



Rep. La Shawn K. Ford

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1 AMENDMENT TO HOUSE BILL 3163

2 AMENDMENT NO. _____. Amend House Bill 3163 by replacing
3 everything after the enacting clause with the following:

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

6 (105 ILCS 5/2-3.64) (from Ch. 122, par. 2-3.64)

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

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

13 Beginning with the 1998-1999 school year until the
14 2004-2005 school year, the State Board of Education shall
15 annually test: (i) all pupils enrolled in the 3rd, 5th, and 8th
16 grades in English language arts (reading, writing, and English

1 grammar) and mathematics; and (ii) all pupils enrolled in the
2 4th and 7th grades in the biological and physical sciences and
3 the social sciences (history, geography, civics, economics,
4 and government). Unless the testing required to be implemented
5 no later than the 2005-2006 school year under this subsection
6 (a) is implemented for the 2004-2005 school year, for the
7 2004-2005 school year, the State Board of Education shall test:
8 (i) all pupils enrolled in the 3rd, 5th, and 8th grades in
9 English language arts (reading and English grammar) and
10 mathematics and (ii) all pupils enrolled in the 4th and 7th
11 grades in the biological and physical sciences. The maximum
12 time allowed for all actual testing required under this
13 paragraph shall not exceed 25 hours, as allocated among the
14 required tests by the State Board of Education, across all
15 grades tested.

16 Beginning no later than the 2005-2006 school year, the
17 State Board of Education shall annually test: (i) all pupils
18 enrolled in the 3rd, 4th, 5th, 6th, 7th, and 8th grades in
19 reading and mathematics and (ii) all pupils enrolled in the 4th
20 and 7th grades in the biological and physical sciences. In
21 addition, the State Board of Education shall test (1) all
22 pupils enrolled in the 5th and 8th grades in writing during the
23 2006-2007 school year; (2) all pupils enrolled in the 5th, 6th,
24 and 8th grades in writing during the 2007-2008 school year; and
25 (3) all pupils enrolled in the 3rd, 5th, 6th, and 8th grades in
26 writing during the 2008-2009 school year and each school year

1 thereafter. After the addition of grades and change in subjects
2 as delineated in this paragraph and including whatever other
3 tests that may be approved from time to time no later than the
4 2005-2006 school year, the maximum time allowed for all State
5 testing in grades 3 through 8 shall not exceed 38 hours across
6 those grades.

7 Beginning with the 2004-2005 school year, the State Board
8 of Education shall not test pupils under this subsection (a) in
9 physical development and health, fine arts, and the social
10 sciences (history, geography, civics, economics, and
11 government). The State Board of Education shall not test pupils
12 under this subsection (a) in writing during the 2005-2006
13 school year.

14 The State Board of Education shall establish the academic
15 standards that are to be applicable to pupils who are subject
16 to State tests under this Section beginning with the 1998-1999
17 school year. However, the State Board of Education shall not
18 establish any such standards in final form without first
19 providing opportunities for public participation and local
20 input in the development of the final academic standards. Those
21 opportunities shall include a well-publicized period of public
22 comment, public hearings throughout the State, and
23 opportunities to file written comments. Beginning with the
24 1998-99 school year and thereafter, the State tests will
25 identify pupils in the 3rd grade or 5th grade who do not meet
26 the State standards.

1 If, by performance on the State tests or local assessments
2 or by teacher judgment, a student's performance is determined
3 to be 2 or more grades below current placement, the student
4 shall be provided a remediation program developed by the
5 district in consultation with a parent or guardian. Such
6 remediation programs may include, but shall not be limited to,
7 increased or concentrated instructional time, a remedial
8 summer school program of not less than 90 hours (with an
9 emphasis on reading and mathematics if the student has
10 performed below grade level for 2 consecutive school years),
11 improved instructional approaches, tutorial sessions,
12 retention in grade, and modifications to instructional
13 materials. Each pupil for whom a remediation program is
14 developed under this subsection shall be required to enroll in
15 and attend whatever program the district determines is
16 appropriate for the pupil. Districts may combine students in
17 remediation programs where appropriate and may cooperate with
18 other districts in the design and delivery of those programs.
19 The parent or guardian of a student required to attend a
20 remediation program under this Section shall be given written
21 notice of that requirement by the school district a reasonable
22 time prior to commencement of the remediation program that the
23 student is to attend. The State shall be responsible for
24 providing school districts with the new and additional funding,
25 under Section 2-3.51.5 or by other or additional means, that is
26 required to enable the districts to operate remediation

1 programs for the pupils who are required to enroll in and
2 attend those programs under this Section. Every individualized
3 educational program as described in Article 14 shall identify
4 if the State test or components thereof are appropriate for
5 that student. The State Board of Education shall develop rules
6 and regulations governing the administration of alternative
7 tests prescribed within each student's individualized
8 educational program which are appropriate to the disability of
9 each student.

