

1                                    AMENDMENT TO SENATE BILL 1983

2            AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1983 by replacing  
3 the title with the following:

4            "AN ACT concerning education."; and

5 by replacing everything after the enacting clause with the  
6 following:

7            "Section 5. The School Code is amended by changing  
8 Sections 2-3.64, 10-17a, and 14C-4 as follows:

9            (105 ILCS 5/2-3.64) (from Ch. 122, par. 2-3.64)

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

11            (a) Beginning in the 1998-1999 school year, the State  
12 Board of Education shall establish standards and  
13 periodically, in collaboration with local school districts,  
14 conduct studies of student performance in the learning areas  
15 of fine arts and physical development/health. Beginning with  
16 the 1998-1999 school year, the State Board of Education shall  
17 annually test: (i) all pupils enrolled in the 3rd, 5th, and  
18 8th grades in English language arts (reading, writing, and  
19 English grammar) and mathematics; and (ii) all pupils  
20 enrolled in the 4th and 7th grades in the biological and  
21 physical sciences and the social sciences (history,

1 geography, civics, economics, and government). The State  
2 Board of Education shall establish the academic standards  
3 that are to be applicable to pupils who are subject to State  
4 tests under this Section beginning with the 1998-1999 school  
5 year. However, the State Board of Education shall not  
6 establish any such standards in final form without first  
7 providing opportunities for public participation and local  
8 input in the development of the final academic standards.  
9 Those opportunities shall include a well-publicized period of  
10 public comment, public hearings throughout the State, and  
11 opportunities to file written comments. Beginning with the  
12 1998-99 school year and thereafter, the State tests will  
13 identify pupils in the 3rd grade or 5th grade who do not meet  
14 the State standards. If, by performance on the State tests  
15 or local assessments or by teacher judgment, a student's  
16 performance is determined to be 2 or more grades below  
17 current placement, the student shall be provided a  
18 remediation program developed by the district in consultation  
19 with a parent or guardian. Such remediation programs may  
20 include, but shall not be limited to, increased or  
21 concentrated instructional time, a remedial summer school  
22 program of not less than 90 hours, improved instructional  
23 approaches, tutorial sessions, retention in grade, and  
24 modifications to instructional materials. Each pupil for  
25 whom a remediation program is developed under this subsection  
26 shall be required to enroll in and attend whatever program  
27 the district determines is appropriate for the pupil.  
28 Districts may combine students in remediation programs where  
29 appropriate and may cooperate with other districts in the  
30 design and delivery of those programs. The parent or  
31 guardian of a student required to attend a remediation  
32 program under this Section shall be given written notice of  
33 that requirement by the school district a reasonable time  
34 prior to commencement of the remediation program that the

1 student is to attend. The State shall be responsible for  
2 providing school districts with the new and additional  
3 funding, under Section 2-3.51.5 or by other or additional  
4 means, that is required to enable the districts to operate  
5 remediation programs for the pupils who are required to  
6 enroll in and attend those programs under this Section.  
7 Every individualized educational program as described in  
8 Article 14 shall identify if the State test or components  
9 thereof are appropriate for that student. For those pupils  
10 for whom the State tests or components thereof are not  
11 appropriate, the State Board of Education shall develop rules  
12 and regulations governing the administration of alternative  
13 tests prescribed within each student's individualized  
14 educational program which are appropriate to the disability  
15 of each student. All pupils who are in a State approved  
16 transitional bilingual education program or transitional  
17 program of instruction shall participate in the State tests.  
18 Any student who has been enrolled in a State approved  
19 bilingual education program less than 3 academic years shall  
20 be exempted if the student's lack of English as determined by  
21 an English language proficiency test would keep the student  
22 from understanding the test, and that student's district  
23 shall have an alternative test program in place for that  
24 student. The State Board of Education shall appoint a task  
25 force of concerned parents, teachers, school administrators  
26 and other professionals to assist in identifying such  
27 alternative tests. Reasonable accommodations as prescribed  
28 by the State Board of Education shall be provided for  
29 individual students in the testing procedure. All test  
30 procedures prescribed by the State Board of Education shall  
31 require: (i) that each test used for State and local student  
32 testing under this Section identify by name the pupil taking  
33 the test; (ii) that the name of the pupil taking the test be  
34 placed on the test at the time the test is taken; (iii) that

