

House Bill 2362

Sponsored by Representative KOMP (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows Department of Education to make available assessment system that measures student's progress in achieving academic content standards at current grade level, determines grade level of student's understanding, knowledge or ability, tracks and provides reports on progress of student and makes predictions of anticipated student progress.

Declares emergency, effective on passage.

A BILL FOR AN ACT

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

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

3 **SECTION 1.** ORS 329.485 is amended to read:

4 329.485. (1) As used in this section:

5 (a) "Content-based assessment" means testing of the understanding of a student of a predeter-
6 mined body of knowledge.

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

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

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

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

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

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

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

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

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

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

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

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

8 [(4)] (5) Each year the resident district shall be accountable for determining the student's
 9 progress toward achieving the academic content standards. Progress toward the academic content
 10 standards shall be measured in a manner that clearly enables the student and parents to know
 11 whether the student is making progress toward meeting or exceeding the academic content stan-
 12 dards. In addition, the district shall adopt a grading system based on the local school district board
 13 adopted course content of the district's curriculum. The grading system shall clearly enable the
 14 student and parents to know how well the student is achieving course requirements.

15 [(5)] (6) If a student has not met or has exceeded all of the academic content standards, the
 16 school district shall make additional services or alternative educational or public school options
 17 available to the student.

18 [(6)] (7) If the student to whom additional services or alternative educational options have been
 19 made available does not meet or exceed the academic content standards within one year, the school
 20 district, with the consent of the parents, shall make an appropriate placement, which may include
 21 an alternative education program or the transfer of the student to another public school in the dis-
 22 trict or to a public school in another district that agrees to accept the student. The district that
 23 receives the student shall be entitled to payment. The payment shall consist of:

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

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

28 **SECTION 2.** ORS 329.025 is amended to read:

29 329.025. It is the intent of the Legislative Assembly to maintain a system of public elementary
 30 and secondary schools that allows students, parents, teachers, administrators, school district boards
 31 and the State Board of Education to be accountable for the development and improvement of the
 32 public school system. The public school system shall have the following characteristics:

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

35 (2) Assumes that all students can learn and establishes high, specific skill and knowledge ex-
 36 pectations and recognizes individual differences at all instructional levels;

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

40 [(3)] (4) Provides special education, compensatory education, linguistically and culturally ap-
 41 propriate education and other specialized programs to all students who need those services;

42 [(4)] (5) Provides students with a solid foundation in the skills of reading, writing, problem
 43 solving and communication;

44 [(5)] (6) Provides opportunities for students to learn, think, reason, retrieve information, use
 45 technology and work effectively alone and in groups;

1 [(6)] (7) Provides for rigorous academic content standards and instruction in mathematics, sci-
2 ence, English, history, geography, economics, civics, physical education, health, the arts and second
3 languages;

4 [(7)] (8) Provides students an educational background to the end that they will function suc-
5 cessfully in a constitutional republic, a participatory democracy and a multicultural nation and
6 world;

7 [(8)] (9) Provides students with the knowledge and skills that will provide the opportunities to
8 succeed in the world of work, as members of families and as citizens;

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

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

13 [(11)] (12) Provides opportunities for students to learn through a variety of teaching strategies;

14 [(12)] (13) Emphasizes involvement of parents and the community in the total education of stu-
15 dents;

16 [(13)] (14) Transports children safely to and from school;

17 [(14)] (15) Ensures that the funds allocated to schools reflect the uncontrollable differences in
18 costs facing each district;

19 [(15)] (16) Ensures that local schools have adequate control of how funds are spent to best meet
20 the needs of students in their communities; and

21 [(16)] (17) Provides for a safe, educational environment.

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

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