

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 1. Legislative intent. It is the intent of the  
5 General Assembly to set forth in law that:

6 (1) students ought to spend the maximum amount of time  
7 learning;

8 (2) time spent getting tested or preparing for tests  
9 threatens the ability of a school to perform as a place of  
10 learning; and

11 (3) existing non-PARCC (Partnership for Assessment of  
12 Readiness for College and Careers) standardized tests  
13 administered in high schools, including without limitation  
14 standardized tests used to test potential college  
15 applicants, provide adequate information to policymakers  
16 of the educational efficacy of each individual high school  
17 and school district and make additional testing redundant  
18 and unnecessary.

19 Section 5. The School Code is amended by changing Section  
20 2-3.64a-5 as follows:

21 (105 ILCS 5/2-3.64a-5)

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

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

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

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

1           The State Board of Education shall annually assess schools  
2 that operate a secondary education program, as defined in  
3 Section 22-22 of this Code, in English language arts and  
4 mathematics. The State Board of Education shall administer no  
5 more than 3 assessments, per student, of English language arts  
6 and mathematics for students in a secondary education program  
7 until the expiration of any contracts entered into before the  
8 effective date of this amendatory Act of the 99th General  
9 Assembly between the State Board of Education and the company  
10 or companies that operate the PARCC (Partnership for Assessment  
11 of Readiness for College and Careers) tests, with one. ~~One~~ of  
12 these assessments including ~~shall include~~ a college and career  
13 ready determination that shall be accepted by this State's  
14 public institutions of higher education, as defined in the  
15 Board of Higher Education Act, for the purpose of student  
16 application or admissions consideration. After the expiration  
17 of any contracts entered into before the effective date of this  
18 amendatory Act of the 99th General Assembly between the State  
19 Board of Education and the company or companies that operate  
20 the PARCC tests, the State Board of Education shall enter into  
21 2 separate contracts, one to administer the ACT and one to  
22 administer the SAT. Each school district must be offered the  
23 opportunity to choose between the 2 examinations. This  
24 examination shall constitute a secondary education program  
25 annual assessment for the purpose of implementing this Section.  
26 Subject to appropriation, the State Board of Education is

1 required to cover all expenses for each student to take one of  
2 the 2 examinations for the purpose of college application or  
3 admissions consideration. If the student chooses to take both  
4 examinations, the student or his or her parent or guardian is  
5 required to cover expenses for the other examination. The State  
6 Board of Education shall take whatever may be appropriate ways  
7 and means, including a request for a federal waiver or waivers  
8 if required, to ensure that, should a waiver or waivers be  
9 granted pursuant to this request, no State assessments other  
10 than these 2 examinations may be administered to students in a  
11 secondary education program after the expiration of any  
12 contracts entered into before the effective date of this  
13 amendatory Act of the 99th General Assembly between the State  
14 Board of Education and the company or companies that operate  
15 the PARCC tests. Notwithstanding the mandate to administer  
16 these 2 examinations, should the PARCC test continue to be  
17 required of Illinois high schools by federal mandate, the PARCC  
18 test shall continue to be administered to students in a  
19 secondary education program.

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

1 adult and continuing education, as defined in the Adult  
2 Education Act, (iii) the school district is not required to  
3 assess the individual student for purposes of accountability  
4 under federal No Child Left Behind Act of 2001 requirements,  
5 (iv) the student has been determined to be an English learner  
6 and has been enrolled in schools in the United States for less  
7 than 12 months, or (v) the student is otherwise identified by  
8 the State Board of Education, through rules, as being exempt  
9 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 English learners shall  
8 participate in the State assessments, excepting those students  
9 who have been enrolled in schools in the United States for less  
10 than 12 months. Such students may be exempted from  
11 participation in one annual administration of the English  
12 language arts assessment. Any student determined to be an  
13 English learner shall receive appropriate assessment  
14 accommodations, including language supports, which shall be  
15 established by rule. Approved assessment accommodations must  
16 be provided until the student's English language skills develop  
17 to the extent that the student is no longer considered to be an  
18 English learner, as demonstrated through a State-identified  
19 English language proficiency assessment.

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

23 In each school year, the scores attained by a student on  
24 the State assessment that includes a college and career ready  
25 determination must be placed in the student's permanent record  
26 and must be entered on the student's transcript pursuant to

1 rules that the State Board of Education shall adopt for that  
2 purpose in accordance with Section 3 of the Illinois School  
3 Student Records Act. In each school year, the scores attained  
4 by a student on the State assessments administered in grades 3  
5 through 8 must be placed in the student's temporary record.

6 (f) All schools shall administer an academic assessment of  
7 English language proficiency in oral language (listening and  
8 speaking) and reading and writing skills to all children  
9 determined to be English learners.

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 a  
18 committee of no more than 21 members, consisting of parents,  
19 teachers, school administrators, school board members,  
20 assessment experts, regional superintendents of schools, and  
21 citizens, to review the State assessments administered by the  
22 State Board of Education. The Committee shall select one of its  
23 members as its chairperson. The Committee shall meet on an  
24 ongoing basis to review the content and design of the  
25 assessments (including whether the requirements of subsection  
26 (i) of this Section have been met), the time and money expended

1 at the local and State levels to prepare for and administer the  
2 assessments, the collective results of the assessments as  
3 measured against the stated purpose of assessing student  
4 performance, and other issues involving the assessments  
5 identified by the Committee. The Committee shall make periodic  
6 recommendations to the State Superintendent of Education and  
7 the General Assembly concerning the assessments.

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

10 (Source: P.A. 98-972, eff. 8-15-14; 99-30, eff. 7-10-15;  
11 99-185, eff. 1-1-16; revised 10-16-15.)

12 Section 99. Effective date. This Act takes effect July 1,  
13 2016.