



Rep. Christian L. Mitchell

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LRB099 04630 NHT 31487 a

1 AMENDMENT TO HOUSE BILL 801

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 801 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Findings. The General Assembly finds that:

5 (1) the State of Illinois serves more than 2,000,000  
6 school children in 858 school districts statewide;

7 (2) Illinois students continue to improve in their  
8 performance, but achievement gaps persist and rank among  
9 the largest nationwide, with too many of Illinois' most  
10 vulnerable students left behind;

11 (3) all Illinois students benefit when they are held to  
12 high expectations, taught according to rigorous standards,  
13 and supported to reach those standards, regardless of  
14 family circumstance or ZIP code;

15 (4) this State adopted new Illinois Learning Standards  
16 in English language arts and math that make clear the  
17 knowledge, skills, and understanding students will need to

1 succeed in college and careers;

2 (5) Illinois students, educators, and schools continue  
3 to put the new standards into practice in classrooms  
4 statewide to help all students achieve;

5 (6) Illinois needs a new assessment system to reflect  
6 the Illinois Learning Standards, understand whether  
7 students perform at the level of the new standards, and  
8 ensure that the promise of the new standards for all  
9 students is met;

10 (7) Illinois' assessments should exist for the purpose  
11 of evaluating necessary skills for the attainment of  
12 gainful, family-sustaining employment and the critical  
13 thinking skills necessary to live a fulfilling personal and  
14 civic life;

15 (8) Illinois' previous assessments were  
16 norm-referenced, sorting students within testing groups  
17 rather than measuring key concepts and critical thinking  
18 skills necessary for success in school and in life;

19 (9) Illinois' previous assessments did not align with  
20 internationally benchmarked standards, nor did they align  
21 across grade spans, creating a disconnect between grade  
22 schools and high schools, which poorly served students;

23 (10) Illinois recognizes that annual statewide  
24 assessments that reflect the learning standards and align  
25 across grade levels play a necessary role in the  
26 educational process, provide teachers with real-time

1 information to support their instruction, and inform  
2 families about their students' progress;

3 (11) too many Illinois students who leave high school  
4 require remediation, and assessing students against the  
5 new Illinois Learning Standards will help to ensure  
6 remediation rates can be improved, thus better serving  
7 Illinois families;

8 (12) federal law requires the State of Illinois to  
9 assess all students in grade 3 through high school during  
10 the 2014-2015 school year with new assessments that are in  
11 alignment with the depth and breadth of the content of the  
12 Illinois Learning Standards;

13 (13) Illinois is creating new assessments through a  
14 multi-state collaborative that benefits Illinois in that  
15 it provides an avenue for cost-sharing and ensures  
16 benchmarks state-to-state are comparable, thus assisting  
17 families who transfer in and out of the State; and

18 (14) Illinois' new assessments support real teaching  
19 and learning by aligning to the standards, progressing  
20 smoothly from one grade to the next, and providing timely  
21 feedback to students, educators, and families, while  
22 allowing teachers and instructors to plan a curriculum that  
23 aligns with necessary skills and concepts that are critical  
24 building blocks of learning.

25 Section 5. The School Code is amended by changing Section

1 2-3.64a-5 as follows:

2 (105 ILCS 5/2-3.64a-5)

3 Sec. 2-3.64a-5. State goals and assessment.

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

13 (b) The State Board of Education shall establish the  
14 academic standards that are to be applicable to students who  
15 are subject to State assessments under this Section. The State  
16 Board of Education shall not establish any such standards in  
17 final form without first providing opportunities for public  
18 participation and local input in the development of the final  
19 academic standards. Those opportunities shall include a  
20 well-publicized period of public comment and opportunities to  
21 file written comments.

22 (c) Beginning no later than the 2014-2015 school year, the  
23 State Board of Education shall annually assess all students  
24 enrolled in grades 3 through 8 in English language arts and  
25 mathematics.

1           Beginning no later than the 2017-2018 school year, the  
2 State Board of Education shall annually assess all students in  
3 science at one grade in grades 3 through 5, at one grade in  
4 grades 6 through 8, and at one grade in grades 9 through 12.

