



**Hundredth Legislature - First Session - 2007  
Committee Statement  
LB 653**

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**Hearing Date:** March 5, 2007  
**Committee On:** Education

**Introducer(s):** (Raikes)

**Title:** Require implementation of a statewide system for assessment of student learning and for reporting

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - X Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

- |   |                     |   |
|---|---------------------|---|
| 7 | Yes                 | Senators Adams, Ashford, Avery, Burling, Johnson, Kopplin, and Raikes |
| 0 | No                  |   |
| 1 | Present, not voting | Senator Howard  |
| 0 | Absent              |   |
- 

**Proponents:**

Senator Ron Raikes  
Andrew Rikli

**Representing:**

Introducer  
Westside Community Schools

**Opponents:**

Leslie E. Lukin  
Madaline Fennell  
Valarie McGregor  
Pamela Springer  
Karen Wolken  
Deborah Garrison  
Valorie Foy  
Robert Miller  
Kathy Wilmot  
Edward C. Montgomery  
Peggy Adair  
Lisa Smith  
Renee Jacobson  
Joe Sherwood  
Jay Sears  
Jody Isernhagen

**Representing:**

Educational Service Unit #18  
Self  
Nebraska City Public Schools  
Nebraska Education Media Association  
Johnson-Brock Public Schools  
Elkhorn Public Schools  
Curriculum Directors of Nebraska  
Self  
Self  
Kimball Public Schools  
Academic Freedom Coalition  
Self  
Plattsmouth Community Schools  
Pender Public Schools  
Nebraska State Education Association  
Self

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Judith Ruskamp  
Chris Gallagher  
Donna Kozak  
Kirk J. Gottschalk  
Keith Rohwer  
Fred Meyer  
David Hamm  
Doug Christensen

Peru State College  
Self  
Self  
Nemaha Valley Public Schools  
Nebraska City Public Schools  
State Board of Education  
Plainview Public Schools  
Nebraska Department of Education

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Legislative Bill 653 would define assessment and other terms and establish a new section describing the assessment and reporting system to be implemented in school year 2008-2009. The bill would amend the Quality Education Accountability Act to define assessment related terms and implement a statewide system for the assessment of student learning and reporting the performance of school districts and learning communities.

Assessment Related Definitions:

LB would define the following for the purposes of the Quality Education Accountability Act:

1. Assessment would mean the process of measuring student achievement and progress on state and locally adopted standards;
2. Assessment instrument would mean a test aligned with state and local standards that is designed to measure student progress and achievement;
3. Assessment portfolio would mean the compilation of assessment practices and procedures, assessment instruments and national assessment instrument used by a school district in meeting assessment and reporting requirements; and
4. National assessment would mean a nationally norm-referenced test developed and scored by a national testing service.

Section 79-760 would be amended to state for school years prior to 2008-09 the existing assessment and reporting system would apply. In subsection (2) (d) one of the purposes for the system would be amended to provide for the comparison among Nebraska public schools and the comparison of Nebraska public schools to public schools in the nation and the world.

Subsection (3) would be amended to reorder a description of the assessment and reporting plan and strike the requirement to adopt and promulgate rules and regulations for the section.

Statewide System for Assessment and Reporting:

For school year 2008-09 and each school year thereafter, the State Board of Education would be required to implement a statewide system for the assessment of student learning and for reporting the performance of school districts and learning communities pursuant to this section.

The state board would be required to adopt a plan for an assessment and reporting system and implement and maintain the assessment and reporting system. The state board would select three grade levels for assessment and reporting. The purposes of the system are to:

- (a) Determine how well public schools are performing in terms of achievement of public school students related to the state academic content standards;
- (b) Report the performance of public schools based upon the results of state assessment instruments and national assessment instruments;
- (c) Provide information for the public and policymakers on the performance of public schools; and
- (d) Provide for the comparison among Nebraska public schools and the comparison of Nebraska public schools to public schools in the nation and the world.

#### Statewide Assessment of Writing:

The state board shall prescribe a statewide assessment of writing that relies on writing samples in each of three grades selected by the state board. Each year at least one of the three selected grades shall participate in the statewide writing assessment with each selected grade level participating at least once every three years.

