

Enrolled
House Bill 2362

Sponsored by Representative KOMP; Representative SHIELDS (Pre-session filed.)

CHAPTER

AN ACT

Relating to student assessment; amending ORS 329.025 and 329.485; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 329.485 is amended to read:

329.485. (1) As used in this section:

(a) "Content-based assessment" means testing of the understanding of a student of a predetermined body of knowledge.

(b) "Criterion-referenced assessment" means testing of the knowledge or ability of a student with respect to some standard.

(c) "Performance-based assessment" means testing of the ability of a student to use knowledge and skills to create a complex or multifaceted product or complete a complex task.

(2)(a) The Department of Education shall implement statewide a valid and reliable assessment system for all students that meets technical adequacy standards. The assessment system shall include criterion-referenced assessments including performance-based assessments, content-based assessments, and other valid methods to measure the academic content standards and to identify students who meet or exceed the standards.

(b) The department shall develop the statewide assessment system in mathematics, science, English, history, geography, economics and civics.

(3) In addition to the assessment system implemented under subsection (2) of this section, the department may make available to school districts and public charter schools an assessment system that uses criterion-referenced assessments including performance-based assessments and content-based assessments to:

(a) Measure a student's progress in achieving the academic content standards for the student's current grade level;

(b) Determine the grade level of the understanding, knowledge or ability of a student, which shall be determined regardless of the actual grade level of the student and may be determined by adapting the assessment during the assessment process as a result of the performance of the student;

(c) Track and provide reports on the progress of a student based on the information provided under paragraphs (a) and (b) of this subsection; and

(d) Provide predictions of anticipated student progress that are based on the information provided under this subsection and not on the current grade level of the student.

[3] (4)(a) School districts and public charter schools shall implement the statewide assessment system in mathematics, science and English. In addition, school districts and public charter schools may implement the statewide assessment system in history, geography, economics and civics.

(b) School districts and public charter schools may implement the assessment system described in subsection (3) of this section.

[(4)] (5) Each year the resident district shall be accountable for determining the student's progress toward achieving the academic content standards. Progress toward the academic content standards shall be measured in a manner that clearly enables the student and parents to know whether the student is making progress toward meeting or exceeding the academic content standards. In addition, the district shall adopt a grading system based on the local school district board adopted course content of the district's curriculum. The grading system shall clearly enable the student and parents to know how well the student is achieving course requirements.

[(5)] (6) If a student has not met or has exceeded all of the academic content standards, the school district shall make additional services or alternative educational or public school options available to the student.

[(6)] (7) If the student to whom additional services or alternative educational options have been made available does not meet or exceed the academic content standards within one year, the school district, with the consent of the parents, shall make an appropriate placement, which may include an alternative education program or the transfer of the student to another public school in the district or to a public school in another district that agrees to accept the student. The district that receives the student shall be entitled to payment. The payment shall consist of:

(a) An amount equal to the district expenses from its local revenues for each student in average daily membership, payable by the resident district in the same year; and

(b) Any state and federal funds the attending district is entitled to receive payable as provided in ORS 339.133 (2).

SECTION 2. ORS 329.025 is amended to read:

329.025. It is the intent of the Legislative Assembly to maintain a system of public elementary and secondary schools that allows students, parents, teachers, administrators, school district boards and the State Board of Education to be accountable for the development and improvement of the public school system. The public school system shall have the following characteristics:

(1) Provides equal and open access and educational opportunities for all students in the state regardless of their linguistic background, culture, race, gender, capability or geographic location;

(2) Assumes that all students can learn and establishes high, specific skill and knowledge expectations and recognizes individual differences at all instructional levels;

(3) Provides each student an education experience that supports academic growth beyond proficiency in established academic content standards and encourages students to attain aspirational goals that are individually challenging;

[(3)] (4) Provides special education, compensatory education, linguistically and culturally appropriate education and other specialized programs to all students who need those services;

[(4)] (5) Provides students with a solid foundation in the skills of reading, writing, problem solving and communication;

[(5)] (6) Provides opportunities for students to learn, think, reason, retrieve information, use technology and work effectively alone and in groups;

[(6)] (7) Provides for rigorous academic content standards and instruction in mathematics, science, English, history, geography, economics, civics, physical education, health, the arts and second languages;

[(7)] (8) Provides students an educational background to the end that they will function successfully in a constitutional republic, a participatory democracy and a multicultural nation and world;

[(8)] (9) Provides students with the knowledge and skills that will provide the opportunities to succeed in the world of work, as members of families and as citizens;

[(9)] (10) Provides students with the knowledge and skills that lead to an active, healthy lifestyle;

[(10)] (11) Provides students with the knowledge and skills to take responsibility for their decisions and choices;

- [(11)] (12) Provides opportunities for students to learn through a variety of teaching strategies;
- [(12)] (13) Emphasizes involvement of parents and the community in the total education of students;
- [(13)] (14) Transports children safely to and from school;
- [(14)] (15) Ensures that the funds allocated to schools reflect the uncontrollable differences in costs facing each district;
- [(15)] (16) Ensures that local schools have adequate control of how funds are spent to best meet the needs of students in their communities; and
- [(16)] (17) Provides for a safe, educational environment.

SECTION 3. This 2009 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect on its passage.

Passed by House March 3, 2009

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 Chief Clerk of House

 Speaker of House

Passed by Senate May 7, 2009

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 President of Senate

Received by Governor:

.....M.,....., 2009

Approved:

.....M.,....., 2009

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 Governor

Filed in Office of Secretary of State:

.....M.,....., 2009

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 Secretary of State