1 the results or scores of each test taken under this Section  
2 by a pupil of the school district be reported to that  
3 district and identify by name the pupil who received the  
4 reported results or scores; and (iv) that the results or  
5 scores of each test taken under this Section be made  
6 available to the parents of the pupil. In addition,  
7 beginning with the 2000-2001 school year and in each school  
8 year thereafter, the highest scores and performance levels  
9 attained by a student on the Prairie State Achievement  
10 Examination administered under subsection (c) of this Section  
11 shall become part of the student's permanent record and shall  
12 be entered on the student's transcript pursuant to  
13 regulations that the State Board of Education shall  
14 promulgate for that purpose in accordance with Section 3 and  
15 subsection (e) of Section 2 of the Illinois School Student  
16 Records Act. Beginning with the 1998-1999 school year and in  
17 every school year thereafter, scores received by students on  
18 the State assessment tests administered in grades 3 through 8  
19 shall be placed into students' temporary records. The State  
20 Board of Education shall establish a common month in each  
21 school year for which State testing shall occur to meet the  
22 objectives of this Section. However, if the schools of a  
23 district are closed and classes are not scheduled during any  
24 week that is established by the State Board of Education as  
25 the week of the month when State testing under this Section  
26 shall occur, the school district may administer the required  
27 State testing at any time up to 2 weeks following the week  
28 established by the State Board of Education for the testing,  
29 so long as the school district gives the State Board of  
30 Education written notice of its intention to deviate from the  
31 established schedule by December 1 of the school year in  
32 which falls the week established by the State Board of  
33 Education for the testing. The maximum time allowed for all  
34 actual testing required under this subsection during the

1 school year shall not exceed 25 hours as allocated among the  
2 required tests by the State Board of Education.

3 (a-5) All tests administered pursuant to this Section  
4 shall be academically based. For the purposes of this  
5 Section "academically based tests" shall mean tests  
6 consisting of questions and answers that are measurable and  
7 quantifiable to measure the knowledge, skill, and ability of  
8 students in the subject matters covered by tests. The  
9 scoring of academically based tests shall be reliable, valid,  
10 unbiased and shall meet the guidelines for test development  
11 and use prescribed by the American Psychological Association,  
12 the National Council of Measurement and Evaluation, and the  
13 American Educational Research Association. Academically based  
14 tests shall not include assessments or evaluations of  
15 attitudes, values, or beliefs, or testing of personality,  
16 self-esteem, or self-concept. Nothing in this amendatory Act  
17 is intended, nor shall it be construed, to nullify,  
18 supersede, or contradict the legislative intent on academic  
19 testing expressed during the passage of HB 1005/P.A. 90-296.

20 Beginning in the 1998-1999 school year, the State Board  
21 of Education may, on a pilot basis, include in the State  
22 assessments in reading and math at each grade level tested no  
23 more than 2 short answer questions, where students have to  
24 respond in brief to questions or prompts or show  
25 computations, rather than select from alternatives that are  
26 presented. In the first year that such questions are used,  
27 scores on the short answer questions shall not be reported on  
28 an individual student basis but shall be aggregated for each  
29 school building in which the tests are given. State-level,  
30 school, and district scores shall be reported both with and  
31 without the results of the short answer questions so that the  
32 effect of short answer questions is clearly discernible.  
33 Beginning in the second year of this pilot program, scores on  
34 the short answer questions shall be reported both on an

1 individual student basis and on a school building basis in  
2 order to monitor the effects of teacher training and  
3 curriculum improvements on score results.

4 The State Board of Education shall not continue the use  
5 of short answer questions in the math and reading  
6 assessments, or extend the use of such questions to other  
7 State assessments, unless this pilot project demonstrates  
8 that the use of short answer questions results in a  
9 statistically significant improvement in student achievement  
10 as measured on the State assessments for math and reading and  
11 is justifiable in terms of cost and student performance.

12 (b) It shall be the policy of the State to encourage  
13 school districts to continuously test pupil proficiency in  
14 the fundamental learning areas in order to: (i) provide  
15 timely information on individual students' performance  
16 relative to State standards that is adequate to guide  
17 instructional strategies; (ii) improve future instruction;  
18 and (iii) complement the information provided by the State  
19 testing system described in this Section. Each district's  
20 school improvement plan must address specific activities the  
21 district intends to implement to assist pupils who by teacher  
22 judgment and test results as prescribed in subsection (a) of  
23 this Section demonstrate that they are not meeting State  
24 standards or local objectives. Such activities may include,  
25 but shall not be limited to, summer school, extended school  
26 day, special homework, tutorial sessions, modified  
27 instructional materials, other modifications in the  
28 instructional program, reduced class size or retention in  
29 grade. To assist school districts in testing pupil  
30 proficiency in reading in the primary grades, the State Board  
31 shall make optional reading inventories for diagnostic  
32 purposes available to each school district that requests such  
33 assistance. Districts that administer the reading  
34 inventories may develop remediation programs for students who

1 perform in the bottom half of the student population. Those  
2 remediation programs may be funded by moneys provided under  
3 the School Safety and Educational Improvement Block Grant  
4 Program established under Section 2-3.51.5. Nothing in this  
5 Section shall prevent school districts from implementing  
6 testing and remediation policies for grades not required  
7 under this Section.

