

AMENDMENTS TO LB 1157

Introduced by Education.

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 79-758, Revised Statutes Supplement,
4 2007, is amended to read:

5 79-758 For purposes of the Quality Education
6 Accountability Act:

7 (1) Assessment means the process of measuring student
8 achievement and progress on ~~state and locally adopted~~ state-adopted
9 standards;

10 (2) Assessment instrument means a test aligned with state
11 ~~and local~~ standards that is designed to measure student progress
12 and achievement; and

13 ~~(3) Assessment portfolio means the compilation of~~
14 ~~assessment practices and procedures, assessment instruments, and~~
15 ~~national assessment instruments used by a school district in~~
16 ~~meeting assessment and reporting requirements; and~~

17 ~~(4)~~ (3) National assessment instrument means a nationally
18 norm-referenced test developed and scored by a national testing
19 service.

20 Sec. 2. Section 79-760.01, Revised Statutes Supplement,
21 2007, is amended to read:

22 79-760.01 The State Board of Education shall adopt
23 measurable ~~model~~ academic content standards for at least ~~three~~

1 the grade levels required for statewide assessment pursuant to
2 section 79-760.03. The standards shall cover the subject areas of
3 reading, writing, mathematics, science, and social studies. The
4 standards adopted shall be sufficiently clear and measurable to be
5 used for testing student performance with respect to mastery of
6 the content described in the state standards. The State Board of
7 Education shall develop a plan to review and update standards for
8 each subject area every five years. The state board shall review
9 and update the standards in reading by July 1, 2009, the standards
10 in mathematics by July 1, 2010, and the standards in all other
11 subject areas by July 1, 2013. The state board plan shall include a
12 review of commonly accepted standards adopted by school districts.

13 Sec. 3. Section 79-760.02, Revised Statutes Supplement,
14 2007, is amended to read:

15 79-760.02 In accordance with timelines that are adopted
16 by the State Board of Education, but in no event later than one
17 year following the adoption or modification of state standards,
18 each school district shall adopt measurable quality academic
19 content standards in the subject areas of reading, writing,
20 mathematics, science, and social studies. The standards may be
21 the same as, or may be equal to or exceed in rigor, the measurable
22 ~~medel~~ academic content standards adopted by the state board and
23 shall cover at least the same grade levels. School districts
24 may work collaboratively with educational service units, with
25 learning communities, or through interlocal agreements to develop
26 such standards. Educational service units and learning communities
27 shall develop a composite set of standards shared by member school

1 districts. The State Department of Education shall adopt and
2 promulgate appropriate rules and regulations to insure the rigor of
3 the measurable quality academic content standards.

4 Sec. 4. Section 79-760.03, Revised Statutes Supplement,
5 2007, is amended to read:

6 79-760.03 (1) For school year 2009-10 and each school
7 year thereafter, the State Board of Education shall implement
8 a statewide system for the assessment of student learning and
9 for reporting the performance of school districts and learning
10 communities pursuant to this section. The assessment and reporting
11 system shall measure student knowledge of subject matter materials
12 covered by measurable academic content standards selected by the
13 state board.

14 (2) The state board shall adopt a plan for an assessment
15 and reporting system and implement and maintain the assessment
16 and reporting system according to such plan. The plan shall
17 be submitted annually to the Governor, the chairperson of the
18 Education Committee of the Legislature, and the Clerk of the
19 Legislature. The state board shall select ~~three~~ grade levels for
20 assessment and reporting required pursuant to subsections (4)
21 through (7) of this section. The purposes of the system are to:

22 (a) Determine how well public schools are performing in
23 terms of achievement of public school students related to the state
24 academic content standards;

25 (b) Report the performance of public schools based upon
26 the results of state assessment instruments and national assessment
27 instruments;

1 (c) Provide information for the public and policymakers
2 on the performance of public schools; and

3 (d) Provide for the comparison among Nebraska public
4 schools and the comparison of Nebraska public schools to public
5 schools elsewhere.

6 (3) The Governor shall appoint a technical advisory
7 committee to review the statewide assessment plan and state
8 assessment instruments developed under the Quality Education
9 Accountability Act. The technical advisory committee shall consist
10 of three to five nationally recognized experts in educational
11 assessment and measurement. The members shall serve terms of
12 three years, except that two of the members shall be appointed
13 for initial terms of two years. Any vacancy shall be filled by
14 the Governor for the remainder of the term. One of the members
15 shall be designated as chairperson by the Governor. Members
16 shall be reimbursed for their actual and necessary expenses as
17 provided in sections 81-1174 to 81-1177. The committee shall advise
18 the Governor, the Legislature, the state board, and the State
19 Department of Education on the development of statewide assessment
20 instruments and the statewide assessment plan. The appointments to
21 the committee shall be confirmed by the Legislature.

22 ~~(3)~~ (4) The state board shall prescribe a statewide
23 assessment of writing that relies on writing samples in each of
24 three grades selected by the state board. Each year at least one
25 of the three selected grades shall participate in the statewide
26 writing assessment with each selected grade level participating at
27 least once every three years.

1 ~~(4)~~ (5) For school year 2009-10 and for each school
2 year thereafter, the state board shall prescribe a statewide
3 assessment of reading. ~~that is based on model assessments developed~~
4 ~~pursuant to section 79-760. The reading assessment instruments~~
5 ~~shall be developed in collaboration with educational service units~~
6 ~~and be approved by a majority of the educational service unit~~
7 ~~administrators.~~ The statewide assessment of reading shall include
8 assessment instruments for each of the grade levels three through
9 eight and for one grade in high school and standards selected
10 adopted by the state board pursuant to section 79-760.01.

