

D R A F T

SUMMARY

Digest: Allows ODE to contract with a benefit company to give tests. (Flesch Readability Score: 64.9).

Allows the Department of Education to enter into a contract with a benefit company to administer a nationally normed assessment to all students in grade 10 who are enrolled in a public school.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to contracts to administer a nationally normed assessment; amend-
3 ing ORS 329.488; and 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
7 entity **or a benefit company that is incorporated, organized, formed or**
8 **created under ORS 60.754** to administer a nationally normed assessment,
9 in collaboration with the department, to all students in grade 10 who are
10 enrolled in a public school. The purpose of the assessment is to predict the
11 success of students on, and provide practice for students taking, college en-
12 trance exams.

13 (2) The department shall base the selection of the contractor under sub-
14 section (1) of this section on all of the following criteria:

15 (a) The contractor must be able to provide to the department statewide
16 data containing the results of the assessment;

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

18 (A) Identifies students with high potential to excel in advanced placement

1 (AP) or other honors courses based on a research-based correlation of scores
2 on the grade 10 assessment to advanced placement examinations;

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

4 (C) Provides results that can be used by Oregon's higher education insti-
5 tutions to recruit students to attend college;

6 (c) The contractor must be able to supply schools with an item-by-item
7 analysis of student performance on the assessment; and

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

11 (3)(a) In lieu of using the contractor selected by the department under
12 subsection (1) of this section, a school district may apply to the department
13 for a waiver to allow the district to enter into a contract with [*a different*
14 *nonprofit entity*] **an alternative contractor that is a nonprofit entity or**
15 **a benefit company that is incorporated, organized, formed or created**
16 **under ORS 60.754** for the purpose of administering a nationally normed as-
17 sessment to all students in grade 10 who are enrolled in the public schools
18 operated by the district. The department shall grant the waiver if:

19 (A) The district had entered into a contract with the [*entity*] **alternative**
20 **contractor** for the 2007-2008 school year to administer a grade 10 assess-
21 ment;

22 (B) The [*entity*] **alternative contractor**, in coordination with the district,
23 administered a grade 10 assessment during the 2007-2008 school year;

24 (C) For the most recent school year in which the [*entity*] **alternative**
25 **contractor** administered a grade 10 assessment, the [*entity*] **alternative**
26 **contractor** met the criteria set forth in subsection (2) of this section as in
27 effect for the school year in which the [*entity*] **alternative contractor** ad-
28 ministered the assessment; and

29 (D) The [*entity*] **alternative contractor** plans to meet the criteria set
30 forth in subsection (2) of this section as in effect for the school year for
31 which the school district seeks a waiver.

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

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

3 (B) May be renewed each school year.

4 (c) The department shall reimburse a school district for the cost of as-
5 sessments allowed under this subsection from funds available to the depart-
6 ment under ORS 327.008 (13).

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

8 (a) The department may, under rules adopted by the State Board of Edu-
9 cation, waive the assessment for specific groups of students; and

10 (b) Upon request from a student who is enrolled in a public school oper-
11 ated by a school district or the parent or guardian of the student, the school
12 district shall waive the assessment for the student.

13 **SECTION 2. This 2025 Act being necessary for the immediate pres-**
14 **ervation of the public peace, health and safety, an emergency is de-**
15 **clared to exist, and this 2025 Act takes effect on its passage.**

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