

## LEGISLATIVE BILL 812

Approved by the Governor April 10, 2000

Introduced by Bohlke, 33; Stuhr, 24

AN ACT relating to schools; to amend sections 79-757 and 79-760, Revised Statutes Supplement, 1998; to provide for academic content standards and assessment and reporting of student learning; to provide duties; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 79-757, Revised Statutes Supplement, 1998, is amended to read:

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

Sec. 2. The State Board of Education shall adopt measurable model academic content standards for at least three grade levels no later than July 1, 2001. The standards for each subject area shall be adopted prior to the implementation of the assessment and reporting system under section 79-760 for that subject area, beginning with writing and reading. The standards shall cover the subject areas of reading, writing, mathematics, science, social studies, and history. 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.

Sec. 3. In accordance with timelines that are adopted by the State Board of Education, but in no event later than July 1, 2003, each school district shall adopt measurable quality academic content standards in the subject areas of reading, writing, mathematics, science, social studies, and history. The standards may be the same as, or may be equal to or exceed in rigor, the measurable model academic content standards adopted by the state board and shall cover at least the same grade levels. The State Department of Education shall adopt and promulgate appropriate rules and regulations to insure the rigor of the measurable quality academic content standards.

Sec. 4. Section 79-760, Revised Statutes Supplement, 1998, is amended to read:

79-760. (1) The State Board of Education shall implement a statewide system for the assessment of student learning and for reporting the performance of school districts. The assessment and reporting system shall test student knowledge of subject matter materials covered by the measurable model academic content standards approved by the state board. The state board shall adopt an assessment and reporting plan and begin implementation of the assessment and reporting system in the 2000-01 school year beginning with the assessment of reading and writing. The state board shall prescribe statewide assessments of writing that rely on writing samples beginning in the spring of 2001 with students in each of three grades selected by the state board. For each academic year thereafter, one of the three selected grades shall participate in the statewide writing assessment. The state board shall develop an assessment system and prescribe statewide assessments for the subject areas of reading, mathematics, science, social studies, and history. The assessment and reporting system for each subject area, except writing, shall be based on locally developed assessments the first year. Following the first assessment in each subject area, except writing, the State Department of Education shall contract with independent, recognized assessment experts to review and rate locally developed assessments. The department shall identify the criteria for rating the model assessments. The assessment experts shall identify not more than four model assessments receiving the highest ratings. Districts shall thereafter adopt one of the four model assessments and may, in addition, adapt their locally developed assessments. The aggregate results of any assessments required by the state board pursuant to this section shall be reported by the district on a building basis to the public in that district and to the department. The department shall report the aggregate results of any assessments required by the state board pursuant to this section on a district or building basis as part of the statewide assessment and reporting system. assessment program for students in a selected grade in each of the grade ranges four through six, seven through nine, and ten through twelve each fall semester beginning with the fall semester of 2000. The assessment program shall consist of one assessment purchased from an assessment service for each selected grade which tests students in the areas of mathematics, reading, science, and social studies, plus one writing assessment, either developed within the state by educators with expertise in writing assessment

or purchased as a part of the assessment for the other specified subjects.

(2) The purposes of the assessment ~~program~~ and reporting system are to:

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

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

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

(d) Provide for the comparison of Nebraska public schools to their peers and to school systems of other states and other countries.

(3) The assessment and reporting plan shall include all public schools and all public school students. 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.

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

(5) The state board shall adopt and promulgate rules and regulations to carry out this section. Evaluate whether or not students in a school system have acquired skills and knowledge which allow them to meet or exceed academic standards established by the state board;

(b) Measure progress of students in a school system toward meeting academic standards established by the state board;

(c) Provide information for analysis of adopted standards and consideration of new standards;

(d) Allow comparisons to be made between the academic achievement of students in a local system and students in another Nebraska local system; and

(e) Allow comparisons to be made between the academic achievement of Nebraska students with the academic achievement of students in other states.

(3) All public school districts shall participate in the assessment, and all students enrolled in the designated grade levels in such districts shall be assessed except as provided in this subsection. The state board shall establish criteria that schools may use to exempt special education students from assessment in any or all subject areas. The state board may also adopt alternative assessments or means of scoring for special education students and students with limited English proficiency.

(4) The individual assessment scores shall be confidential, shall be reported to the school district for educational purposes, and shall not be reported to the State Department of Education. Aggregate results for each school district shall be reported to the department by the assessment service and writing assessment scorers. School districts may also make aggregate data available based on attendance centers.

(5) The department shall be responsible for the cost of the assessment materials and scoring.

Sec. 5. Original sections 79-757 and 79-760, Revised Statutes Supplement, 1998, are repealed.