

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
5 Sections 2-3.64, 10-17a, and 14C-4 as follows:

6 (105 ILCS 5/2-3.64) (from Ch. 122, par. 2-3.64)

7 Sec. 2-3.64. State goals and assessment.

8 (a) Beginning in the 1998-1999 school year, the State
9 Board of Education shall establish standards and
10 periodically, in collaboration with local school districts,
11 conduct studies of student performance in the learning areas
12 of fine arts and physical development/health. Beginning with
13 the 1998-1999 school year, the State Board of Education shall
14 annually test: (i) all pupils enrolled in the 3rd, 5th, and
15 8th grades in English language arts (reading, writing, and
16 English grammar) and mathematics; and (ii) all pupils
17 enrolled in the 4th and 7th grades in the biological and
18 physical sciences and the social sciences (history,
19 geography, civics, economics, and government). The State
20 Board of Education shall establish the academic standards
21 that are to be applicable to pupils who are subject to State
22 tests under this Section beginning with the 1998-1999 school
23 year. However, the State Board of Education shall not
24 establish any such standards in final form without first
25 providing opportunities for public participation and local
26 input in the development of the final academic standards.
27 Those opportunities shall include a well-publicized period of
28 public comment, public hearings throughout the State, and
29 opportunities to file written comments. Beginning with the
30 1998-99 school year and thereafter, the State tests will
31 identify pupils in the 3rd grade or 5th grade who do not meet

1 the State standards. If, by performance on the State tests
2 or local assessments or by teacher judgment, a student's
3 performance is determined to be 2 or more grades below
4 current placement, the student shall be provided a
5 remediation program developed by the district in consultation
6 with a parent or guardian. Such remediation programs may
7 include, but shall not be limited to, increased or
8 concentrated instructional time, a remedial summer school
9 program of not less than 90 hours, improved instructional
10 approaches, tutorial sessions, retention in grade, and
11 modifications to instructional materials. Each pupil for
12 whom a remediation program is developed under this subsection
13 shall be required to enroll in and attend whatever program
14 the district determines is appropriate for the pupil.
15 Districts may combine students in remediation programs where
16 appropriate and may cooperate with other districts in the
17 design and delivery of those programs. The parent or
18 guardian of a student required to attend a remediation
19 program under this Section shall be given written notice of
20 that requirement by the school district a reasonable time
21 prior to commencement of the remediation program that the
22 student is to attend. The State shall be responsible for
23 providing school districts with the new and additional
24 funding, under Section 2-3.51.5 or by other or additional
25 means, that is required to enable the districts to operate
26 remediation programs for the pupils who are required to
27 enroll in and attend those programs under this Section.
28 Every individualized educational program as described in
29 Article 14 shall identify if the State test or components
30 thereof are appropriate for that student. For those pupils
31 for whom the State tests or components thereof are not
32 appropriate, the State Board of Education shall develop rules
33 and regulations governing the administration of alternative
34 tests prescribed within each student's individualized

1 educational program which are appropriate to the disability
2 of each student. All pupils who are in a State approved
3 transitional bilingual education program or transitional
4 program of instruction shall participate in the State tests.
5 Any student who has been enrolled in a State approved
6 bilingual education program less than 3 academic years shall
7 be exempted if the student's lack of English as determined by
8 an English language proficiency test would keep the student
9 from understanding the test, and that student's district
10 shall have an alternative test program in place for that
11 student. The State Board of Education shall appoint a task
12 force of concerned parents, teachers, school administrators
13 and other professionals to assist in identifying such
14 alternative tests. Reasonable accommodations as prescribed
15 by the State Board of Education shall be provided for
16 individual students in the testing procedure. All test
17 procedures prescribed by the State Board of Education shall
18 require: (i) that each test used for State and local student
19 testing under this Section identify by name the pupil taking
20 the test; (ii) that the name of the pupil taking the test be
21 placed on the test at the time the test is taken; (iii) that
22 the results or scores of each test taken under this Section
23 by a pupil of the school district be reported to that
24 district and identify by name the pupil who received the
25 reported results or scores; and (iv) that the results or
26 scores of each test taken under this Section be made
27 available to the parents of the pupil. In addition,
28 beginning with the 2000-2001 school year and in each school
29 year thereafter, the highest scores and performance levels
30 attained by a student on the Prairie State Achievement
31 Examination administered under subsection (c) of this Section
32 shall become part of the student's permanent record and shall
33 be entered on the student's transcript pursuant to
34 regulations that the State Board of Education shall

