

1 AMENDMENT TO HOUSE BILL 2352

2 AMENDMENT NO. _____. Amend House Bill 2352 immediately
3 below the title, by inserting the following:

4 "WHEREAS, The General Assembly supports enhancement of
5 the current State assessment system in order to develop an
6 appropriate, high-quality, statewide K-12 assessment system,
7 based on the Illinois Learning Standards; and

8 WHEREAS, This enhanced statewide assessment system must
9 have a high level of credibility, reliability, and validity
10 and must provide continuity with the assessment system in
11 place prior to the changes made by this amendatory Act of the
12 93rd General Assembly; and

13 WHEREAS, The changes in the assessment system made by
14 this amendatory Act of the 93rd General Assembly are a direct
15 result of the federal No Child Left Behind Act of 2001
16 (Public Law 107-110), which requires the testing of all
17 students as well as enhancements to the system in order to
18 provide timely results that are meaningful and educationally
19 useful for educators, parents, and the broader community;
20 therefore"; and

21 by replacing everything after the enacting clause with the
22 following:

1 "Section 5. The School Code is amended by changing
2 Section 2-3.64 as follows:

3 (105 ILCS 5/2-3.64) (from Ch. 122, par. 2-3.64)
4 Sec. 2-3.64. State goals and assessment.

5 (a) Beginning in the 1998-1999 school year, the State
6 Board of Education shall establish standards and
7 periodically, in collaboration with local school districts,
8 conduct studies of student performance in the learning areas
9 of fine arts and physical development/health.

10 Beginning with the 1998-1999 school year until the
11 2005-2006 school year at the latest, the State Board of
12 Education shall annually test: (i) all pupils enrolled in the
13 3rd, 5th, and 8th grades in English language arts (reading,
14 writing, and English grammar) and mathematics; and (ii) all
15 pupils enrolled in the 4th and 7th grades in the biological
16 and physical sciences and the social sciences (history,
17 geography, civics, economics, and government). The maximum
18 time allowed for all actual testing required under this
19 paragraph shall not exceed 25 hours, as allocated among the
20 required tests by the State Board of Education, across all
21 grades tested.

22 Beginning no later than the 2005-2006 school year, the
23 State Board of Education shall annually test: (i) all pupils
24 enrolled in the 3rd, 4th, 5th, 6th, 7th, and 8th grades in
25 reading and mathematics; (ii) all pupils enrolled in 3rd,
26 4th, 6th, and 8th grades in writing; (iii) all pupils
27 enrolled in the 4th and 7th grades in the biological and
28 physical sciences; and (iv) all pupils enrolled in 5th and
29 8th grades in the social sciences (history, geography,
30 economics, civics, and government). The State Board of
31 Education shall sample student performance in the learning
32 area of physical development and health in grades 4 and 7
33 through the science tests and in the learning area of fine

1 arts in grades 5 and 8 through the social sciences tests.
2 After the addition of subjects and grades as delineated in
3 this paragraph and including whatever other tests that may be
4 approved from time to time no later than the 2005-2006 school
5 year, the maximum time allowed for all State testing in
6 grades 3 through 8 shall not exceed 40 hours across those
7 grades.

8 The State Board of Education shall establish the academic
9 standards that are to be applicable to pupils who are subject
10 to State tests under this Section beginning with the
11 1998-1999 school year. However, the State Board of Education
12 shall not establish any such standards in final form without
13 first providing opportunities for public participation and
14 local input in the development of the final academic
15 standards. Those opportunities shall include a
16 well-publicized period of public comment, public hearings
17 throughout the State, and opportunities to file written
18 comments. Beginning with the 1998-99 school year and
19 thereafter, the State tests will identify pupils in the 3rd
20 grade or 5th grade who do not meet the State standards.