8 (c) Beginning with the 2000-2001 school year, each  
9 school district that operates a high school program for  
10 students in grades 9 through 12 shall annually administer the  
11 Prairie State Achievement Examination established under this  
12 subsection to its students as set forth below. The Prairie  
13 State Achievement Examination shall be developed by the State  
14 Board of Education to measure student performance in the  
15 academic areas of reading, writing, mathematics, science, and  
16 social sciences. The State Board of Education shall  
17 establish the academic standards that are to apply in  
18 measuring student performance on the Prairie State  
19 Achievement Examination including the minimum examination  
20 score in each area that will qualify a student to receive a  
21 Prairie State Achievement Award from the State in recognition  
22 of the student's excellent performance. Each school district  
23 that is subject to the requirements of this subsection (c)  
24 shall afford all students 2 opportunities to take the Prairie  
25 State Achievement Examination beginning as late as practical  
26 during the second semester of grade 11, but in no event  
27 before March 1. The State Board of Education shall annually  
28 notify districts of the weeks during which these test  
29 administrations shall be required to occur. Every  
30 individualized educational program as described in Article 14  
31 shall identify if the Prairie State Achievement Examination  
32 or components thereof are appropriate for that student. Each  
33 student, exclusive of a student whose individualized  
34 educational program developed under Article 14 identifies the

1 Prairie State Achievement Examination as inappropriate for  
2 the student, shall be required to take the examination in  
3 grade 11. For each academic area the State Board of  
4 Education shall establish the score that qualifies for the  
5 Prairie State Achievement Award on that portion of the  
6 examination. Any student who fails to earn a qualifying  
7 score for a Prairie State Achievement Award in any one or  
8 more of the academic areas on the initial test administration  
9 or who wishes to improve his or her score on any portion of  
10 the examination shall be permitted to retake such portion or  
11 portions of the examination during grade 12. Districts shall  
12 inform their students of the timelines and procedures  
13 applicable to their participation in every yearly  
14 administration of the Prairie State Achievement Examination.  
15 Students receiving special education services whose  
16 individualized educational programs identify the Prairie  
17 State Achievement Examination as inappropriate for them  
18 nevertheless shall have the option of taking the examination,  
19 which shall be administered to those students in accordance  
20 with standards adopted by the State Board of Education to  
21 accommodate the respective disabilities of those students. A  
22 student who successfully completes all other applicable high  
23 school graduation requirements but fails to receive a score  
24 on the Prairie State Achievement Examination that qualifies  
25 the student for receipt of a Prairie State Achievement Award  
26 shall nevertheless qualify for the receipt of a regular high  
27 school diploma.

28 (d) Beginning with the 2002-2003 school year, all  
29 schools in this State that are part of the sample drawn by  
30 the National Center for Education Statistics, in  
31 collaboration with their school districts and the State Board  
32 of Education, shall administer the biennial State academic  
33 assessments of 4th and 8th grade reading and mathematics  
34 under the National Assessment of Educational Progress carried



1 out under Section 411(b)(2) of the National Education  
2 Statistics Act of 1994 (20 U.S.C. 9010) if the Secretary of  
3 Education pays the costs of administering the assessments.

4 (Source: P.A. 90-566, eff. 1-2-98; 90-789, eff. 8-14-98;  
5 91-283, eff. 7-29-99.)

6 (105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)  
7 Sec. 10-17a. Better schools accountability.

8 (1) Policy and Purpose. It shall be the policy of the  
9 State of Illinois that each school district in this State,  
10 including special charter districts and districts subject to  
11 the provisions of Article 34, shall submit to parents,  
12 taxpayers of such district, the Governor, the General  
13 Assembly, and the State Board of Education a school report  
14 card assessing the performance of its schools and students.  
15 The report card shall be an index of school performance  
16 measured against statewide and local standards and will  
17 provide information to make prior year comparisons and to set  
18 future year targets through the school improvement plan.

19 (2) Reporting Requirements. Each school district shall  
20 prepare a report card in accordance with the guidelines set  
21 forth in this Section which describes the performance of its  
22 students by school attendance centers and by district and the  
23 district's use of financial resources. Such report card  
24 shall be presented at a regular school board meeting subject  
25 to applicable notice requirements, posted on the school  
26 district's Internet web site, if the district maintains an  
27 Internet web site, and--such--report--cards--shall--be made  
28 available to a newspaper of general circulation serving the  
29 district, and, upon request, shall-be sent home to a parent  
30 (unless the district does not maintain an Internet web site,  
31 in which case the report card shall be sent home to parents  
32 without request) parents. In addition, each school district  
33 shall submit the completed report card to the office of the

1 district's Regional Superintendent which shall make copies  
2 available to any individuals requesting them.