1 promulgate for that purpose in accordance with Section 3 and
2 subsection (e) of Section 2 of the Illinois School Student
3 Records Act. Beginning with the 1998-1999 school year and in
4 every school year thereafter, scores received by students on
5 the State assessment tests administered in grades 3 through 8
6 shall be placed into students' temporary records. The State
7 Board of Education shall establish a common month in each
8 school year for which State testing shall occur to meet the
9 objectives of this Section. However, if the schools of a
10 district are closed and classes are not scheduled during any
11 week that is established by the State Board of Education as
12 the week of the month when State testing under this Section
13 shall occur, the school district may administer the required
14 State testing at any time up to 2 weeks following the week
15 established by the State Board of Education for the testing,
16 so long as the school district gives the State Board of
17 Education written notice of its intention to deviate from the
18 established schedule by December 1 of the school year in
19 which falls the week established by the State Board of
20 Education for the testing. The maximum time allowed for all
21 actual testing required under this subsection during the
22 school year shall not exceed 25 hours as allocated among the
23 required tests by the State Board of Education.

24 (a-5) All tests administered pursuant to this Section
25 shall be academically based. For the purposes of this
26 Section "academically based tests" shall mean tests
27 consisting of questions and answers that are measurable and
28 quantifiable to measure the knowledge, skill, and ability of
29 students in the subject matters covered by tests. The
30 scoring of academically based tests shall be reliable, valid,
31 unbiased and shall meet the guidelines for test development
32 and use prescribed by the American Psychological Association,
33 the National Council of Measurement and Evaluation, and the
34 American Educational Research Association. Academically based

1 tests shall not include assessments or evaluations of
2 attitudes, values, or beliefs, or testing of personality,
3 self-esteem, or self-concept. Nothing in this amendatory Act
4 is intended, nor shall it be construed, to nullify,
5 supersede, or contradict the legislative intent on academic
6 testing expressed during the passage of HB 1005/P.A. 90-296.

7 Beginning in the 1998-1999 school year, the State Board
8 of Education may, on a pilot basis, include in the State
9 assessments in reading and math at each grade level tested no
10 more than 2 short answer questions, where students have to
11 respond in brief to questions or prompts or show
12 computations, rather than select from alternatives that are
13 presented. In the first year that such questions are used,
14 scores on the short answer questions shall not be reported on
15 an individual student basis but shall be aggregated for each
16 school building in which the tests are given. State-level,
17 school, and district scores shall be reported both with and
18 without the results of the short answer questions so that the
19 effect of short answer questions is clearly discernible.
20 Beginning in the second year of this pilot program, scores on
21 the short answer questions shall be reported both on an
22 individual student basis and on a school building basis in
23 order to monitor the effects of teacher training and
24 curriculum improvements on score results.

25 The State Board of Education shall not continue the use
26 of short answer questions in the math and reading
27 assessments, or extend the use of such questions to other
28 State assessments, unless this pilot project demonstrates
29 that the use of short answer questions results in a
30 statistically significant improvement in student achievement
31 as measured on the State assessments for math and reading and
32 is justifiable in terms of cost and student performance.

33 (b) It shall be the policy of the State to encourage
34 school districts to continuously test pupil proficiency in

1 the fundamental learning areas in order to: (i) provide
2 timely information on individual students' performance
3 relative to State standards that is adequate to guide
4 instructional strategies; (ii) improve future instruction;
5 and (iii) complement the information provided by the State
6 testing system described in this Section. Each district's
7 school improvement plan must address specific activities the
8 district intends to implement to assist pupils who by teacher
9 judgment and test results as prescribed in subsection (a) of
10 this Section demonstrate that they are not meeting State
11 standards or local objectives. Such activities may include,
12 but shall not be limited to, summer school, extended school
13 day, special homework, tutorial sessions, modified
14 instructional materials, other modifications in the
15 instructional program, reduced class size or retention in
16 grade. To assist school districts in testing pupil
17 proficiency in reading in the primary grades, the State Board
18 shall make optional reading inventories for diagnostic
19 purposes available to each school district that requests such
20 assistance. Districts that administer the reading
21 inventories may develop remediation programs for students who
22 perform in the bottom half of the student population. Those
23 remediation programs may be funded by moneys provided under
24 the School Safety and Educational Improvement Block Grant
25 Program established under Section 2-3.51.5. Nothing in this
26 Section shall prevent school districts from implementing
27 testing and remediation policies for grades not required
28 under this Section.

