



Rep. David McSweeney

Filed: 3/23/2016

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LRB099 15858 NHT 46045 a

1 AMENDMENT TO HOUSE BILL 4380

2 AMENDMENT NO. _____. Amend House Bill 4380 by replacing
3 everything after the enacting clause with the following:

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

1 and unnecessary.

2 Section 5. The School Code is amended by changing Section
3 2-3.64a-5 as follows:

4 (105 ILCS 5/2-3.64a-5)

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

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

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

24 (c) Beginning no later than the 2014-2015 school year, the

1 State Board of Education shall annually assess all students
2 enrolled in grades 3 through 8 in English language arts and
3 mathematics.

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

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

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

1 Students who are not assessed for college and career ready
2 determinations may not receive a regular high school diploma
3 unless the student is exempted from taking State assessments
4 under subsection (d) of this Section because (i) the student's
5 individualized educational program developed under Article 14
6 of this Code identifies the State assessment as inappropriate
7 for the student, (ii) the student is enrolled in a program of
8 adult and continuing education, as defined in the Adult
9 Education Act, (iii) the school district is not required to
10 assess the individual student for purposes of accountability
11 under federal No Child Left Behind Act of 2001 requirements,
12 (iv) the student has been determined to be an English learner
13 and has been enrolled in schools in the United States for less
14 than 12 months, or (v) the student is otherwise identified by
15 the State Board of Education, through rules, as being exempt
16 from the assessment.

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

19 Districts shall inform their students of the timelines and
20 procedures applicable to their participation in every yearly
21 administration of the State assessments. The State Board of
22 Education shall establish periods of time in each school year
23 during which State assessments shall occur to meet the
24 objectives of this Section.

25 (d) Every individualized educational program as described
26 in Article 14 shall identify if the State assessment or

1 components thereof are appropriate for the student. The State
2 Board of Education shall develop rules governing the
3 administration of an alternate assessment that may be available
4 to students for whom participation in this State's regular
5 assessments is not appropriate, even with accommodations as
6 allowed under this Section.

7 Students receiving special education services whose
8 individualized educational programs identify them as eligible
9 for the alternative State assessments nevertheless shall have
10 the option of taking this State's regular assessment that
11 includes a college and career ready determination, which shall
12 be administered in accordance with the eligible accommodations
13 appropriate for meeting these students' respective needs.

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

1 (e) The results or scores of each assessment taken under
2 this Section shall be made available to the parents of each
3 student.

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

13 (f) All schools shall administer an academic assessment of
14 English language proficiency in oral language (listening and
15 speaking) and reading and writing skills to all children
16 determined to be English learners.

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

26 (h) Subject to available funds to this State for the

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

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

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

24 (j) The State Superintendent of Education shall appoint a
25 committee of no more than 21 members, consisting of parents,
26 teachers, school administrators, school board members,

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

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

17 (Source: P.A. 98-972, eff. 8-15-14; 99-30, eff. 7-10-15;
18 99-185, eff. 1-1-16; revised 10-16-15.)

19 Section 99. Effective date. This Act takes effect July 1,
20 2016.".