

# House Bill 4150

Sponsored by Representative BUCKLEY; Representatives BARTON, DOHERTY, GALLEGOS, JOHNSON, KENNEMER, Senators DEMBROW, KRUSE, OLSEN (Pre-session 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**.

Revises assessment and grading system standards for school districts. Establishes standards for proficiency education.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to student assessments; creating new provisions; amending ORS 329.485; and declaring an  
3 emergency.

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

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

6 329.485. (1) As used in this section:

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

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

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

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

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

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

24 (a) Measure a student's progress [*in becoming proficient in*] **toward mastery of** the knowledge  
25 and skills of the student's current grade level **or course content level**;

26 (b) Determine the [*proficiency of the student*] **student's level of mastery**, which shall be deter-  
27 mined regardless of the actual grade level of the student and may be determined by adapting the  
28 assessment during the assessment process as a result of the performance of the student;

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

**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 pro-  
 2 vided 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 sys-  
 4 tem 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 **choose to** implement the assessment system  
 7 described in subsection (3) of this section.

8 (5)(a) Each year the resident **school** 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]*:

11 (A) **Shall** clearly show the student and parents whether the student is making progress toward  
 12 meeting or exceeding the academic content standards at the student's current grade level **or course**  
 13 **content level**; *[and]*

14 (B) **Shall** be based on the student's progress toward *[becoming proficient in]* **mastery of** a  
 15 continuum of **academic** knowledge and skills*[,]*; **and**

16 (C) **May be based on the student's progress in a continuum of knowledge and skills that**  
 17 **are not academic and that may include student behaviors that are defined by the school**  
 18 **district.**

19 (b) **School districts shall determine the method and format for showing student progress**  
 20 **toward achieving the academic content standards. Communications on student progress shall**  
 21 **include a reasonable number, as determined by the school district, of academic knowledge**  
 22 **and skills in a content area to enable parents and students to understand a student's**  
 23 **progress toward meeting or exceeding the academic content standards. No more than three**  
 24 **indicators of academic knowledge and skills per content area reporting category shall be re-**  
 25 **quired.**

26 *[(b)]* (6) In addition to the requirements described in *[paragraph (a) of this subsection]* **sub-**  
 27 **section (5) of this section**, the **school** district shall adopt **and implement** a grading system based  
 28 on the *[local]* school district board adopted course content of the **school** district's curriculum. The  
 29 grading system *[shall]*:

30 *[(A)]* (a) **Shall** clearly show the student and parents whether the student is achieving course  
 31 requirements at the student's current grade level **or course content level**; *[and]*

32 *[(B)]* (b) **Shall** be based on the student's progress toward *[becoming proficient in]* **mastery of** a  
 33 continuum of **academic** knowledge and skills*[,]*; **and**

34 (c) **May be based on the student's progress in a continuum of knowledge and skills that**  
 35 **are not academic and that may include student behaviors that are defined by the school**  
 36 **district.**

37 *[(6)]* (7) If a student has not met or has exceeded all of the academic content standards, the  
 38 school district shall make additional services or alternative educational or public school options  
 39 available to the student.

40 *[(7)]* (8) If the student to whom additional services or alternative educational options have been  
 41 made available does not meet or exceed the academic content standards within one year, the school  
 42 district, with the consent of the parents, shall make an appropriate placement, which may include  
 43 an alternative education program or the transfer of the student to another public school in the  
 44 **school** district or to a public school in another **school** district that agrees to accept the student.  
 45 The **school** district that receives the student shall be entitled to payment. The payment shall consist

1 of:

2 (a) An amount equal to the [*district*] **school district's** expenses from its local revenues for each  
 3 student in average daily membership, payable by the resident **school** district in the same year; and

4 (b) Any state and federal funds the attending **school** district is entitled to receive payable as  
 5 provided in ORS 339.133 (1)(b).

6 **SECTION 2. Section 3 of this 2014 Act is added to and made a part of ORS chapter 329.**

7 **SECTION 3. (1) As used in this section:**

8 (a) **“Proficiency education” means a practice of student-centered education that is based**  
 9 **on the following principles:**

10 (A) **Students learn in a personalized environment and advance upon demonstrated mas-**  
 11 **tery of industry, state or national standards;**

12 (B) **Measurable learning objectives are explicit and empower the students;**

13 (C) **Student assessment is meaningful and a positive learning experience; and**

14 (D) **Students receive rapid, differentiated support and learning outcomes, including ap-**  
 15 **plied learning.**

16 (b) **“Proficiency grading” means assigning a well-defined, descriptive value of a student’s**  
 17 **demonstrated knowledge and skills to report whether the student meets or exceeds a defined**  
 18 **level of performance.**

19 (2) **A school district may implement a proficiency education system as provided by this**  
 20 **section.**

21 (3)(a) **For a school district that will implement or has implemented a proficiency educa-**  
 22 **tion system or a proficiency grading system, the school district board shall establish an ad-**  
 23 **visory committee or revise the duties of an existing advisory committee for the purpose of**  
 24 **developing and implementing the proficiency education system or the proficiency grading**  
 25 **system.**

26 (b) **An advisory committee described in paragraph (a) of this subsection must consist of**  
 27 **teachers, administrators and other school district personnel. When an employee organization**  
 28 **represents educators of the school district, the superintendent of the school district, at the**  
 29 **direction of the school district board, shall collaborate with the local president of the em-**  
 30 **ployee organization to recommend the appointment of educators to the advisory committee.**

31 (4) **An advisory committee described in subsection (3) of this section shall:**

32 (a) **Identify the best practices in proficiency education;**

33 (b) **Identify the best practices in proficiency grading and reporting;**

34 (c) **Determine the best method and format to communicate to students and parents the**  
 35 **students’ progress toward meeting or exceeding the academic content standards;**

36 (d) **Determine educator professional learning needs with respect to proficiency education**  
 37 **and proficiency grading;**

38 (e) **Examine the time needed to implement proficiency education and proficiency grading**  
 39 **and reporting;**

40 (f) **Collaborate with administrators to ensure that the district data and reporting system**  
 41 **are aligned to tasks that are related to proficiency education;**

42 (g) **Address any problems that emerge in the implementation of proficiency education and**  
 43 **proficiency grading and reporting systems; and**

44 (h) **Make recommendations to the school district superintendent based on the determi-**  
 45 **nations of the advisory committee as described in paragraphs (a) to (g) of this subsection or**

1 necessary for the development and implementation of proficiency education and proficiency  
2 grading and reporting.

3 **SECTION 4.** Nothing in section 3 of this 2014 Act affects proficiency education that was  
4 implemented prior to the effective date of this 2014 Act or that was in the process of being  
5 implemented on the effective date of this 2014 Act, except that all school districts that have  
6 implemented or will implement proficiency education or proficiency grading must use an  
7 advisory committee for the purposes described in section 3 (4) of this 2014 Act.

8 **SECTION 5.** This 2014 Act being necessary for the immediate preservation of the public  
9 peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect  
10 on its passage.

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