10 All pupils who are in a State approved transitional
11 bilingual education program or transitional program of
12 instruction shall participate in the State tests. The time
13 allotted to take the State tests, however, may be extended as
14 determined by the State Board of Education by rule. Any student
15 who has been enrolled in a State approved bilingual education
16 program less than 3 cumulative academic years may take an
17 accommodated Limited English Proficient student academic
18 content assessment, as determined by the State Board of
19 Education, if the student's lack of English as determined by an
20 English language proficiency test would keep the student from
21 understanding the regular State test. If the school district
22 determines, on a case-by-case individual basis, that a Limited
23 English Proficient student academic content assessment would
24 likely yield more accurate and reliable information on what the
25 student knows and can do, the school district may make a
26 determination to assess the student using a Limited English

1 Proficient student academic content assessment for a period
2 that does not exceed 2 additional consecutive years, provided
3 that the student has not yet reached a level of English
4 language proficiency sufficient to yield valid and reliable
5 information on what the student knows and can do on the regular
6 State test.

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

1 Section 3 and subsection (e) of Section 2 of the Illinois
2 School Student Records Act. Beginning with the 1998-1999 school
3 year and in every school year thereafter, scores received by
4 students on the State assessment tests administered in grades 3
5 through 8 shall be placed into 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, in each
8 school year for which State testing shall occur to meet the
9 objectives of this Section. However, if the schools of a
10 district are closed and classes are not scheduled during any
11 week that is established by the State Board of Education as the
12 State test window, the school district may (at the discretion
13 of the State Board of Education) move its State test window one
14 week earlier or one week later than the established State test
15 window, so long as the school district gives the State Board of
16 Education written notice of its intention to deviate from the
17 established schedule by December 1 of the school year in which
18 falls the State test window established by the State Board of
19 Education for the testing.

20 (a-5) All tests administered pursuant to this Section shall
21 be academically based. For the purposes of this Section
22 "academically based tests" shall mean tests consisting of
23 questions and answers that are measurable and quantifiable to
24 measure the knowledge, skill, and ability of students in the
25 subject matters covered by tests. The scoring of academically
26 based tests shall be reliable, valid, unbiased and shall meet

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

15 The State Board of Education shall monitor the use of short
16 answer questions in the math and reading assessments or in
17 other assessments in order to demonstrate that the use of short
18 answer questions results in a statistically significant
19 improvement in student achievement as measured on the State
20 assessments for math and reading or on other State assessments
21 and is justifiable in terms of cost and student performance.

22 (b) It shall be the policy of the State to encourage school
23 districts to continuously test pupil proficiency in the
24 fundamental learning areas in order to: (i) provide timely
25 information on individual students' performance relative to
26 State standards that is adequate to guide instructional

1 strategies; (ii) improve future instruction; and (iii)
2 complement the information provided by the State testing system
3 described in this Section. To assist school districts in
4 testing pupil proficiency in reading in the primary grades, the
5 State Board shall make optional reading inventories for
6 diagnostic purposes available to each school district that
7 requests such assistance. Districts that administer the
8 reading inventories may develop remediation programs for
9 students who perform in the bottom half of the student
10 population. Those remediation programs may be funded by moneys
11 provided under the School Safety and Educational Improvement
12 Block Grant Program established under Section 2-3.51.5.

13 (c) Beginning with the 2000-2001 school year, each school
14 district that operates a high school program for students in
15 grades 9 through 12 shall annually administer the Prairie State
16 Achievement Examination established under this subsection to
17 its students as set forth below. The Prairie State Achievement
18 Examination shall be developed by the State Board of Education
19 to measure student performance in the academic areas of
20 reading, writing, mathematics, science, and social sciences.
21 Beginning with the 2004-2005 school year, however, the State
22 Board of Education shall not test a student in the social
23 sciences (history, geography, civics, economics, and
24 government) as part of the Prairie State Achievement
25 Examination unless the student is retaking the Prairie State
26 Achievement Examination in the fall of 2004. In addition, the

