

1 AN ACT relating to 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 Sections 2-3.25d, 2-3.64, and 10-17a as follows:

6 (105 ILCS 5/2-3.25d) (from Ch. 122, par. 2-3.25d)
7 Sec. 2-3.25d. Academic watch list. Those schools that
8 are not meeting the standards of academic performance
9 measured by the State assessment of student performance as
10 specified by the State Board of Education may be placed on an
11 academic watch list established by the State Superintendent
12 of Education after serving for 2 years on the State Board of
13 Education Early Academic Warning List and shall be subject to
14 an on-site visitation to determine whether extenuating
15 circumstances exist as to why a school or schools should not
16 be placed on an academic watch list by the State
17 Superintendent of Education. However, only scores on State
18 assessments of students enrolled in a school on or before
19 November 1 of the school year in which a State assessment is
20 given shall be used in determining whether a school is placed
21 on the Early Academic Warning List or an academic watch list.

22 A school district that has one or more schools on the
23 academic watch list shall submit a revised School Improvement
24 Plan or amendments thereto setting forth the district's
25 expectations for removing each school in the district from
26 the academic watch list and for improving student performance
27 in that school. Districts operating under Article 34 of The
28 School Code may submit the School Improvement Plan required
29 under Section 34-2.4. If any district submits a School
30 Improvement Plan which exceeds 2 years in duration, the Plan
31 shall contain provisions for evaluation and determination as

1 to the improvement of student performance or school
2 improvement after no later than 2 years. The revised School
3 Improvement Plan or amendments thereto shall be developed in
4 consultation with the staff of the affected school and must
5 be approved by the local board of education and the school's
6 local school council for districts operating under Article 34
7 of the School Code. Revised School Improvement Plans must be
8 submitted for approval to the State Superintendent of
9 Education pursuant to rules and regulations promulgated by
10 the State Board of Education. The revised School Improvement
11 Plan shall address specific, measurable outcomes for
12 improving student performance so that such performance equals
13 or exceeds standards set for the school by the State Board of
14 Education.

15 A school or schools shall remain on the academic watch
16 list for at least one full academic year. During each
17 academic year for which a school is on the academic watch
18 list it shall continue to be evaluated and assessed by the
19 State Board of Education as to whether it is meeting outcomes
20 identified in its revised School Improvement Plan.

21 The provisions of this Section are subject to the
22 provisions of Section 2-3.25k.

23 (Source: P.A. 89-398, eff. 8-20-95; 89-698, eff. 1-14-97.)

24 (105 ILCS 5/2-3.64) (from Ch. 122, par. 2-3.64)

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

26 (a) Beginning in the 1998-1999 school year, the State
27 Board of Education shall establish standards and
28 periodically, in collaboration with local school districts,
29 conduct studies of student performance in the learning areas
30 of fine arts and physical development/health. Beginning with
31 the 1998-1999 school year, the State Board of Education shall
32 annually test: (i) all pupils enrolled in the 3rd, 5th, and
33 8th grades in English language arts (reading, writing, and

1 English grammar) and mathematics; and (ii) all pupils
2 enrolled in the 4th and 7th grades in the biological and
3 physical sciences and the social sciences (history,
4 geography, civics, economics, and government). The State
5 Board of Education shall establish the academic standards
6 that are to be applicable to pupils who are subject to State
7 tests under this Section beginning with the 1998-1999 school
8 year. However, the State Board of Education shall not
9 establish any such standards in final form without first
10 providing opportunities for public participation and local
11 input in the development of the final academic standards.
12 Those opportunities shall include a well-publicized period of
13 public comment, public hearings throughout the State, and
14 opportunities to file written comments. Beginning with the
15 1998-99 school year and thereafter, the State tests will
16 identify pupils in the 3rd grade or 5th grade who do not meet
17 the State standards. If, by performance on the State tests
18 or local assessments or by teacher judgment, a student's
19 performance is determined to be 2 or more grades below
20 current placement, the student shall be provided a
21 remediation program developed by the district in consultation
22 with a parent or guardian. Such remediation programs may
23 include, but shall not be limited to, increased or
24 concentrated instructional time, a remedial summer school
25 program of not less than 90 hours, improved instructional
26 approaches, tutorial sessions, retention in grade, and
27 modifications to instructional materials. Each pupil for
28 whom a remediation program is developed under this subsection
29 shall be required to enroll in and attend whatever program
30 the district determines is appropriate for the pupil.
31 Districts may combine students in remediation programs where
32 appropriate and may cooperate with other districts in the
33 design and delivery of those programs. The parent or
34 guardian of a student required to attend a remediation

