that students who do not take the State's final accountability assessment or its approved alternate assessment may not receive a regular high school diploma unless otherwise exempted. Provides that the State Board of Education may not assess students in any manner beyond that required for compliance with the federal Every Student Succeeds Act. Provides that the State Board shall also explore any flexibility afforded to states through waivers under the federal Every Student Succeeds Act. Makes conforming changes. Effective immediately.

LRB103 38902 RJT 69039 b

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

7 ~~The 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 one assessment ~~3 assessments~~, per student, of  
16 English language arts and mathematics for students in a  
17 secondary education program. This assessment must ~~One of these~~  
18 ~~assessments shall~~ be recognized by this State's public  
19 institutions of higher education, as defined in the Board of  
20 Higher Education Act, for the purpose of student application  
21 or admissions consideration. The assessment ~~administered by~~  
22 ~~the State Board of Education for the purpose of student~~  
23 ~~application to or admissions consideration by institutions of~~  
24 ~~higher education~~ must be administered on a school day during  
25 regular student attendance hours, and student profile  
26 information collected by the assessment shall be made

1 available to the State's public institutions of higher  
2 education in a timely manner.

3 ~~Students who do not take the State's final accountability~~  
4 ~~assessment or its approved alternate assessment may not~~  
5 ~~receive a regular high school diploma unless the student is~~  
6 ~~exempted from taking the State assessments under subsection~~  
7 ~~(d) of this Section because the student is enrolled in a~~  
8 ~~program of adult and continuing education, as defined in the~~  
9 ~~Adult Education Act, or the student is identified by the State~~  
10 ~~Board of Education, through rules, as being exempt from the~~  
11 ~~assessment.~~

12 The State Board of Education shall not assess students  
13 under this Section in subjects not required by this Section.  
14 The State Board of Education may not assess students in any  
15 manner beyond that required for compliance with the federal  
16 Every Student Succeeds Act. The State Board of Education shall  
17 also explore any flexibility afforded to states through  
18 waivers under the federal Every Student Succeeds Act.

19 Districts shall inform their students of the timelines and  
20 procedures applicable to their participation in every yearly  
21 administration of the State assessments. The State Board of  
22 Education shall establish periods of time in each school year  
23 during which State assessments shall occur to meet the  
24 objectives of this Section.

25 The requirements of this subsection do not apply if the  
26 State Board of Education has received a waiver from the

1 administration of assessments from the U.S. Department of  
2 Education.

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

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

18 All students determined to be English learners shall  
19 participate in the State assessments. The scores of those  
20 students who have been enrolled in schools in the United  
21 States for less than 12 months may not be used for the purposes  
22 of accountability. Any student determined to be an English  
23 learner shall receive appropriate assessment accommodations,  
24 including language supports, which shall be established by  
25 rule. Approved assessment accommodations must be provided  
26 until the student's English language skills develop to the

1 extent that the student is no longer considered to be an  
2 English learner, as demonstrated through a State-identified  
3 English language proficiency assessment.

4 (e) The results or scores of each assessment taken under  
5 this Section shall be made available to the parents of each  
6 student.

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

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

18 (g) All schools in this State that are part of the sample  
19 drawn by the National Center for Education Statistics, in  
20 collaboration with their school districts and the State Board  
21 of Education, shall administer the academic assessments under  
22 the National Assessment of Educational Progress carried out  
23 under Section 411(b)(2) of the federal National Education  
24 Statistics Act of 1994 (20 U.S.C. 9010) if the U.S. Secretary  
25 of Education pays the costs of administering the assessments.

26 (h) (Blank).

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

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

19           (j) The State Superintendent of Education shall appoint a  
20 committee of no more than 21 members, consisting of parents,  
21 teachers, school administrators, school board members,  
22 assessment experts, regional superintendents of schools, and  
23 citizens, to review the State assessments administered by the  
24 State Board of Education. The Committee shall select one of  
25 its members as its chairperson. The Committee shall meet on an  
26 ongoing basis to review the content and design of the

1 assessments (including whether the requirements of subsection  
2 (i) of this Section have been met), the time and money expended  
3 at the local and State levels to prepare for and administer the  
4 assessments, the collective results of the assessments as  
5 measured against the stated purpose of assessing student  
6 performance, and other issues involving the assessments  
7 identified by the Committee. The Committee shall make periodic  
8 recommendations to the State Superintendent of Education and  
9 the General Assembly concerning the assessments.

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

12 (Source: P.A. 103-204, eff. 1-1-24.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.