

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 653

Introduced by Raikes, 25

Read first time January 17, 2007

Committee: Education

A BILL

1 FOR AN ACT relating to the Quality Education Accountability Act;
2 to amend sections 79-757, Reissue Revised Statutes of
3 Nebraska, and section 79-760, Revised Statutes Cumulative
4 Supplement, 2006; to require the implementation of a
5 statewide assessment and reporting system; to state
6 purposes; to prescribe duties; to require contents;
7 to harmonize provisions; and to repeal the original
8 sections.

9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-757, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 79-757 Sections 79-757 to 79-762 and sections 2 and 4 of
4 this act shall be known and may be cited as the Quality Education
5 Accountability Act.

6 Sec. 2. For purposes of the Quality Education
7 Accountability Act:

8 (1) Assessment means the process of measuring student
9 achievement and progress on state and locally adopted standards;

10 (2) Assessment instrument means a test aligned with state
11 and local standards that is designed to measure student progress
12 and achievement;

13 (3) Assessment portfolio means the compilation of
14 assessment practices and procedures, assessment instruments, and
15 national assessment instruments used by a school district in
16 meeting assessment and reporting requirements; and

17 (4) National assessment instrument means a nationally
18 norm-referenced test developed and scored by a national testing
19 service.

20 Sec. 3. Section 79-760, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 79-760 ~~(1)~~ The (1)(a) For school years prior to 2008-09,
23 the State Board of Education shall implement a statewide system
24 for the assessment of student learning and for reporting the
25 performance of school districts and learning communities pursuant

1 to this section. The assessment and reporting system shall test
2 student knowledge of subject matter materials covered by the
3 measurable model academic content standards approved by the state
4 board. The state board shall adopt an assessment and reporting
5 plan and begin implementation of the assessment and reporting
6 system in the 2000-01 school year beginning with the assessment
7 of reading and writing. The state board shall prescribe statewide
8 assessments of writing that rely on writing samples beginning in
9 the spring of 2001 with students in each of three grades selected
10 by the state board. For each academic year thereafter, one of the
11 three selected grades shall participate in the statewide writing
12 assessment. The state board shall develop an assessment system and
13 prescribe statewide assessments for the subject areas of reading,
14 mathematics, science, social studies, and history. The assessment
15 and reporting system for each subject area, except writing, shall
16 be based on locally developed assessments the first year.

17 **(b)** Following the first assessment in each subject area,
18 except writing, the State Department of Education shall contract
19 with independent, recognized assessment experts to review and rate
20 locally developed assessments. The department shall identify the
21 criteria for rating the model assessments. The assessment experts
22 shall identify not more than four model assessments receiving
23 the highest ratings. Districts shall thereafter adopt one of the
24 four model assessments and may, in addition, adapt their locally
25 developed assessments.

1 (c) The aggregate results of any assessments required
2 by the state board pursuant to this section shall be reported by
3 the district on a building basis to the public in that district,
4 to the learning community coordinating council if such district
5 is a member of a learning community, and to the department. Each
6 learning community shall also report the aggregate results of any
7 assessments required by the state board pursuant to this section to
8 the public in that learning community and to the department.

9 (d) The department shall report the aggregate results
10 of any assessments required by the state board pursuant to this
11 section on a learning community, district, and building basis as
12 part of the statewide assessment and reporting system.

13 (2) The purposes of the assessment and reporting system
14 described in subsection (1) of this section are to:

15 (a) Determine how well public schools are performing in
16 terms of achievement of public school students related to the model
17 state academic content standards;

18 (b) Report the performance of public schools based upon
19 the results of the assessment;

20 (c) Provide information for the public and policymakers
21 on the performance of public schools; and

22 (d) Provide for the comparison ~~of~~ among Nebraska public
23 schools ~~to their peers and to school systems of other states and~~
24 ~~other countries,~~ and the comparison of Nebraska public schools to
25 public schools in the nation and the world.

1 (3) (a) The assessment and reporting plan described in
2 subsection (1) of this section shall:

3 (i) Provide for the confidentiality of the results of
4 individual students; and

5 (ii) Include ~~include~~ all public schools and all public
6 school students.

7 (b) The state board shall adopt criteria for the
8 inclusion of students with disabilities, students entering the
9 school for the first time, and students with limited English
10 proficiency.

11 ~~(4) The assessment and reporting plan shall provide for~~
12 ~~the confidentiality of the individual students.~~

13 ~~(5) The state board shall adopt and promulgate rules and~~
14 ~~regulations to carry out this section.~~

15 Sec. 4. (1) For school year 2008-09 and each school
16 year thereafter, the State Board of Education shall implement
17 a statewide system for the assessment of student learning and
18 for reporting the performance of school districts and learning
19 communities pursuant to this section.

20 (2) The state board shall adopt a plan for an assessment
21 and reporting system and implement and maintain the assessment and
22 reporting system. The state board shall select three grade levels
23 for assessment and reporting. The purposes of the system are to:

24 (a) Determine how well public schools are performing in
25 terms of achievement of public school students related to the state

1 academic content standards;

2 (b) Report the performance of public schools based upon
3 the results of state assessment instruments and national assessment
4 instruments;

5 (c) Provide information for the public and policymakers
6 on the performance of public schools; and

7 (d) Provide for the comparison among Nebraska public
8 schools and the comparison of Nebraska public schools to public
9 schools in the nation and the world.

10 (3) The state board shall prescribe a statewide
11 assessment of writing that relies on writing samples in each of
12 three grades selected by the state board. Each year at least one
13 of the three selected grades shall participate in the statewide
14 writing assessment with each selected grade level participating at
15 least once every three years.

16 (4) The State Department of Education shall identify
17 criteria for rating assessment instruments. The department shall
18 contract with independent, recognized assessment experts to review
19 and rate locally developed assessment instruments according to such
20 criteria. The assessment experts shall identify model assessment
21 instruments and report on those receiving the highest ratings. The
22 department shall select not more than four assessment instruments
23 for the subject areas of reading, mathematics, science, social
24 studies, and history for each of the three selected grade levels
25 based on such ratings. Districts shall adopt one of the selected

1 assessment instruments in each of such subject areas and each of
2 the three selected grade levels.

3 (5) The State Board of Education shall recommend national
4 assessment instruments for the purpose of national comparison. Each
5 school district shall include national assessment instruments in
6 its assessment portfolio.

7 (6) The aggregate results of assessment instruments and
8 national assessment instruments shall be reported by the district
9 on a building basis to the public in that district, to the
10 learning community coordinating council if such district is a
11 member of a learning community, and to the department. Each
12 learning community shall also report the aggregate results of
13 any assessment instruments and national assessment instruments to
14 the public in that learning community and to the department. The
15 department shall report the aggregate results of any assessment
16 instruments and national assessment instruments on a learning
17 community, district, and building basis as part of the statewide
18 assessment and reporting system.

19 (7) (a) The assessment and reporting plan shall:

20 (i) Provide for the confidentiality of the results of
21 individual students; and

22 (ii) Include all public schools and all public school
23 students.

24 (b) The state board shall adopt criteria for the
25 inclusion of students with disabilities, students entering the

1 school for the first time, and students with limited English
2 proficiency.

3 Sec. 5. Original section 79-757, Reissue Revised Statutes
4 of Nebraska, and section 79-760, Revised Statutes Cumulative
5 Supplement, 2006, are repealed.