1 program under this Section shall be given written notice of
2 that requirement by the school district a reasonable time
3 prior to commencement of the remediation program that the
4 student is to attend. The State shall be responsible for
5 providing school districts with the new and additional
6 funding, under Section 2-3.51.5 or by other or additional
7 means, that is required to enable the districts to operate
8 remediation programs for the pupils who are required to
9 enroll in and attend those programs under this Section.
10 Every individualized educational program as described in
11 Article 14 shall identify if the State test or components
12 thereof are appropriate for that student. For those pupils
13 for whom the State tests or components thereof are not
14 appropriate, the State Board of Education shall develop rules
15 and regulations governing the administration of alternative
16 tests prescribed within each student's individualized
17 educational program which are appropriate to the disability
18 of each student. All pupils who are in a State approved
19 transitional bilingual education program or transitional
20 program of instruction shall participate in the State tests.
21 School personnel may consider not giving the Illinois
22 Standards Achievement Test or the Prairie State Achievement
23 Examination to any student who has been enrolled in a State
24 approved bilingual education program less than 3 cumulative
25 academic years shall-be-exempted if the student's lack of
26 English as determined by an English language proficiency test
27 would keep the student from understanding the test.7--and That
28 student student's---district shall participate in State
29 assessments developed for students with limited English
30 proficiency, unless the student was enrolled in a district
31 after September 30 and therefore has not attended school in
32 that district for a full academic year have--an--alternative
33 test--program--in-place-for-that-student.--The-State-Board-of
34 Education-shall-appoint-a-task-force--of--concerned--parents,7

1 teachers,--school--administrators--and--other--professionals--to
2 assist--in--identifying--such--alternative--tests. Reasonable
3 accommodations as prescribed by the State Board of Education
4 shall be provided for individual students in the testing
5 procedure. All test procedures prescribed by the State Board
6 of Education shall require: (i) that each test used for State
7 and local student testing under this Section identify by name
8 the pupil taking the test; (ii) that the name of the pupil
9 taking the test be placed on the test at the time the test is
10 taken; (iii) that the results or scores of each test taken
11 under this Section by a pupil of the school district be
12 reported to that district and identify by name the pupil who
13 received the reported results or scores; and (iv) that the
14 results or scores of each test taken under this Section be
15 made available to the parents of the pupil. In addition,
16 beginning-with-the-2000-2001-school-year-and-in each school
17 year thereafter, the highest scores and any Prairie State
18 Achievement Awards performance-levels attained by a student
19 on the Prairie State Achievement Examination administered
20 under subsection (c) of this Section shall become part of the
21 student's permanent record and shall be entered on the
22 student's transcript pursuant to regulations that the State
23 Board of Education shall promulgate for that purpose in
24 accordance with Section 3 and subsection (e) of Section 2 of
25 the Illinois School Student Records Act. Beginning with the
26 1998-1999 school year and in every school year thereafter,
27 scores received by students on the State assessment tests
28 administered in grades 3 through 8 shall be placed into
29 students' temporary records. The State Board of Education
30 shall establish a common month in each school year for which
31 State testing shall occur to meet the objectives of this
32 Section. However, if the schools of a district are closed
33 and classes are not scheduled during any week that is
34 established by the State Board of Education as the week of

1 the month when State testing under this Section shall occur,
2 the school district may administer the required State testing
3 at any time up to 2 weeks following the week established by
4 the State Board of Education for the testing, so long as the
5 school district gives the State Board of Education written
6 notice of its intention to deviate from the established
7 schedule by December 1 of the school year in which falls the
8 week established by the State Board of Education for the
9 testing. Mandatory make-up testing must occur on designated
10 make-up testing dates for State assessments. A school
11 district shall maintain a file that contains the names of
12 students who were not tested and statements for these
13 students that explain why they were not tested. The maximum
14 time allowed for all actual testing required under this
15 subsection during the school year shall not exceed 25 hours
16 as allocated among the required tests by the State Board of
17 Education.

18 (a-5) All tests administered pursuant to this Section
19 shall be academically based. For the purposes of this
20 Section "academically based tests" shall mean tests
21 consisting of questions and answers that are measurable and
22 quantifiable to measure the knowledge, skill, and ability of
23 students in the subject matters covered by tests. The
24 scoring of academically based tests shall be reliable, valid,
25 unbiased and shall meet the guidelines for test development
26 and use prescribed by the American Psychological Association,
27 the National Council of Measurement and Evaluation, and the
28 American Educational Research Association. Academically based
29 tests shall not include assessments or evaluations of
30 attitudes, values, or beliefs, or testing of personality,
31 self-esteem, or self-concept. Nothing in this amendatory Act
32 is intended, nor shall it be construed, to nullify,
33 supersede, or contradict the legislative intent on academic
34 testing expressed during the passage of HB 1005/P.A. 90-296.