1 State Board of Education shall not test a student in writing as
2 part of the Prairie State Achievement Examination during the
3 2005-2006 school year. The State Board of Education shall
4 establish the academic standards that are to apply in measuring
5 student performance on the Prairie State Achievement
6 Examination including the minimum examination score in each
7 area that will qualify a student to receive a Prairie State
8 Achievement Award from the State in recognition of the
9 student's excellent performance. Each school district that is
10 subject to the requirements of this subsection (c) shall afford
11 all students one opportunity to take the Prairie State
12 Achievement Examination beginning as late as practical during
13 the spring semester of grade 11, but in no event before March
14 1. The State Board of Education shall annually notify districts
15 of the weeks during which this test administration shall be
16 required to occur. Every individualized educational program as
17 described in Article 14 shall identify if the Prairie State
18 Achievement Examination or components thereof are appropriate
19 for that student. Each student, exclusive of a student whose
20 individualized educational program developed under Article 14
21 identifies the Prairie State Achievement Examination as
22 inappropriate for the student, shall be required to take the
23 examination in grade 11. For each academic area the State Board
24 of Education shall establish the score that qualifies for the
25 Prairie State Achievement Award on that portion of the
26 examination. Districts shall inform their students of the

1 timelines and procedures applicable to their participation in
2 every yearly administration of the Prairie State Achievement
3 Examination. Students receiving special education services
4 whose individualized educational programs identify the Prairie
5 State Achievement Examination as inappropriate for them
6 nevertheless shall have the option of taking the examination,
7 which shall be administered to those students in accordance
8 with standards adopted by the State Board of Education to
9 accommodate the respective disabilities of those students. A
10 student who successfully completes all other applicable high
11 school graduation requirements but fails to receive a score on
12 the Prairie State Achievement Examination that qualifies the
13 student for receipt of a Prairie State Achievement Award shall
14 nevertheless qualify for the receipt of a regular high school
15 diploma. In no case, however, shall a student receive a regular
16 high school diploma without taking the Prairie State
17 Achievement Examination, unless the student is exempted from
18 taking the Prairie State Achievement Examination under this
19 subsection (c) because (i) the student's individualized
20 educational program developed under Article 14 of this Code
21 identifies the Prairie State Achievement Examination as
22 inappropriate for the student, (ii) the student is exempt due
23 to the student's lack of English language proficiency under
24 subsection (a) of this Section, (iii) the student is enrolled
25 in a program of Adult and Continuing Education as defined in
26 the Adult Education Act, (iv) the school district is not

1 required to test the individual student for purposes of
2 accountability under federal No Child Left Behind Act of 2001
3 requirements, or (v) the student is otherwise identified by the
4 State Board of Education through rules as being exempt from the
5 assessment.

6 (d) Beginning with the 2002-2003 school year, all schools
7 in this State that are part of the sample drawn by the National
8 Center for Education Statistics, in collaboration with their
9 school districts and the State Board of Education, shall
10 administer the biennial State academic assessments of 4th and
11 8th grade reading and mathematics under the National Assessment
12 of Educational Progress carried out under Section 411(b)(2) of
13 the National Education Statistics Act of 1994 (20 U.S.C. 9010)
14 if the Secretary of Education pays the costs of administering
15 the assessments.

16 (e) Beginning no later than the 2005-2006 school year,
17 subject to available federal funds to this State for the
18 purpose of student assessment, the State Board of Education
19 shall provide additional tests and assessment resources that
20 may be used by school districts for local diagnostic purposes.
21 These tests and resources shall include without limitation
22 additional high school writing, physical development and
23 health, and fine arts assessments. The State Board of Education
24 shall annually distribute a listing of these additional tests
25 and resources, using funds available from appropriations made
26 for student assessment purposes.

1 (f) For the assessment and accountability purposes of this
2 Section, "all pupils" includes those pupils enrolled in a
3 public or State-operated elementary school, secondary school,
4 or cooperative or joint agreement with a governing body or
5 board of control, a charter school operating in compliance with
6 the Charter Schools Law, a school operated by a regional office
7 of education under Section 13A-3 of this Code, or a public
8 school administered by a local public agency or the Department
9 of Human Services.

10 (g) The State Board of Education shall conduct a study on
11 the impact and effectiveness of standardized testing. The study
12 shall report on (i) the cost of tests, (ii) the results of
13 tests by race, gender, and zip code, and (iii) school board
14 action plans for students not meeting State benchmarks and for
15 those students exceeding State benchmarks.

16 (Source: P.A. 96-430, eff. 8-13-09; 96-1000, eff. 7-2-10;
17 97-86, eff. 1-1-12.)".