



Rep. Will Guzzardi

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LRB099 00235 NHT 34148 a

1 AMENDMENT TO HOUSE BILL 306

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 306 by replacing  
3 everything after the enacting clause with the following:

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.

1           (b) The State Board of Education shall establish the  
2 academic standards that are to be applicable to students who  
3 are subject to State assessments under this Section. The State  
4 Board of Education shall not establish any such standards in  
5 final form without first providing opportunities for public  
6 participation and local input in the development of the final  
7 academic standards. Those opportunities shall include a  
8 well-publicized period of public comment and opportunities to  
9 file written comments.

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

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

18           The State Board of Education shall annually assess schools  
19 that operate a secondary education program, as defined in  
20 Section 22-22 of this Code, in English language arts and  
21 mathematics. The State Board of Education shall administer no  
22 more than 3 assessments, per student, of English language arts  
23 and mathematics for students in a secondary education program.  
24 One of these assessments shall include a college and career  
25 ready determination.

26           Students who are not assessed for college and career ready

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

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

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

1       (c-5) A student is not required to take a particular State  
2 assessment under this Section if that student's parent or  
3 guardian requests, in writing, that the student be excused from  
4 taking the State assessment. The State Board of Education  
5 shall, by rule, (i) determine the form of the opt-out request;  
6 (ii) ensure that the State Board of Education, regional  
7 superintendents of schools, and school boards take no negative  
8 action against a student, school, school district, or district  
9 employee, through grades or evaluations, due to a student being  
10 excused from taking a State assessment other than sanctions for  
11 encouraging or discouraging opting out of State assessments as  
12 otherwise prohibited under this subsection (c-5); and (iii)  
13 ensure that students who are excused from taking a State  
14 assessment are offered supervised instructional or enrichment  
15 opportunities during the time the State assessment is being  
16 administered.

17       Once each school year, before any State assessments are  
18 administered, a school district shall communicate with the  
19 parents and guardians of students to explain the right to opt  
20 out of a particular State assessment under this subsection  
21 (c-5) and shall make opt-out forms available. Neither the  
22 school district, nor any teacher or school in the district, may  
23 issue additional official correspondence to students or their  
24 parents or guardians about the right to opt out under this  
25 subsection (c-5). A school district shall accept any letter  
26 expressing a parent's or guardian's intent for his or her child

1 to be excused from taking a particular State assessment in lieu  
2 of the opt-out form as long as the letter is signed by the  
3 parent or guardian.

4 A school district and its teachers, principals, and other  
5 administrators are prohibited from encouraging or discouraging  
6 students or their parents or guardians, either individually or  
7 collectively, to opt out of State assessments under this  
8 subsection (c-5). The State Board of Education shall, by rule,  
9 determine appropriate sanctions for a violation of this  
10 prohibition.

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

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

26 All students determined to be an English language learner,

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

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

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

1 by a student on the State assessments administered in grades 3  
2 through 8 must be placed in the student's temporary record.

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

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

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

24 (i) For the purposes of this subsection (i), "academically  
25 based assessments" means assessments consisting of questions  
26 and answers that are measurable and quantifiable to measure the

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

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

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



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

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

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

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law."