#### Assessment Instruments:

- The State Department of Education shall identify criteria for rating assessment instruments.
- The department shall contract with independent, recognized assessment experts to review and rate locally developed assessment instruments according to such criteria.
- The assessment experts shall identify model assessment instruments and report on those receiving the highest ratings.
- The department shall select not more than four assessment instruments for the subject areas of reading, mathematics, science, social studies, and history for each of the three selected grade levels based on such ratings.
- Districts shall adopt one of the selected assessment instruments in each of such subject areas and each of the three selected grade levels.

#### National Assessment Instruments:

The State Board of Education shall recommend national assessment instruments for the purpose of national comparison. Each school district shall include national assessment instruments in its assessment portfolio.

#### Reporting:

The aggregate results of assessment instruments and national assessment instruments shall be reported by the district on a building basis to the public in that district, to the learning community coordinating council if such district is a member of a learning community, and to the department. Each learning community shall also report the aggregate results of any assessment instruments and national assessment instruments to the public in that learning community and to the department. The department shall report the aggregate results of any assessment instruments and national assessment instruments on a learning community, district, and building basis as part of the statewide assessment and reporting system.

#### Assessment and Reporting Plan:

The assessment and reporting plan shall:

- Provide for the confidentiality of the results of individual students; and
- Include all public schools and all public school students.

The state board shall adopt criteria for the inclusion of students with disabilities, students entering the school for the first time, and students with limited English proficiency.

**Explanation of amendments, if any:**

The committee amendment would strike the original sections and insert the following.

Assessment Related Definitions:

LB 653 would define the following for the purposes of the Quality Education Accountability Act:

1. Assessment would mean the process of measuring student achievement and progress on state and locally adopted standards;
2. Assessment instrument would mean a test aligned with state and local standards that is designed to measure student progress and achievement;
3. Assessment portfolio would mean the compilation of assessment practices and procedures, assessment instruments and national assessment instrument used by a school district in meeting assessment and reporting requirements; and
4. National assessment would mean a nationally norm-referenced test developed and scored by a national testing service.

Section 79-760 would be amended to state for school years prior to 2008-09 the existing assessment and reporting system would apply. In subsection (2) (d) one of the purposes for the system would be amended to provide for the comparison among Nebraska public schools and the comparison of Nebraska public schools to public schools in the nation and the world.

Subsection (3) would be amended to reorder a description of the assessment and reporting plan and strike the requirement to adopt and promulgate rules and regulations for the section.

Statewide System for Assessment and Reporting:

For school year 2008-09 and each school year thereafter, the State Board of Education would be required to implement a statewide system for the assessment of student learning and for reporting the performance of school districts and learning communities pursuant to this section.

The state board would be required to adopt a plan for an assessment and reporting system and implement and maintain the assessment and reporting system. The state board would select three grade levels for assessment and reporting. The purposes of the system are to:

- Determine how well public schools are performing in terms of achievement of public school students related to the state academic content standards;
- Report the performance of public schools based upon the results of state assessment instruments and national assessment instruments;
- Provide information for the public and policymakers on the performance of public schools; and
- Provide for the comparison among Nebraska public schools and the comparison of Nebraska public schools to public schools in the nation and the world.

Statewide Assessment of Writing:

The state board shall prescribe a statewide assessment of writing that relies on writing samples in each of three grades selected by the state board. Each year at least one of the three selected grades shall participate in the statewide writing assessment with each selected grade level participating at least once every three years.

Statewide Reading Assessment:

For school year 2008-09 and for each school year thereafter the state board shall prescribe a statewide assessment of reading that is based on model assessments developed pursuant to section 79-760. The reading assessment instruments shall be developed through collaboration among Educational Service Units and approved by a majority of the educational service unit administrators. The statewide assessment of reading shall include assessment instruments for each of the grade levels selected by the state board.

Statewide Math Assessment:

For school year 2009-10 and for each school year thereafter the state board shall prescribe a statewide assessment of mathematics that is based on model assessments developed pursuant to section 79-760. The math assessment instruments shall be developed through collaboration among Educational Service Units and approved by a majority of the educational service unit administrators. The statewide assessment of mathematics shall include assessment instruments for each of the grade levels selected by the state board.

