LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1094

Introduced by Hilgers, 21.

Read first time January 18, 2018

Committee: Education

A BILL FOR AN ACT relating to schools; to amend sections 79-760.01, 79-760.02, and 79-760.03, Revised Statutes Cumulative Supplement, 2016; to change provisions for academic content standards; to provide for model measurable academic content standards covering financial literacy and entrepreneurship; to change school district duties; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,
Section 1. Section 79-760.01, Revised Statutes Cumulative Supplement, 2016, is amended to read:

79-760.01 (1) The State Board of Education shall adopt measurable academic content standards for at least the grade levels required for statewide assessment pursuant to section 79-760.03. The standards shall cover the subject areas of reading, writing, mathematics, science, and social studies. The standards adopted shall be sufficiently clear and measurable to be used for testing student performance with respect to mastery of the content described in the state standards. The State Board of Education shall develop a plan to review and update standards for each subject area every seven years. The state board plan shall include a review of commonly accepted standards adopted by school districts.

(2) The State Board of Education shall adopt model measurable academic content standards covering financial literacy and entrepreneurship for either the elementary, middle, and high school grade ranges or a selected grade in each of such grade ranges at a minimum. Such model standards shall include, but not be limited to, budgeting, investing, insurance, taxes, debt management, and interest for the financial literacy standards and business planning, financing, and operations for the entrepreneurship standards. The model standards adopted pursuant to this subsection shall be sufficiently clear and measurable to be used for testing student performance with respect to mastery of the content described in such standards. The State Board of Education shall develop a plan to review and update such model standards every seven years.

Sec. 2. Section 79-760.02, Revised Statutes Cumulative Supplement, 2016, is amended to read:

79-760.02 (1) In accordance with timelines that are adopted by the State Board of Education, but in no event later than one year following the adoption or modification of state standards pursuant to subsection (1) of section 79-760.01, each school district shall adopt measurable
quality academic content standards in the subject areas of reading, writing, mathematics, science, and social studies. The standards may be the same as, or may be equal to or exceed in rigor, the measurable academic content standards adopted by the state board and shall cover at least the same grade levels. School districts may work collaboratively with educational service units, with learning communities, or through interlocal agreements to develop such standards.

(2) Each school district may adopt measurable quality academic content standards in subject areas and grade levels not included in subsection (1) of this section. Such standards may be, but are not required to be, the same as any model measurable academic content standards adopted by the State Board of Education. School districts may work collaboratively with educational service units, with learning communities, or through interlocal agreements to develop measurable quality academic content standards for adoption pursuant to this section.

Sec. 3. Section 79-760.03, Revised Statutes Cumulative Supplement, 2016, is amended to read:

79-760.03 (1) For school year 2009-10 and each school year thereafter, the State Board of Education shall implement a statewide system for the assessment of student learning based on the measurable academic content standards adopted pursuant to subsection (1) of section 79-760.01 and for reporting the performance of school districts and learning communities pursuant to this section. The assessment and reporting system shall measure student knowledge of subject matter materials covered by measurable academic content standards selected by the state board.

(2) The state board shall adopt a plan for an assessment and reporting system and implement and maintain the assessment and reporting system according to such plan. The plan shall be submitted annually to the State Department of Education, the Governor, the chairperson of the Education Committee of the Legislature, and the Clerk of the Legislature.
The plan submitted to the committee and the Clerk of the Legislature shall be submitted electronically. The state board shall select grade levels for assessment and reporting required pursuant to subsections (4) through (7) of this section. The purposes of the system are to:

(a) Determine how well public schools are performing in terms of achievement of public school students related to the measurable state academic content standards adopted pursuant to subsection (1) of section 79-760.01;

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

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

(d) Provide for the comparison among Nebraska public schools and the comparison of Nebraska public schools to public schools elsewhere.