5           The State Board of Education shall annually assess schools  
6 that operate a secondary education program, as defined in  
7 Section 22-22 of this Code, in English language arts and  
8 mathematics. The State Board of Education shall administer no  
9 more than 3 assessments, per student, of English language arts  
10 and mathematics for students in a secondary education program.  
11 One of these assessments shall include a college and career  
12 ready determination.

13           Students who are not assessed for college and career ready  
14 determinations may not receive a regular high school diploma  
15 unless the student is exempted from taking State assessments  
16 under subsection (d) of this Section because (i) the student's  
17 individualized educational program developed under Article 14  
18 of this Code identifies the State assessment as inappropriate  
19 for the student, (ii) the student is enrolled in a program of  
20 adult and continuing education, as defined in the Adult  
21 Education Act, (iii) the school district is not required to  
22 assess the individual student for purposes of accountability  
23 under federal No Child Left Behind Act of 2001 requirements,  
24 (iv) the student has been determined to be an English language  
25 learner, referred to in this Code as a student with limited  
26 English proficiency, and has been enrolled in schools in the

1 United States for less than 12 months, or (v) the student is  
2 otherwise identified by the State Board of Education, through  
3 rules, as being exempt from the assessment.

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

6 Districts shall inform their students of the timelines and  
7 procedures applicable to their participation in every yearly  
8 administration of the State assessments. The State Board of  
9 Education shall establish periods of time in each school year  
10 during which State assessments shall occur to meet the  
11 objectives of this Section.

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

20 Students receiving special education services whose  
21 individualized educational programs identify them as eligible  
22 for the alternative State assessments nevertheless shall have  
23 the option of taking this State's regular assessment that  
24 includes a college and career ready determination, which shall  
25 be administered in accordance with the eligible accommodations  
26 appropriate for meeting these students' respective needs.

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

18 (e) The results or scores of each assessment taken under  
19 this Section shall be made available to the parents of each  
20 student.

21 In each school year, the scores attained by a student on  
22 the State assessment that includes a college and career ready  
23 determination must be placed in the student's permanent record  
24 and must be entered on the student's transcript pursuant to  
25 rules that the State Board of Education shall adopt for that  
26 purpose in accordance with Section 3 of the Illinois School

1 Student Records Act. In each school year, the scores attained  
2 by a student on the State assessments administered in grades 3  
3 through 8 must be placed in the student's temporary record.

4 (f) All schools shall administer an academic assessment of  
5 English language proficiency in oral language (listening and  
6 speaking) and reading and writing skills to all children  
7 determined to be English language learners, referred to in  
8 Section 14C-3 of this Code as children with limited  
9 English-speaking ability.

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

19 (h) Subject to available funds to this State for the  
20 purpose of student assessment, the State Board of Education  
21 shall provide additional assessments and assessment resources  
22 that may be used by school districts for local assessment  
23 purposes. The State Board of Education shall annually  
24 distribute a listing of these additional resources.

25 (i) For the purposes of this subsection (i), "academically  
26 based assessments" means assessments consisting of questions



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

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

17 (j) The State Superintendent of Education shall appoint an  
18 advisory ~~a~~ committee to lead an ongoing review, an analysis,  
19 and a continuous improvement of the implementation of this  
20 State's learning standards and the transition to an assessment  
21 system that reflects the standards. The advisory committee  
22 shall consist of no more than 21 members, consisting of  
23 parents, teachers, school administrators, school board  
24 members, higher education representatives, individuals with  
25 technical knowledge and experience in the implementation of  
26 standards, assessments, and accountability systems, ~~assessment~~

1 ~~experts,~~ regional superintendents of schools, and citizens, ~~to~~  
2 ~~review the State assessments administered by the State Board of~~  
3 ~~Education.~~ This advisory committee shall also include the  
4 Governor or his or her designee and one member appointed by the  
5 President of the Senate, one member appointed by the Minority  
6 Leader of the Senate, one member appointed by the Speaker of  
7 the House of Representatives, and one member appointed by the  
8 Minority Leader of the House of Representatives. The Committee  
9 shall select one of its members as its chairperson.