29 (c) Beginning with the 2000-2001 school year, each
30 school district that operates a high school program for
31 students in grades 9 through 12 shall annually administer the
32 Prairie State Achievement Examination established under this
33 subsection to its students as set forth below. The Prairie
34 State Achievement Examination shall be developed by the State

1 Board of Education to measure student performance in the
2 academic areas of reading, writing, mathematics, science, and
3 social sciences. The State Board of Education shall
4 establish the academic standards that are to apply in
5 measuring student performance on the Prairie State
6 Achievement Examination including the minimum examination
7 score in each area that will qualify a student to receive a
8 Prairie State Achievement Award from the State in recognition
9 of the student's excellent performance. Each school district
10 that is subject to the requirements of this subsection (c)
11 shall afford all students 2 opportunities to take the Prairie
12 State Achievement Examination beginning as late as practical
13 during the second semester of grade 11, but in no event
14 before March 1. The State Board of Education shall annually
15 notify districts of the weeks during which these test
16 administrations shall be required to occur. Every
17 individualized educational program as described in Article 14
18 shall identify if the Prairie State Achievement Examination
19 or components thereof are appropriate for that student. Each
20 student, exclusive of a student whose individualized
21 educational program developed under Article 14 identifies the
22 Prairie State Achievement Examination as inappropriate for
23 the student, shall be required to take the examination in
24 grade 11. For each academic area the State Board of
25 Education shall establish the score that qualifies for the
26 Prairie State Achievement Award on that portion of the
27 examination. Any student who fails to earn a qualifying
28 score for a Prairie State Achievement Award in any one or
29 more of the academic areas on the initial test administration
30 or who wishes to improve his or her score on any portion of
31 the examination shall be permitted to retake such portion or
32 portions of the examination during grade 12. Districts shall
33 inform their students of the timelines and procedures
34 applicable to their participation in every yearly

1 administration of the Prairie State Achievement Examination.
2 Students receiving special education services whose
3 individualized educational programs identify the Prairie
4 State Achievement Examination as inappropriate for them
5 nevertheless shall have the option of taking the examination,
6 which shall be administered to those students in accordance
7 with standards adopted by the State Board of Education to
8 accommodate the respective disabilities of those students. A
9 student who successfully completes all other applicable high
10 school graduation requirements but fails to receive a score
11 on the Prairie State Achievement Examination that qualifies
12 the student for receipt of a Prairie State Achievement Award
13 shall nevertheless qualify for the receipt of a regular high
14 school diploma.

15 (d) Beginning with the 2002-2003 school year, all
16 schools in this State that are part of the sample drawn by
17 the National Center for Education Statistics, in
18 collaboration with their school districts and the State Board
19 of Education, shall administer the biennial State academic
20 assessments of 4th and 8th grade reading and mathematics
21 under the National Assessment of Educational Progress carried
22 out under Section 411(b)(2) of the National Education
23 Statistics Act of 1994 (20 U.S.C. 9010) if the Secretary of
24 Education pays the costs of administering the assessments.

25 (Source: P.A. 90-566, eff. 1-2-98; 90-789, eff. 8-14-98;
26 91-283, eff. 7-29-99.)

27 (105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

28 Sec. 10-17a. Better schools accountability.

29 (1) Policy and Purpose. It shall be the policy of the
30 State of Illinois that each school district in this State,
31 including special charter districts and districts subject to
32 the provisions of Article 34, shall submit to parents,
33 taxpayers of such district, the Governor, the General

1 Assembly, and the State Board of Education a school report
2 card assessing the performance of its schools and students.
3 The report card shall be an index of school performance
4 measured against statewide and local standards and will
5 provide information to make prior year comparisons and to set
6 future year targets through the school improvement plan.

7 (2) Reporting Requirements. Each school district shall
8 prepare a report card in accordance with the guidelines set
9 forth in this Section which describes the performance of its
10 students by school attendance centers and by district and the
11 district's use of financial resources. Such report card
12 shall be presented at a regular school board meeting subject
13 to applicable notice requirements, posted on the school
14 district's Internet web site, if the district maintains an
15 Internet web site, and--such--report--cards--shall--be made
16 available to a newspaper of general circulation serving the
17 district, and, upon request, shall-be sent home to a parent
18 (unless the district does not maintain an Internet web site,
19 in which case the report card shall be sent home to parents
20 without request) parents. In addition, each school district
21 shall submit the completed report card to the office of the
22 district's Regional Superintendent which shall make copies
23 available to any individuals requesting them.

24 The report card shall be completed and disseminated prior
25 to October 31 in each school year. The report card shall
26 contain, but not be limited to, actual local school
27 attendance center, school district and statewide data
28 indicating the present performance of the school, the State
29 norms and the areas for planned improvement for the school
30 and school district.