(3) The Governor shall appoint a technical advisory committee to review (a) the statewide assessment plan, (b) state assessment instruments, and (c) the accountability system developed under the Quality Education Accountability Act. The technical advisory committee shall consist of three nationally recognized experts in educational assessment and measurement, one administrator from a school in Nebraska, and one teacher from a school in Nebraska. The members shall serve terms of three years, except that two of the members shall be appointed for initial terms of two years. Any vacancy shall be filled by the Governor for the remainder of the term. One of the members shall be designated as chairperson by the Governor. Members shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177. The committee shall advise the Governor, the state board, and the State Department of Education on the development of statewide assessment instruments and the statewide assessment plan. The appointments to the committee shall be confirmed by the Legislature.

(4) Through school year 2016-17, the state board shall prescribe a
statewide assessment of writing that relies on writing samples in each of three grades selected by the state board. Each year at least one of the three selected grades shall participate in the statewide writing assessment with each selected grade level participating at least once every three years.

(5) For school year 2009-10 and for each school year thereafter, the state board shall prescribe a statewide assessment of reading. The statewide assessment of reading shall include assessment instruments for each of the grade levels three through eight and for one grade in high school and shall measure student performance based on the measurable academic content standards adopted by the state board pursuant to section 79-760.01. For school year 2017-18 and each school year thereafter, the statewide assessment of reading shall include a component of writing as determined by the state board.

(6) For no later than school year 2010-11 and for each school year thereafter, the state board shall prescribe a statewide assessment of mathematics. The statewide assessment of mathematics shall include assessment instruments for each of the grade levels three through eight and for one grade in high school and shall measure student performance based on the measurable academic content standards adopted by the state board pursuant to section 79-760.01.

(7) For no later than school year 2011-12 and each school year thereafter, the state board shall prescribe a statewide assessment of science. The statewide assessment of science shall include assessment instruments for each of the grade levels selected by the state board and shall measure student performance based on the measurable academic content standards adopted by the state board pursuant to section 79-760.01. The grade levels shall include at least one grade in elementary school, one grade in middle school or junior high school, and one grade in high school.

(8) The department shall conduct studies to verify the technical
quality of assessment instruments and demonstrate the comparability of
assessment instrument results required by the act. The department shall
annually report such findings to the Governor, the Legislature, and the
state board. The report submitted to the Legislature shall be submitted
electronically.

(9) The state board shall recommend national assessment instruments
for the purpose of national comparison. Beginning with school year
2017-18, the state board shall select a national assessment instrument
that is also used as a standard college admission test which shall be
administered to students in the eleventh grade in every public high
school in each school district. Each school district shall report
individual student data for scores and sub-scores according to procedures
established by the state board and the department pursuant to section
79-760.05.

(10) The aggregate results of assessment instruments and national
assessment instruments shall be reported by the district on a building
basis to the public in that district, to the learning community
coordinating council if such district is a member of a learning
community, and to the department. Each learning community shall also
report the aggregate results of any assessment instruments and national
assessment instruments to the public in that learning community and to
the department. The department shall report the aggregate results of any
assessment instruments and national assessment instruments on a learning
community, district, and building basis as part of the statewide
assessment and reporting system.

(11)(a) The assessment and reporting plan shall:

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

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

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

The department may determine appropriate accommodations for the assessment of students with disabilities or any student receiving special education programs and services pursuant to section 79-1139. Alternate academic achievement standards in reading, mathematics, and science and alternate assessment instruments aligned with the standards may be among the accommodations for students with severe cognitive disabilities.

(12) The state board may select additional grade levels, subject areas, or assessment instruments for statewide assessment consistent with federal requirements.

(13) The state board shall not require school districts to administer assessments or assessment instruments which are not consistent with the act.

(14) The state board may appoint committees of teachers, from each appropriate subject area, and administrators to assist in the development of statewide assessment instruments required by the act.

Sec. 4. Original sections 79-760.01, 79-760.02, and 79-760.03, Revised Statutes Cumulative Supplement, 2016, are repealed.