10 The Committee shall meet on an ongoing basis, but no less  
11 than 3 times a year, in a public setting, to establish a  
12 process by which educators, school district leaders,  
13 stakeholders, and the public can submit questions and concerns  
14 regarding the transition to the Illinois Learning Standards and  
15 aligned assessments to be reviewed by the Committee; to  
16 sequence its work, analysis, review, and recommendations,  
17 based upon a timeline provided by the State Board of Education  
18 that meets statutory requirements and responds to the needs of  
19 the field; to assist with the development of a system of  
20 supports for the implementation of the learning standards and  
21 the aligned State assessments; and to provide recommendations  
22 to continuously improve and support the implementation of  
23 standards and assessments and their role in accountability,  
24 including without limitation all of the following:

25 (1) To support the development of tools that allow  
26 school districts to evaluate their implementation of the

1 Illinois Learning Standards and identify areas where  
2 additional support is needed.

3 (2) To provide recommendations for how school  
4 districts can review and use local assessments; this should  
5 provide school districts with guidance regarding the  
6 different uses of assessments and a streamlined, holistic  
7 approach to assessments.

8 (3) To develop recommendations for how the continuum of  
9 State assessments, as well as the system of supports that  
10 undergirds it, serves the needs of English Learners,  
11 drawing upon the expertise of the Advisory Council on  
12 Bilingual Education.

13 (4) To develop recommendations for how the continuum of  
14 State assessments, as well as the system of supports that  
15 undergirds it, serves the needs of students with special  
16 needs, drawing upon the expertise of the Advisory Council  
17 on the Education of Children with Disabilities.

18 (5) To provide recommendations that can be shared with  
19 the developer of State assessments regarding testing time  
20 and the impact on instructional time.

21 (6) To provide recommendations on potential changes to  
22 the State assessments in response to school scheduling  
23 concerns and guidance to school districts as to how best to  
24 schedule the State assessments during the school day.

25 (7) To provide recommendations and make available  
26 tools and resources to help school districts identify

1 overlap between State and local assessments and create a  
2 more streamlined assessment system at the local level that  
3 reduces overall test time.

4 (8) To provide recommendations about how the  
5 diagnostic assessments, a critical element of the State  
6 assessment system, might be implemented in school  
7 districts statewide and how this State might support this  
8 work in school districts.

9 (9) To provide recommendations for how the  
10 kindergarten readiness survey might align and be  
11 incorporated within the continuum of the State assessment  
12 system.

13 (10) To provide recommendations about how the State  
14 assessments might be used in high school, such as for the  
15 purposes of end-of-course exams and for inclusion in  
16 end-of-course grades.

17 (11) To provide recommendations concerning how the  
18 State assessment system might be used by institutions of  
19 higher education.

20 (12) To provide recommendations about how the State  
21 assessment system should be used as an element of this  
22 State's accountability system that is consistent with  
23 federal statutory requirements.

24 (13) To provide recommendations about how State  
25 assessments might be used for purposes of student growth  
26 within a State accountability system in a manner that is

1 consistent with federal statutory requirements and  
2 supportive of student progress. ~~to review the content and~~  
3 ~~design of the assessments (including whether the~~  
4 ~~requirements of subsection (i) of this Section have been~~  
5 ~~met), the time and money expended at the local and State~~  
6 ~~levels to prepare for and administer the assessments, the~~  
7 ~~collective results of the assessments as measured against~~  
8 ~~the stated purpose of assessing student performance, and~~  
9 ~~other issues involving the assessments identified by the~~  
10 ~~Committee.~~

11 The Committee shall make biennial ~~periodic~~ recommendations  
12 to the State Superintendent of Education and the General  
13 Assembly concerning the assessments. The Committee shall  
14 submit its initial report to the Governor, the State  
15 Superintendent of Education, and the General Assembly no later  
16 than December 31, 2016. This initial report shall include  
17 without limitation all of the following:

18 (1) Progress on the implementation of new standards and  
19 assessments.

20 (2) Barriers to implementation, such as technology.

21 (3) Concerns about implementation based upon the  
22 experiences of school districts.

23 (4) Student progress and proficiency on the new  
24 standards and assessments.

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

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