21 If, by performance on the State tests or local
22 assessments or by teacher judgment, a student's performance
23 is determined to be 2 or more grades below current placement,
24 the student shall be provided a remediation program developed
25 by the district in consultation with a parent or guardian.
26 Such remediation programs may include, but shall not be
27 limited to, increased or concentrated instructional time, a
28 remedial summer school program of not less than 90 hours,
29 improved instructional approaches, tutorial sessions,
30 retention in grade, and modifications to instructional
31 materials. Each pupil for whom a remediation program is
32 developed under this subsection shall be required to enroll
33 in and attend whatever program the district determines is
34 appropriate for the pupil. Districts may combine students in

1 remediation programs where appropriate and may cooperate with
2 other districts in the design and delivery of those programs.
3 The parent or guardian of a student required to attend a
4 remediation program under this Section shall be given written
5 notice of that requirement by the school district a
6 reasonable time prior to commencement of the remediation
7 program that the student is to attend. The State shall be
8 responsible for providing school districts with the new and
9 additional funding, under Section 2-3.51.5 or by other or
10 additional means, that is required to enable the districts to
11 operate remediation programs for the pupils who are required
12 to enroll in and attend those programs under this Section.
13 Every individualized educational program as described in
14 Article 14 shall identify if the State test or components
15 thereof are appropriate for that student. ~~For these pupils~~
16 ~~for whom the State tests or components thereof are not~~
17 ~~appropriate,~~ The State Board of Education shall develop rules
18 and regulations governing the administration of alternative
19 tests prescribed within each student's individualized
20 educational program which are appropriate to the disability
21 of each student.

22 All pupils who are in a State approved transitional
23 bilingual education program or transitional program of
24 instruction shall participate in the State tests. Any
25 student who has been enrolled in a State approved bilingual
26 education program less than 3 cumulative academic years may
27 take an accommodated State test, to be known as the Illinois
28 Measure of Annual Growth in English (IMAGE), shall--be
29 exempted if the student's lack of English as determined by an
30 English language proficiency test would keep the student from
31 understanding the regular State test. If the school district
32 determines, on a case-by-case individual basis, that IMAGE
33 would likely yield more accurate and reliable information on
34 what the student knows and can do, the school district may

1 make a determination to assess the student using IMAGE for a
2 period that does not exceed 2 additional consecutive years,
3 provided that the student has not yet reached a level of
4 English language proficiency sufficient to yield valid and
5 reliable information on what the student knows and can do on
6 the regular State test.~~7 - and that -- student's -- district -- shall~~
7 ~~have -- an -- alternative test program in place for that student.~~
8 ~~The State Board of Education shall appoint a -- task -- force -- of~~
9 ~~concerned -- parents, -- teachers, -- school administrators and other~~
10 ~~professionals -- to -- assist -- in -- identifying -- such -- alternative~~
11 ~~tests.~~

12 Reasonable accommodations as prescribed by the State
13 Board of Education shall be provided for individual students
14 in the testing procedure. All test procedures prescribed by
15 the State Board of Education shall require: (i) that each
16 test used for State and local student testing under this
17 Section identify by name the pupil taking the test; (ii) that
18 the name of the pupil taking the test be placed on the test
19 at the time the test is taken; (iii) that the results or
20 scores of each test taken under this Section by a pupil of
21 the school district be reported to that district and identify
22 by name the pupil who received the reported results or
23 scores; and (iv) that the results or scores of each test
24 taken under this Section be made available to the parents of
25 the pupil. In addition, ~~beginning with the 2000-2001 school~~
26 ~~year and in each school year thereafter,~~ the highest scores
27 ~~and -- performance -- levels~~ attained by a student on the Prairie
28 State Achievement Examination administered under subsection
29 (c) of this Section and any Prairie State Achievement Awards
30 received by the student shall become part of the student's
31 permanent record and shall be entered on the student's
32 transcript pursuant to regulations that the State Board of
33 Education shall promulgate for that purpose in accordance
34 with Section 3 and subsection (e) of Section 2 of the

1 Illinois School Student Records Act. Beginning with the
 2 1998-1999 school year and in every school year thereafter,
 3 scores received by students on the State assessment tests
 4 administered in grades 3 through 8 shall be placed into
 5 students' temporary records.