31 (3) (a) The report card shall include the following
32 applicable indicators of attendance center, district, and
33 statewide student performance: percent of students who
34 exceed, meet, or do not meet standards established by the

1 State Board of Education pursuant to Section 2-3.25a;
2 composite and subtest means on nationally normed achievement
3 tests for college bound students; student attendance rates;
4 chronic truancy rate; dropout rate; graduation rate; and
5 student mobility, turnover shown as a percent of transfers
6 out and a percent of transfers in.

7 (b) The report card shall include the following
8 descriptions for the school, district, and State: average
9 class size; amount of time per day devoted to mathematics,
10 science, English and social science at primary, middle and
11 junior high school grade levels; number of students taking
12 the Prairie State Achievement Examination under subsection
13 (c) of Section 2-3.64, the number of those students who
14 received a score of excellent, and the average score by
15 school of students taking the examination; pupil-teacher
16 ratio; pupil-administrator ratio; operating expenditure per
17 pupil; district expenditure by fund; average administrator
18 salary; and average teacher salary.

19 (c) The report card shall include applicable indicators
20 of parental involvement in each attendance center. The
21 parental involvement component of the report card shall
22 include the percentage of students whose parents or guardians
23 have had one or more personal contacts with the students'
24 teachers during the school year concerning the students'
25 education, and such other information, commentary, and
26 suggestions as the school district desires. For the purposes
27 of this paragraph, "personal contact" includes, but is not
28 limited to, parent-teacher conferences, parental visits to
29 school, school visits to home, telephone conversations, and
30 written correspondence. The parental involvement component
31 shall not single out or identify individual students,
32 parents, or guardians by name.

33 (d) The report card form shall be prepared by the State
34 Board of Education and provided to school districts by the

1 most efficient, economic, and appropriate means.

2 (Source: P.A. 89-610, eff. 8-6-96.)

3 (105 ILCS 5/14C-4) (from Ch. 122, par. 14C-4)

4 Sec. 14C-4. Notice of enrollment; content; rights of
5 parents.

6 No later than 30 ~~10~~ days after the beginning of the
7 school year or 14 days after the enrollment of any child in a
8 program in transitional bilingual education during the middle
9 of a school year, the school district in which the child
10 resides shall notify by mail the parents or legal guardian of
11 the child of the fact that their child has been enrolled in a
12 program in transitional bilingual education. The notice shall
13 contain all of the following information in a simple,
14 nontechnical language:

15 (1) The reasons why the child has been placed in
16 and needs the services of the program.

17 (2) The child's level of English proficiency, how
18 this level was assessed, and the child's current level of
19 academic achievement.

20 (3) description---of The purposes, method of
21 instruction used in the program and in other available
22 offerings of the district, including how the program
23 differs from those other offerings in content,
24 instructional goals, and the use of English and native
25 language instruction.

26 (4) How the program will meet the educational
27 strengths and needs of the child.

28 (5) How the program will specifically help the
29 child to learn English and to meet academic achievement
30 standards for grade promotion and graduation.

31 (6) The specific exit requirements for the program,
32 the expected rate of transition from the program into the
33 regular curriculum, and the expected graduation rate for

1 children in the program if the program is offered at the
2 secondary level.

3 (7) How the program meets the objectives of the
4 child's individual educational program (IEP), if
5 applicable.

6 (8) The right of the parents to decline to enroll
7 the child in the program or to choose another program or
8 method of instruction, if available.

9 (9) The right of the parents to have the child
10 immediately removed from the program upon request.

11 ~~(10) and--content-of-the-program-in-which-the-child~~
12 ~~is-enrolled-and-shall-inform-the-parents-that--they--have~~
13 The right of the parents to visit transitional bilingual
14 education classes in which their child is enrolled and to
15 come to the school for a conference to explain the nature
16 of transitional bilingual education. Said--notice--shall
17 further--inform--the--parents-that-they-have-the-absolute
18 right,--if-they-so-wish,--to-withdraw-their--child--from--a
19 program-in-transitional-bilingual-education-in-the-manner
20 as-hereinafter-provided.

21 The notice shall be in writing in English and in the
22 language of which the child of the parents so notified
23 possesses a primary speaking ability.

24 Any parent whose child has been enrolled in a program in
25 transitional bilingual education shall have the absolute
26 right,--either--at--the--time-of-the-original-notification-of
27 enrollment-or-at-the-close-of--any--semester--thereafter, to
28 immediately withdraw his child from said program by providing
29 written notice of such desire to the school authorities of
30 the school in which his child is enrolled or to the school
31 district in which his child resides;--provided--that--no
32 withdrawal--shall-be-permitted-unless-such-parent-is-informed
33 in-a-conference-with-school-district-officials-of-the--nature
34 of-the-program.

1 (Source: P.A. 78-727.)

2 Section 99. Effective date. This Act takes effect on

3 July 1, 2002.