

# HB0814



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB0814

by Rep. Michael J. Madigan

### 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.

LRB099 04634 NHT 24663 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 with  
13 the Charter Schools Law, a school operated by a regional office  
14 of education under Section 13A-3 of this Code, or a public  
15 school administered by a local public agency or the Department  
16 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 include a college and career  
18 ready determination.

19 Students who are not assessed for college and career ready  
20 determinations may not receive a regular high school diploma  
21 unless the student is exempted from taking State assessments  
22 under subsection (d) of this Section because (i) the student's  
23 individualized educational program developed under Article 14  
24 of this Code identifies the State assessment as inappropriate  
25 for the student, (ii) the student is enrolled in a program of  
26 adult and continuing education, as defined in the Adult

1 Education Act, (iii) the school district is not required to  
2 assess the individual student for purposes of accountability  
3 under federal No Child Left Behind Act of 2001 requirements,  
4 (iv) the student has been determined to be an English language  
5 learner, referred to in this Code as a student with limited  
6 English proficiency, and has been enrolled in schools in the  
7 United States for less than 12 months, or (v) the student is  
8 otherwise identified by the State Board of Education, through  
9 rules, as being exempt from the assessment.

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

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

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

26 Students receiving special education services whose

1 individualized educational programs identify them as eligible  
2 for the alternative State assessments nevertheless shall have  
3 the option of taking this State's regular assessment that  
4 includes a college and career ready determination, which shall  
5 be administered in accordance with the eligible accommodations  
6 appropriate for meeting these students' respective needs.

7 All students determined to be an English language learner,  
8 referred to in this Code as a student with limited English  
9 proficiency, shall participate in the State assessments,  
10 excepting those students who have been enrolled in schools in  
11 the United States for less than 12 months. Such students may be  
12 exempted from participation in one annual administration of the  
13 English language arts assessment. Any student determined to be  
14 an English language learner, referred to in this Code as a  
15 student with limited English proficiency, shall receive  
16 appropriate assessment accommodations, including language  
17 supports, which shall be established by rule. Approved  
18 assessment accommodations must be provided until the student's  
19 English language skills develop to the extent that the student  
20 is no longer considered to be an English language learner,  
21 referred to in this Code as a student with limited English  
22 proficiency, as demonstrated through a State-identified  
23 English language proficiency assessment.

24 (e) The results or scores of each assessment taken under  
25 this Section shall be made available to the parents of each  
26 student.

1           In each school year, the scores attained by a student on  
2 the State assessment that includes a college and career ready  
3 determination must be placed in the student's permanent record  
4 and must be entered on the student's transcript pursuant to  
5 rules that the State Board of Education shall adopt for that  
6 purpose in accordance with Section 3 of the Illinois School  
7 Student Records Act. In each school year, the scores attained  
8 by a student on the State assessments administered in grades 3  
9 through 8 must be placed in the student's temporary record.

10           (f) All schools shall administer an academic assessment of  
11 English language proficiency in oral language (listening and  
12 speaking) and reading and writing skills to all children  
13 determined to be English language learners, referred to in  
14 Section 14C-3 of this Code as children with limited  
15 English-speaking ability.

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

25           (h) Subject to available funds to this State for the  
26 purpose of student assessment, the State Board of Education

1 shall provide additional assessments and assessment resources  
2 that may be used by school districts for local assessment  
3 purposes. The State Board of Education shall annually  
4 distribute a listing of these additional resources.

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

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

23 (j) The State Superintendent of Education shall appoint a  
24 committee of no more than 21 members, consisting of parents,  
25 teachers, school administrators, school board members,  
26 assessment experts, regional superintendents of schools, and

1 citizens, to review the State assessments administered by the  
2 State Board of Education. The Committee shall select one of its  
3 members as its chairperson. The Committee shall meet on an  
4 ongoing basis to review the content and design of the  
5 assessments (including whether the requirements of subsection  
6 (i) of this Section have been met), the time and money expended  
7 at the local and State levels to prepare for and administer the  
8 assessments, the collective results of the assessments as  
9 measured against the stated purpose of assessing student  
10 performance, and other issues involving the assessments  
11 identified by the Committee. The Committee shall make periodic  
12 recommendations to the State Superintendent of Education and  
13 the General Assembly concerning the assessments.

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

16 (Source: P.A. 98-972, eff. 8-15-14.)