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

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

27 Beginning in the 2003-2004 school year, the State Board
28 of Education shall not make significant changes in the design
29 of State assessments, other than changing test items as
30 needed to maintain the validity and security of an
31 assessment, for a minimum of 5 school years in order to
32 ensure a continuous, comparable record of student
33 performance.

34 (b) It shall be the policy of the State to encourage

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

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

1 State Achievement Examination shall be developed by the State
2 Board of Education to measure student performance in the
3 academic areas of reading, writing, mathematics, science, and
4 social sciences. The State Board of Education shall
5 establish the academic standards that are to apply in
6 measuring student performance on the Prairie State
7 Achievement Examination including the minimum examination
8 score in each area that will qualify a student to receive a
9 Prairie State Achievement Award from the State in recognition
10 of the student's excellent performance. Each school district
11 that is subject to the requirements of this subsection (c)
12 shall afford all students 2 opportunities to take the Prairie
13 State Achievement Examination beginning as late as practical
14 during the second semester of grade 11, but in no event
15 before March 1. The State Board of Education shall annually
16 notify districts of the specific dates on weeks-during which
17 these test administrations shall be required to occur.
18 Mandatory make-up testing must occur on designated make-up
19 testing dates. A school district shall maintain a file that
20 contains the names of students who were not tested and
21 statements for these students that explain why they were not
22 tested. Every individualized educational program as described
23 in Article 14 shall identify if the Prairie State Achievement
24 Examination or components thereof are appropriate for that
25 student. Each student, exclusive of a student whose
26 individualized educational program developed under Article 14
27 identifies the Prairie State Achievement Examination as
28 inappropriate for the student or a student in a
29 State-approved transitional bilingual education program or a
30 transitional program of instruction who is administered a
31 State assessment developed for students with limited English
32 proficiency in accordance with the requirements of subsection
33 (a) of this Section, shall be required to take the
34 examination in grade 11. For each academic area the State

1 Board of Education shall establish the score that qualifies
2 for the Prairie State Achievement Award on that portion of
3 the examination. Any student who fails to earn a qualifying
4 score for a Prairie State Achievement Award in any one or
5 more of the academic areas on the initial test administration
6 or who wishes to improve his or her score on any portion of
7 the examination shall be permitted to retake such portion or
8 portions of the examination during grade 12. Districts shall
9 inform their students of the timelines and procedures
10 applicable to their participation in every yearly
11 administration of the Prairie State Achievement Examination.
12 Students receiving special education services whose
13 individualized educational programs identify the Prairie
14 State Achievement Examination as inappropriate for them
15 nevertheless shall have the option of taking the examination,
16 which shall be administered to those students in accordance
17 with standards adopted by the State Board of Education to
18 accommodate the respective disabilities of those students.
19 All pupils who are enrolled in a State-approved transitional
20 bilingual education program or transitional program of
21 instruction and whose lack of English as determined by an
22 English language proficiency test would keep them from
23 understanding the Prairie State Achievement Examination
24 nevertheless shall have the option of taking the examination.
25 A student who successfully completes all other applicable
26 high school graduation requirements but fails to receive a
27 score on the Prairie State Achievement Examination that
28 qualifies the student for receipt of a Prairie State
29 Achievement Award shall nevertheless qualify for the receipt
30 of a regular high school diploma.

31 (d) Beginning with the 2002-2003 school year, all
32 schools in this State that are part of the sample drawn by
33 the National Center for Education Statistics, in
34 collaboration with their school districts and the State Board

1 of Education, shall administer the biennial State academic
2 assessments of 4th and 8th grade reading and mathematics
3 under the National Assessment of Educational Progress carried
4 out under Section 411(b)(2) of the National Education
5 Statistics Act of 1994 (20 U.S.C. 9010) if the Secretary of
6 Education pays the costs of administering the assessments.

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

8 (105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

9 Sec. 10-17a. Better schools accountability.

10 (1) Policy and Purpose. It shall be the policy of the
11 State of Illinois that each school district in this State,
12 including special charter districts and districts subject to
13 the provisions of Article 34, shall submit to parents,
14 taxpayers of such district, the Governor, the General
15 Assembly, and the State Board of Education a school report
16 card assessing the performance of its schools and students.
17 The report card shall be an index of school performance
18 measured against statewide and local standards and will
19 provide information to make prior year comparisons and to set
20 future year targets through the school improvement plan.

