

# HB1268



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB1268

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.

LRB100 02976 NHT 12981 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 that shall be accepted by this State's  
19 public institutions of higher education, as defined in the  
20 Board of Higher Education Act, for the purpose of student  
21 application or admissions consideration.

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

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

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

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

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

1 allowed under this Section.

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

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

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

25 In each school year, the scores attained by a student on  
26 the State assessment that includes a college and career ready

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

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

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

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

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

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

19           (j) The State Superintendent of Education shall appoint a  
20 committee of no more than 21 members, consisting of parents,  
21 teachers, school administrators, school board members,  
22 assessment experts, regional superintendents of schools, and  
23 citizens, to review the State assessments administered by the  
24 State Board of Education. The Committee shall select one of its  
25 members as its chairperson. The Committee shall meet on an  
26 ongoing basis to review the content and design of the

1 assessments (including whether the requirements of subsection  
2 (i) of this Section have been met), the time and money expended  
3 at the local and State levels to prepare for and administer the  
4 assessments, the collective results of the assessments as  
5 measured against the stated purpose of assessing student  
6 performance, and other issues involving the assessments  
7 identified by the Committee. The Committee shall make periodic  
8 recommendations to the State Superintendent of Education and  
9 the General Assembly concerning the assessments.

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

12 (Source: P.A. 98-972, eff. 8-15-14; 99-30, eff. 7-10-15;  
13 99-185, eff. 1-1-16; 99-642, eff. 7-28-16.)