3 The report card shall be completed and disseminated prior  
4 to October 31 in each school year. The report card shall  
5 contain, but not be limited to, actual local school  
6 attendance center, school district and statewide data  
7 indicating the present performance of the school, the State  
8 norms and the areas for planned improvement for the school  
9 and school district.

10 (3) (a) The report card shall include the following  
11 applicable indicators of attendance center, district, and  
12 statewide student performance: percent of students who  
13 exceed, meet, or do not meet standards established by the  
14 State Board of Education pursuant to Section 2-3.25a;  
15 composite and subtest means on nationally normed achievement  
16 tests for college bound students; student attendance rates;  
17 chronic truancy rate; dropout rate; graduation rate; and  
18 student mobility, turnover shown as a percent of transfers  
19 out and a percent of transfers in.

20 (b) The report card shall include the following  
21 descriptions for the school, district, and State: average  
22 class size; amount of time per day devoted to mathematics,  
23 science, English and social science at primary, middle and  
24 junior high school grade levels; number of students taking  
25 the Prairie State Achievement Examination under subsection  
26 (c) of Section 2-3.64, the number of those students who  
27 received a score of excellent, and the average score by  
28 school of students taking the examination; pupil-teacher  
29 ratio; pupil-administrator ratio; operating expenditure per  
30 pupil; district expenditure by fund; average administrator  
31 salary; and average teacher salary.

32 (c) The report card shall include applicable indicators  
33 of parental involvement in each attendance center. The  
34 parental involvement component of the report card shall

1 include the percentage of students whose parents or guardians  
 2 have had one or more personal contacts with the students'  
 3 teachers during the school year concerning the students'  
 4 education, and such other information, commentary, and  
 5 suggestions as the school district desires. For the purposes  
 6 of this paragraph, "personal contact" includes, but is not  
 7 limited to, parent-teacher conferences, parental visits to  
 8 school, school visits to home, telephone conversations, and  
 9 written correspondence. The parental involvement component  
 10 shall not single out or identify individual students,  
 11 parents, or guardians by name.

12 (d) The report card form shall be prepared by the State  
 13 Board of Education and provided to school districts by the  
 14 most efficient, economic, and appropriate means.

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

16 (105 ILCS 5/14C-4) (from Ch. 122, par. 14C-4)

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

19 No later than 30 ~~10~~ days after the beginning of the  
 20 school year or 14 days after the enrollment of any child in a  
 21 program in transitional bilingual education during the middle  
 22 of a school year, the school district in which the child  
 23 resides shall notify by mail the parents or legal guardian of  
 24 the child of the fact that their child has been enrolled in a  
 25 program in transitional bilingual education. The notice shall  
 26 contain all of the following information in a simple,  
 27 nontechnical language:

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

30 (2) The child's level of English proficiency, how  
 31 this level was assessed, and the child's current level of  
 32 academic achievement.

33 (3) description---of The purposes, method of

1 instruction used in the program and in other available  
2 offerings of the district, including how the program  
3 differs from those other offerings in content,  
4 instructional goals, and the use of English and native  
5 language instruction.

6 (4) How the program will meet the educational  
7 strengths and needs of the child.

8 (5) How the program will specifically help the  
9 child to learn English and to meet academic achievement  
10 standards for grade promotion and graduation.

11 (6) The specific exit requirements for the program,  
12 the expected rate of transition from the program into the  
13 regular curriculum, and the expected graduation rate for  
14 children in the program if the program is offered at the  
15 secondary level.

16 (7) How the program meets the objectives of the  
17 child's individual educational program (IEP), if  
18 applicable.

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

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

24 ~~(10) and--content-of-the-program-in-which-the-child~~  
25 ~~is-enrolled-and-shall-inform-the-parents-that--they--have~~  
26 The right of the parents to visit transitional bilingual  
27 education classes in which their child is enrolled and to  
28 come to the school for a conference to explain the nature  
29 of transitional bilingual education. Said--notice--shall  
30 further--inform--the--parents-that-they-have-the-absolute  
31 right,--if-they-so-wish,--to-withdraw-their--child--from--a  
32 program-in-transitional-bilingual-education-in-the-manner  
33 as-hereinafter-provided.

34 The notice shall be in writing in English and in the

1 language of which the child of the parents so notified  
2 possesses a primary speaking ability.

3 Any parent whose child has been enrolled in a program in  
4 transitional bilingual education shall have the absolute  
5 right, ~~either at the time of the original notification of~~  
6 ~~enrollment or at the close of any semester thereafter,~~ to  
7 immediately withdraw his child from said program by providing  
8 written notice of such desire to the school authorities of  
9 the school in which his child is enrolled or to the school  
10 district in which his child resides; ~~provided that no~~  
11 ~~withdrawal shall be permitted unless such parent is informed~~  
12 ~~in a conference with school district officials of the nature~~  
13 ~~of the program.~~

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

15 Section 99. Effective date. This Act takes effect on  
16 July 1, 2002."