21 (2) Reporting Requirements. Each school district shall
22 prepare a report card in accordance with the guidelines set
23 forth in this Section which describes the performance of its
24 students by school attendance centers and by district and the
25 district's financial resources and use of financial
26 resources. Such report card shall be presented at a regular
27 school board meeting subject to applicable notice
28 requirements, posted on the school district's Internet web
29 site, if the district maintains an Internet web site, made
30 available to a newspaper of general circulation serving the
31 district, and, upon request, sent home to a parent (unless
32 the district does not maintain an Internet web site, in which
33 case the report card shall be sent home to parents without

1 request). If the district posts the report card on its
2 Internet web site, the district shall send a written notice
3 home to parents stating (i) that the report card is available
4 on the web site, (ii) the address of the web site, (iii) that
5 a printed copy of the report card will be sent to parents
6 upon request, and (iv) the telephone number that parents may
7 call to request a printed copy of the report card. In
8 addition, each school district shall submit the completed
9 report card to the office of the district's Regional
10 Superintendent which shall make copies available to any
11 individuals requesting them.

12 The report card shall be completed and disseminated prior
13 to October 31 in each school year. The report card shall
14 contain, but not be limited to, actual local school
15 attendance center, school district and statewide data
16 indicating the present performance of the school, the State
17 norms and the areas for planned improvement for the school
18 and school district.

19 (3) (a) The report card shall include the following
20 applicable indicators of attendance center, district, and
21 statewide student performance: percentage percent of students
22 who exceed, meet, or do not meet standards established by the
23 State Board of Education pursuant to Section 2-3.25a;
24 composite and subtest means on nationally normed achievement
25 tests for college bound students; student attendance rates;
26 chronic truancy rate; dropout rate; graduation rate; and
27 student mobility, turnover shown as a percentage percent of
28 transfers out and a percentage percent of transfers in.
29 Beginning with the 2003 report card, the indicator for an
30 attendance center and for a district of the percentage of
31 students who exceed, meet, or do not meet standards shall be
32 only for students enrolled in the school or district on or
33 before November 1 of the school year in which a State
34 assessment is given.

1 (b) The report card shall include the following
2 descriptions for the school, district, and State: average
3 class size; amount of time per day devoted to mathematics,
4 science, English and social science at primary, middle and
5 junior high school grade levels; percentage of students
6 taking required State assessments; number of students taking
7 the Prairie State Achievement Examination under subsection
8 (c) of Section 2-3.64, the number of those students who
9 received a score of excellent, and the average score by
10 school of students taking the examination; pupil-teacher
11 ratio; pupil-administrator ratio; operating expenditure per
12 pupil; district expenditure by fund; average administrator
13 salary; and average teacher salary. Beginning with the 2003
14 report card, the Prairie State Achievement Examination
15 descriptions for a school and for a district shall be only
16 for students enrolled in the school or district on or before
17 November 1 of the school year in which the examination is
18 given. The report card shall also specify the amount of money
19 that the district receives from all sources, including
20 without limitation subcategories specifying the amount from
21 local property taxes, the amount from general State aid, the
22 amount from other State funding, and the amount from other
23 income.

24 (c) The report card shall include applicable indicators
25 of parental involvement in each attendance center. The
26 parental involvement component of the report card shall
27 include the percentage of students whose parents or guardians
28 have had one or more personal contacts with the students'
29 teachers during the school year concerning the students'
30 education, and such other information, commentary, and
31 suggestions as the school district desires. For the purposes
32 of this paragraph, "personal contact" includes, but is not
33 limited to, parent-teacher conferences, parental visits to
34 school, school visits to home, telephone conversations, and

1 written correspondence. The parental involvement component
2 shall not single out or identify individual students,
3 parents, or guardians by name.

4 (d) The report card form shall be prepared by the State
5 Board of Education and provided to school districts by the
6 most efficient, economic, and appropriate means.

7 (Source: P.A. 92-604, eff. 7-1-02; 92-631, eff. 7-11-02;
8 revised 7-26-02.)

9 Section 90. The State Mandates Act is amended by adding
10 Section 8.27 as follows:

11 (30 ILCS 805/8.27 new)

12 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6
13 and 8 of this Act, no reimbursement by the State is required
14 for the implementation of any mandate created by this
15 amendatory Act of the 93rd General Assembly.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.