

# SB2998



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB2998

Introduced 2/15/2018, by Sen. Pamela J. Althoff

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.64a-5

Amends the School Code. With regard to State assessments, provides that the State Board of Education shall develop a process for the college and career ready assessment that allows a school board to apply to the State Board to utilize the nationally recognized and locally selected assessment option of the federal Every Student Succeeds Act. Requires that the State Board of Education adopt technical criteria under specified federal law and rule to evaluate the proposed assessment. Effective immediately.

LRB100 18743 AXK 33977 b

FISCAL NOTE ACT  
MAY APPLY

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 assessment and accountability purposes of this  
9 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. The assessment  
22 administered by the State Board of Education for the purpose of  
23 student application to or admissions consideration by  
24 institutions of higher education must be administered on a  
25 school day during regular student attendance hours.

26 The State Board of Education shall develop a process for

1 the college and career ready assessment that allows a school  
2 board to apply to the State Board to utilize the nationally  
3 recognized and locally selected assessment option of the  
4 federal Every Student Succeeds Act. The State Board of  
5 Education shall adopt technical criteria as specified under 20  
6 U.S.C. 6311(b)(2)(H) and 34 CFR 200.3 to evaluate proposed  
7 assessments.

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

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

26 Districts shall inform their students of the timelines and

1 procedures applicable to their participation in every yearly  
2 administration of the State assessments. The State Board of  
3 Education shall establish periods of time in each school year  
4 during which State assessments shall occur to meet the  
5 objectives of this Section.

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

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

21 All students determined to be English learners shall  
22 participate in the State assessments, excepting those students  
23 who have been enrolled in schools in the United States for less  
24 than 12 months. Such students may be exempted from  
25 participation in one annual administration of the English  
26 language arts assessment. Any student determined to be an

1 English learner shall receive appropriate assessment  
2 accommodations, including language supports, which shall be  
3 established by rule. Approved assessment accommodations must  
4 be provided until the student's English language skills develop  
5 to the extent that the student is no longer considered to be an  
6 English learner, as demonstrated through a State-identified  
7 English language proficiency assessment.

8 (e) The results or scores of each assessment taken under  
9 this Section shall be made available to the parents of each  
10 student.

11 In each school year, the scores attained by a student on  
12 the State assessment that includes a college and career ready  
13 determination must be placed in the student's permanent record  
14 pursuant to rules that the State Board of Education shall adopt  
15 for that purpose in accordance with Section 3 of the Illinois  
16 School Student Records Act. In each school year, the scores  
17 attained by a student on the State assessments administered in  
18 grades 3 through 8 must be placed in the student's temporary  
19 record.

20 (f) All schools shall administer an academic assessment of  
21 English language proficiency in oral language (listening and  
22 speaking) and reading and writing skills to all children  
23 determined to be English learners.

24 (g) All schools in this State that are part of the sample  
25 drawn by the National Center for Education Statistics, in  
26 collaboration with their school districts and the State Board

1 of Education, shall administer the biennial academic  
2 assessments under the National Assessment of Educational  
3 Progress carried out under Section 411(b)(2) of the federal  
4 National Education Statistics Act of 1994 (20 U.S.C. 9010) if  
5 the U.S. Secretary of Education pays the costs of administering  
6 the assessments.

7 (h) Subject to available funds to this State for the  
8 purpose of student assessment, the State Board of Education  
9 shall provide additional assessments and assessment resources  
10 that may be used by school districts for local assessment  
11 purposes. The State Board of Education shall annually  
12 distribute a listing of these additional resources.

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

25 The State Board of Education shall review the use of all  
26 assessment item types in order to ensure that they are valid

1 and reliable indicators of student performance aligned to the  
2 learning standards being assessed and that the development,  
3 administration, and scoring of these item types are justifiable  
4 in terms of cost.

5 (j) The State Superintendent of Education shall appoint a  
6 committee of no more than 21 members, consisting of parents,  
7 teachers, school administrators, school board members,  
8 assessment experts, regional superintendents of schools, and  
9 citizens, to review the State assessments administered by the  
10 State Board of Education. The Committee shall select one of its  
11 members as its chairperson. The Committee shall meet on an  
12 ongoing basis to review the content and design of the  
13 assessments (including whether the requirements of subsection  
14 (i) of this Section have been met), the time and money expended  
15 at the local and State levels to prepare for and administer the  
16 assessments, the collective results of the assessments as  
17 measured against the stated purpose of assessing student  
18 performance, and other issues involving the assessments  
19 identified by the Committee. The Committee shall make periodic  
20 recommendations to the State Superintendent of Education and  
21 the General Assembly concerning the assessments.

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

24 (Source: P.A. 99-30, eff. 7-10-15; 99-185, eff. 1-1-16; 99-642,  
25 eff. 7-28-16; 100-7, eff. 7-1-17; 100-222, eff. 8-18-17;  
26 revised 9-22-17.)



1           Section 99. Effective date. This Act takes effect upon  
2           becoming law.