6 The State Board of Education shall establish a period of
 7 time, to be referred to as the State test window, ~~common~~
 8 ~~month~~ in each school year for which State testing shall occur
 9 to meet the objectives of this Section. However, if the
 10 schools of a district are closed and classes are not
 11 scheduled during any week that is established by the State
 12 Board of Education as the State test window week-of-the-month
 13 ~~when-State-testing-under-this-Section-shall-occur,~~ the school
 14 district may (at the discretion of the State Board of
 15 Education) move its State test window one week earlier or one
 16 week later than the established State test window, administer
 17 ~~the-required-State-testing-at-any-time-up-to-2-weeks~~
 18 ~~following-the-week-established-by-the-State-Board-of~~
 19 ~~Education-for-the-testing,~~ so long as the school district
 20 gives the State Board of Education written notice of its
 21 intention to deviate from the established schedule by
 22 December 1 of the school year in which falls the State test
 23 window week established by the State Board of Education for
 24 the testing. ~~The-maximum-time-allowed-for-all-actual-testing~~
 25 ~~required-under-this-subsection-during-the-school-year-shall~~
 26 ~~not-exceed-25-hours-as-allocated-among-the-required-tests-by~~
 27 ~~the-State-Board-of-Education.~~

28 (a-5) All tests administered pursuant to this Section
 29 shall be academically based. For the purposes of this
 30 Section "academically based tests" shall mean tests
 31 consisting of questions and answers that are measurable and
 32 quantifiable to measure the knowledge, skill, and ability of
 33 students in the subject matters covered by tests. The
 34 scoring of academically based tests shall be reliable, valid,

1 unbiased and shall meet the guidelines for test development
 2 and use prescribed by the American Psychological Association,
 3 the National Council of Measurement and Evaluation, and the
 4 American Educational Research Association. Academically based
 5 tests shall not include assessments or evaluations of
 6 attitudes, values, or beliefs, or testing of personality,
 7 self-esteem, or self-concept. Nothing in this amendatory Act
 8 is intended, nor shall it be construed, to nullify,
 9 supersede, or contradict the legislative intent on academic
 10 testing expressed during the passage of HB 1005/P.A. 90-296.
 11 Nothing in this Section is intended, nor shall it be
 12 construed, to nullify, supersede, or contradict the
 13 legislative intent on academic testing expressed in the
 14 preamble of this amendatory Act of the 93rd General Assembly.

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

33 The State Board of Education shall monitor not--continue
 34 the use of short answer questions in the math and reading

1 assessments or in other assessments in order to demonstrate,
2 or---extend---the---use---of---such---questions---to---other---State
3 assessments, unless this pilot project demonstrates that the
4 use of short answer questions results in a statistically
5 significant improvement in student achievement as measured on
6 the State assessments for math and reading or on other State
7 assessments and is justifiable in terms of cost and student
8 performance.

9 (b) It shall be the policy of the State to encourage
10 school districts to continuously test pupil proficiency in
11 the fundamental learning areas in order to: (i) provide
12 timely information on individual students' performance
13 relative to State standards that is adequate to guide
14 instructional strategies; (ii) improve future instruction;
15 and (iii) complement the information provided by the State
16 testing system described in this Section. Each district's
17 school improvement plan must address specific activities the
18 district intends to implement to assist pupils who by teacher
19 judgment and test results as prescribed in subsection (a) of
20 this Section demonstrate that they are not meeting State
21 standards or local objectives. Such activities may include,
22 but shall not be limited to, summer school, extended school
23 day, special homework, tutorial sessions, modified
24 instructional materials, other modifications in the
25 instructional program, reduced class size or retention in
26 grade. To assist school districts in testing pupil
27 proficiency in reading in the primary grades, the State Board
28 shall make optional reading inventories for diagnostic
29 purposes available to each school district that requests such
30 assistance. Districts that administer the reading
31 inventories may develop remediation programs for students who
32 perform in the bottom half of the student population. Those
33 remediation programs may be funded by moneys provided under
34 the School Safety and Educational Improvement Block Grant

1 Program established under Section 2-3.51.5. Nothing in this
2 Section shall prevent school districts from implementing
3 testing and remediation policies for grades not required
4 under this Section.