11 ~~(5)~~ (6) For school year 2010-11 and for each school year
12 thereafter, the state board shall prescribe a statewide assessment
13 of mathematics. ~~that is based on model assessments developed~~
14 ~~pursuant to section 79-760. The mathematics assessment instruments~~
15 ~~shall be developed in collaboration with educational service~~
16 ~~units and be approved by a majority of the educational service~~
17 ~~unit administrators.~~ The statewide assessment of mathematics shall
18 include assessment instruments for each of the grade levels three
19 through eight and for one grade in high school and standards
20 selected adopted by the state board pursuant to section 79-760.01.

21 ~~(6)~~ School districts shall develop assessment portfolios.
22 Such assessment portfolios may be developed through school
23 district collaboration with educational service units and learning
24 communities or through interlocal agreements. Educational service
25 units shall conduct a peer review of local district assessments
26 annually. Educational service units shall submit documentation
27 of the district portfolios for review by the State Department

1 of Education not more than once every three years. Assessment
2 portfolios shall include all assessment instruments required by the
3 state board and by the Quality Education Accountability Act.

4 ~~(7) The department shall identify criteria for rating~~
5 ~~assessment instruments and assessment portfolios. The department~~
6 ~~shall establish statewide minimum proficiency levels for local~~
7 ~~assessments and shall include proficiency levels in the rating of~~
8 ~~assessment instruments and assessment portfolios. The department~~
9 ~~shall contract with independent, recognized assessment experts~~
10 ~~to review and rate locally developed assessment instruments and~~
11 ~~portfolios according to such criteria and proficiency levels.~~

12 (7) For school year 2011-12 and each school year
13 thereafter, the state board shall prescribe a statewide assessment
14 of science. The statewide assessment of science shall include
15 assessment instruments for each of the grade levels selected by
16 the state board and standards adopted by the state board pursuant
17 to section 79-760.01. The grade levels shall include at least one
18 grade in elementary school, one grade in middle school or junior
19 high school, and one grade in high school.

20 (8) The department shall conduct studies to verify the
21 technical quality of assessment instruments and demonstrate the
22 comparability of assessment instrument results required by the
23 Quality Education Accountability Act. act. The department shall
24 annually report such findings to the Governor, the Legislature, and
25 the State Board of Education. state board.

26 (9) The State Board of Education state board shall
27 recommend national assessment instruments for the purpose of

1 national comparison. Each school district shall ~~include national~~
2 ~~assessment instruments in its assessment portfolio.~~ report
3 individual student data for scores and sub-scores according to
4 procedures established by the state board and the department
5 pursuant to section 79-760.05.

6 (10) The aggregate results of assessment instruments
7 and national assessment instruments shall be reported by the
8 district on a building basis to the public in that district, to
9 the learning community coordinating council if such district is
10 a member of a learning community, and to the department. Each
11 learning community shall also report the aggregate results of
12 any assessment instruments and national assessment instruments to
13 the public in that learning community and to the department. The
14 department shall report the aggregate results of any assessment
15 instruments and national assessment instruments on a learning
16 community, district, and building basis as part of the statewide
17 assessment and reporting system.

18 (11) (a) The assessment and reporting plan shall:

19 (i) Provide for the confidentiality of the results of
20 individual students; and

21 (ii) Include all public schools and all public school
22 students.

23 (b) The state board shall adopt criteria for the
24 inclusion of students with disabilities, students entering the
25 school for the first time, and students with limited English
26 proficiency.

27 (12) The state board may select additional grade levels

1 and additional subject areas for statewide assessment to comply
2 with federal requirements.

3 (13) The state board shall not require school districts
4 to administer assessments or assessment instruments other than as
5 prescribed by the act.

6 Sec. 5. Section 79-760.05, Revised Statutes Supplement,
7 2007, is amended to read:

8 79-760.05 (1) The State Board of Education shall
9 implement a statewide system for tracking individual student
10 achievement, using the student identifier system of the State
11 Department of Education, that can be aggregated to track student
12 progress by demographic characteristics, including, but not
13 limited to, race, poverty, high mobility, attendance, and limited
14 English proficiency, on available measures of student achievement
15 which include, but need not be limited to, national assessment
16 instruments, and state assessment instruments. ~~local assessment~~
17 ~~instruments, and other similar measures.~~ Such a system shall be
18 designed so as to aggregate student data by available educational
19 input characteristics, which may include class size, teacher
20 education, teacher experience, special education, early childhood
21 programs, federal programs, and other targeted education programs.
22 School districts shall provide the department with individual
23 student achievement data as requested from assessment instruments
24 required pursuant to section 79-760.03 in order to implement the
25 statewide system.

26 (2) The department and the coordinator appointed pursuant
27 to section 79-11,150 shall annually analyze and report on student

1 achievement for the state, each school district, and each learning
2 community aggregated by the demographic characteristics described
3 in subsection (1) of this section. The department shall report
4 the findings to the Governor, the Legislature, school districts,
5 educational service units, and each learning community. Such
6 analysis shall include aggregated data that would indicate
7 differences in achievement due to available educational input
8 characteristics described in subsection (1) of this section.
9 Such analysis shall include indicators of progress toward state
10 achievement goals for students in poverty, limited English
11 proficient students, and highly mobile students according to the
12 plan developed by the coordinator pursuant to section 79-11,150.

13 Sec. 6. Original sections 79-758, 79-760.01, 79-760.02,
14 79-760.03, and 79-760.05, Revised Statutes Supplement, 2007, are
15 repealed.