Assessment Portfolios & ESU or other collaborative development:

School districts shall develop or adopt assessment portfolios. Such assessment portfolios may be developed through school district collaboration with educational service units and learning communities or through interlocal agreements. Educational Service Units will conduct a peer review of local district assessments annually. Educational Service Units shall submit documentation of the district portfolios for review by the State Department of Education not more than once every three years. Assessment portfolios shall include all assessment instruments required by the state board and by this act.

Statewide minimum proficiency levels and criteria:

The State Department of Education shall identify criteria for rating assessment instruments & assessment portfolios. The department shall establish statewide minimum proficiency levels for local assessments and shall include proficiency levels in the rating of assessment instruments and assessment portfolios. The department shall contract with independent, recognized assessment experts to review and rate locally developed assessment instruments and portfolios according to such criteria and proficiency levels.

Technical Quality & Comparability Studies:

The State Department of Education shall annually conduct studies to verify the technical quality of assessment instruments and demonstrate the comparability of assessment instrument results required by this act. The department shall annually report such findings to the Governor, Legislature and State Board of Education.

National Assessment Instruments:

The State Board of Education shall recommend national assessment instruments for the purpose of national comparison. Each school district shall include national assessment instruments in its assessment portfolio.

Reporting:

The aggregate results of assessment instruments and national assessment instruments shall be reported by the district on a building basis to the public in that district, to the learning community coordinating council if such district is a member of a learning community, and to the department. Each learning community shall also report the aggregate results of any assessment instruments and national assessment instruments to the public in that learning community and to the department. The department shall report the aggregate results of any assessment instruments and national assessment instruments on a learning community, district, and building basis as part of the statewide assessment and reporting system.

Assessment and Reporting Plan:

The assessment and reporting plan shall:

- Provide for the confidentiality of the results of individual students; and
- Include all public schools and all public school students.

The state board shall adopt criteria for the inclusion of students with disabilities, students entering the school for the first time, and students with limited English proficiency.

State & Local Standards Review:

Section 79-760.01 would be amended to require the State Board of Education to develop a plan to review and update standards for each subject area every five years beginning with reading in 2008-09 and math in 2009-10. All other subject areas should be reviewed and updated by July 1, 2012. The state board plan should include a review of commonly accepted standards adopted by school districts, educational service units, and learning communities.

Section 79-760.02 would be amended to require that each school district adopt measurable quality academic content standards no later than one year following changes in the state standards. School districts would be allowed to work collaboratively with educational service units, learning communities, or through interlocal agreements to develop such standards. Educational service units and learning communities shall develop a composite set of standards shared by member school districts.

K-3 Standards and Assessment:

Educational service units consisting of school districts that are also a part of a learning community shall develop and implement a plan to set grade level standards and provide for assessment of students in grades kindergarten through three. The standards and assessment plan should include but not be limited to the subject areas of reading and math and should be developed to measure student progress toward such standards.

The high-needs education coordinator appointed pursuant to section 79-11,150 and the department of education shall provide assistance in the development of the standards and assessment pursuant to subsection (1) of this section.

Data collected pursuant to this section shall be reported and collected by educational service units consisting of school districts that are also part of a learning community. The data should conform with the data collection procedures established for the student identifier system developed by the Department of Education.

Student Data System:

(The State Board of Education shall implement a statewide system for tracking individual student achievement, using the student identifier system of the State Department of Education, that can be aggregated to track student progress by demographic characteristics including, but not limited to, race, poverty, high mobility, and limited English proficiency on available measures of student achievement which includes, but need not be limited to, national assessment instruments, state assessment instruments, local assessment instruments and other similar measures. Such a system shall be designed so as to aggregate student data by available educational input characteristics including, class size, teacher education, teacher experience, special education, early childhood programs federal programs, and other targeted education programs. School districts shall provide the Department of Education with individual student achievement data as requested in order to implement the statewide system.

The State Department of Education and the high-needs education coordinator appointed pursuant to section 79-11,150 shall annually analyze and report on student achievement for the state, each school district, and each learning community aggregated by the demographic characteristics described in subsection (1) of this section and report their findings to the Governor, Legislature, school districts, educational service units, and each learning community. Such analysis shall include aggregated data that would indicate differences in achievement due to available educational input characteristics described in subsection (1) of this section. Such analysis shall include indicators of progress toward state achievement goals for high-needs students according to the plan developed by the high-needs education coordinator provided for in Section 79-11,150.

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**Senator Ron Raikes, Chairperson**