5 (c) Beginning with the 2000-2001 school year, each
6 school district that operates a high school program for
7 students in grades 9 through 12 shall annually administer the
8 Prairie State Achievement Examination established under this
9 subsection to its students as set forth below. The Prairie
10 State Achievement Examination shall be developed by the State
11 Board of Education to measure student performance in the
12 academic areas of reading, writing, mathematics, science, and
13 social sciences. The State Board of Education shall
14 establish the academic standards that are to apply in
15 measuring student performance on the Prairie State
16 Achievement Examination including the minimum examination
17 score in each area that will qualify a student to receive a
18 Prairie State Achievement Award from the State in recognition
19 of the student's excellent performance. Each school district
20 that is subject to the requirements of this subsection (c)
21 shall afford all students 2 opportunities to take the Prairie
22 State Achievement Examination beginning as late as practical
23 during the second semester of grade 11, but in no event
24 before March 1. The State Board of Education shall annually
25 notify districts of the weeks during which these test
26 administrations shall be required to occur. Every
27 individualized educational program as described in Article 14
28 shall identify if the Prairie State Achievement Examination
29 or components thereof are appropriate for that student. Each
30 student, exclusive of a student whose individualized
31 educational program developed under Article 14 identifies the
32 Prairie State Achievement Examination as inappropriate for
33 the student, shall be required to take the examination in
34 grade 11. For each academic area the State Board of

1 Education shall establish the score that qualifies for the
2 Prairie State Achievement Award on that portion of the
3 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. A
19 student who successfully completes all other applicable high
20 school graduation requirements but fails to receive a score
21 on the Prairie State Achievement Examination that qualifies
22 the student for receipt of a Prairie State Achievement Award
23 shall nevertheless qualify for the receipt of a regular high
24 school diploma.

25 (d) Beginning with the 2002-2003 school year, all
26 schools in this State that are part of the sample drawn by
27 the National Center for Education Statistics, in
28 collaboration with their school districts and the State Board
29 of Education, shall administer the biennial State academic
30 assessments of 4th and 8th grade reading and mathematics
31 under the National Assessment of Educational Progress carried
32 out under Section m11(b)(2) of the National Education
33 Statistics Act of 1994 (20 U.S.C. 9010) if the Secretary of
34 Education pays the costs of administering the assessments.

1 (e) Beginning no later than the 2005-2006 school year,
2 subject to available federal funds to this State for the
3 purpose of student assessment, the State Board of Education
4 shall provide additional tests and assessment resources that
5 may be used by school districts for local diagnostic
6 purposes. These tests and resources shall include without
7 limitation additional high school writing, physical
8 development and health, and fine arts assessments. The State
9 Board of Education shall annually distribute a listing of
10 these additional tests and resources, using funds available
11 from appropriations made for student assessment purposes.

12 (f) For the assessment and accountability purposes of
13 this Section, "all pupils" includes those pupils enrolled in
14 a public or State-operated elementary school, secondary
15 school, or cooperative or joint agreement with a governing
16 body or board of control, a charter school operating in
17 compliance with the Charter Schools Law, a school operated by
18 a regional office of education under Section 13A-3 of this
19 Code, a public university laboratory school, Department of
20 Corrections School District 428, a residential school
21 operated by a State agency, and the Illinois Mathematics and
22 Science Academy.

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

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."