

# Senate Bill 331

Sponsored by Senator HASS; Senator BONAMICI, Representatives HARKER, READ (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**.

Requires Department of Education to grant waiver to allow school districts to contract with entity that meets specified criteria for purpose of administering nationally normed assessments. Directs department to reimburse school district for cost of assessments that are administered under waiver.

Declares emergency, effective July 1, 2011.

## A BILL FOR AN ACT

1  
2 Relating to nationally normed assessments; creating new provisions; amending ORS 329.488; and  
3 declaring an emergency.

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

5 **SECTION 1.** ORS 329.488 is amended to read:

6 329.488. (1) The Department of Education shall contract with a nonprofit entity to administer a  
7 nationally normed assessment, in collaboration with the department, to all students in grade 10 who  
8 are enrolled in a public school. The purpose of the assessment is to predict the success of students  
9 on, and provide practice for students taking, college entrance exams.

10 (2) The department shall base the selection of the contractor under subsection (1) of this section  
11 on all of the following criteria:

12 (a) The contractor must be able to provide to the department statewide data containing the re-  
13 sults of the assessment;

14 (b) The contractor shall provide an assessment that:

15 (A) Identifies students with high potential to excel in advanced placement (AP) or other honors  
16 courses based on a research-based correlation of scores on the grade 10 assessment to advanced  
17 placement examinations;

18 (B) Examines students in mathematics, reading and writing; and

19 (C) Provides results that can be used by Oregon's higher education institutions to recruit stu-  
20 dents to attend college;

21 (c) The contractor must be able to supply schools with an item-by-item analysis of student per-  
22 formance on the assessment; and

23 (d) The contractor must be able to make available to each student taking the assessment a free  
24 career assessment and online exploration of colleges and career opportunities.

25 **(3)(a) In lieu of using the contractor selected by the department under subsection (1) of**  
26 **this section, a school district may apply to the department for a waiver to allow the district**  
27 **to enter into a contract with a different nonprofit entity for the purpose of administering a**  
28 **nationally normed assessment to all students in grade 10 who are enrolled in the public**  
29 **schools operated by the district. The department shall grant the waiver if:**

30 **(A) The district had entered into a contract with the entity for the 2007-2008 school year**

**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 **to administer a grade 10 assessment;**

2 **(B) The entity, in coordination with the district, administered a grade 10 assessment**  
 3 **during the 2007-2008 school year;**

4 **(C) For the most recent school year in which the entity administered a grade 10 assess-**  
 5 **ment, the entity met the criteria set forth in subsection (2) of this section as in effect for**  
 6 **the school year in which the entity administered the assessment; and**

7 **(D) The entity plans to meet the criteria set forth in subsection (2) of this section as in**  
 8 **effect for the school year for which the school district seeks a waiver.**

9 **(b) A waiver granted by the department under this subsection:**

10 **(A) Is valid for one school year; and**

11 **(B) May be renewed each school year.**

12 **(c) The department shall reimburse a school district for the cost of assessments allowed**  
 13 **under this subsection from funds available to the department under ORS 327.008 (10).**

14 ~~[(3)]~~ **(4) Notwithstanding [subsection (1)] subsections (1) and (3) of this section:**

15 **(a) The department may, under rules adopted by the State Board of Education, waive the as-**  
 16 **essment for specific groups of students; and**

17 **(b) Upon request from a student who is enrolled in a public school operated by a school district**  
 18 **or the parent or guardian of the student, the school district shall waive the assessment for the stu-**  
 19 **dent.**

20 **SECTION 2.** ORS 329.488, as amended by section 1 of this 2011 Act, is amended to read:

21 **(1) The Department of Education shall contract with a nonprofit entity to administer a na-**  
 22 **tionally normed assessment, in collaboration with the department, to all students in grade 10 who**  
 23 **are enrolled in a public school. The purpose of the assessment is to predict the success of students**  
 24 **on, and provide practice for students taking, college entrance exams.**

25 **(2) The department shall base the selection of the contractor under subsection (1) of this section**  
 26 **on all of the following criteria:**

27 **(a) The contractor must be able to provide to the department statewide data containing the re-**  
 28 **sults of the assessment;**

29 **(b) The contractor shall provide an assessment that:**

30 **(A) Identifies students with high potential to excel in advanced placement (AP) or other honors**  
 31 **courses based on a research-based correlation of scores on the grade 10 assessment to advanced**  
 32 **placement examinations;**

33 **(B) Examines students in mathematics, reading and writing; and**

34 **(C) Provides results that can be used by Oregon's higher education institutions to recruit stu-**  
 35 **dents to attend college;**

36 **(c) The contractor must be able to supply schools with an item-by-item analysis of student per-**  
 37 **formance on the assessment; and**

38 **(d) The contractor must be able to make available to each student taking the assessment a free**  
 39 **career assessment and online exploration of colleges and career opportunities.**

40 **(3)(a) In lieu of using the contractor selected by the department under subsection (1) of this**  
 41 **section, a school district may apply to the department for a waiver to allow the district to enter into**  
 42 **a contract with a different nonprofit entity for the purpose of administering a nationally normed**  
 43 **assessment to all students in grade 10 who are enrolled in the public schools operated by the dis-**  
 44 **trict. The department shall grant the waiver if:**

45 **(A) The district had entered into a contract with the entity for the 2007-2008 school year to**

1 administer a grade 10 assessment;

2 (B) The entity, in coordination with the district, administered a grade 10 assessment during the  
3 2007-2008 school year;

4 (C) For the most recent school year in which the entity administered a grade 10 assessment, the  
5 entity met the criteria set forth in subsection (2) of this section as in effect for the school year in  
6 which the entity administered the assessment; and

7 (D) The entity plans to meet the criteria set forth in subsection (2) of this section as in effect  
8 for the school year for which the school district seeks a waiver.

9 (b) A waiver granted by the department under this subsection:

10 (A) Is valid for one school year; and

11 (B) May be renewed each school year.

12 (c) The department shall reimburse a school district for the cost of assessments allowed under  
13 this subsection from funds available to the department under ORS 327.008 [(10)] (9).

14 (4) Notwithstanding subsections (1) and (3) of this section:

15 (a) The department may, under rules adopted by the State Board of Education, waive the as-  
16 sessment for specific groups of students; and

17 (b) Upon request from a student who is enrolled in a public school operated by a school district  
18 or the parent or guardian of the student, the school district shall waive the assessment for the stu-  
19 dent.

20 **SECTION 3. The amendments to ORS 329.488 by section 2 of this 2011 Act become oper-**  
21 **ative June 30, 2012.**

22 **SECTION 4. This 2011 Act being necessary for the immediate preservation of the public**  
23 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
24 **July 1, 2011.**

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