

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -
2008**

COMMITTEE STATEMENT

LB987

Hearing Date: January 28, 2008

Committee On: Education

Introducer(s): (Raikes)

Title: Change provisions relating to the Quality Education Accountability Act

Roll Call Vote - Final Committee Action:

Indefinitely Postponed

Vote Results:

7 Yes Senators Adams, Avery, Burling, Howard, Johnson,
Kopplin, Raikes

0 No

1 Absent Senator Ashford

0 Present, not voting

Proponents:

Senator Ron Raikes

Representing:

Introducer

Opponents:

John A. Bonaiuto

Michael Dulaney

Fred Meyer

Pat Roschewski

Representing:

Nebraska Association of School Boards

Nebraska Council of School Administrators

State Board of Education

Nebraska Department of Education

Marilyn S. Moore
Leslie E. Lukin
Mark Norvell
Jess Wolf
Jef Johnston
Tom King
Kyle McGowan
Harriet Gould
Chris Gallagher
Erica Rogers

Lincoln Public Schools
Lincoln Public Schools
Fillmore Central Schools
Nebraska State Education Association
Papillion-LaVista Schools
Self
Crete Public Schools
Raymond Central Public Schools
Self
Self

Neutral:

Jim Walter

Representing:

College of Education and Human Sciences,
University of NebraskaLincoln

Summary of purpose and/or change:

Legislative Bill 987 would amend the Quality Education Accountability Act and create a Quality Education Accountability Commission and a Quality Education Accountability Office. The Commission and Office would be created in the Executive branch and would have powers and duties for statewide assessment. Many of the powers and duties would be reassigned to the Commission and Office that are currently described in statute and assigned to the State Board of Education and the Department of Education.

Section by Section Summary

Section 79-757 and **Section 79-758** would be amended to include new references to the Commission.

Section 79-760.02 would be amended to strike a reference for the State Department of Education to adopt and promulgate rules related to academic content standards.

Section 4 of the bill would be a new section that would require the commission to prioritize and identify standards used for state and federal accountability and statewide assessment.

Section 79-760.03 would be amended to replace references to the State Board with references to the commission. The commission would implement the statewide system for assessment and would develop and adopt a plan for an assessment and reporting system. The State Board would implement and maintain the assessment and reporting system according to the plan. The commission would also be responsible for selecting grade levels for assessment consistent with state and federal requirements.

The commission would be required to prescribe statewide assessments in writing and in 2009-10 and for each year thereafter statewide assessments in reading and mathematics. References to developing these assessments based on models assessments and in collaboration with educational service units would be stricken.

School districts would be allowed to but not be required to develop assessment portfolios. References to peer review and rating of local assessment instruments and portfolios would be stricken.

The Commission would be required to prescribe statewide assessments consistent with state and federal law in the areas of science and social studies.

The Commission would be required to conduct studies to verify the technical quality of assessment instruments and would be required to recommend national assessment instruments. School districts would be required to report individual student data for scores and sub-scores according to procedures established by the state board and the department.

Section 6 of the bill would create the commission. The Governor would appoint the commission which would consist of two members with expertise in educational assessment and three members from the citizenry of the state who have experience in education or a demonstrated interest in educational assessment and accountability. The state board would be able to select up to three of its members to serve as ex officio members of the commission.

In **Section 7 of the bill** the commission would be required to:

1. Establish standards and assessment procedures to meet the requirements of state and federal law;
2. Adopt a plan for the assessment and reporting system provided in section 79-760.03;
3. Establish standards for statewide assessment; and
4. Hire a director of statewide assessment;

The commission may contract with public or private entities to carry out the responsibilities of the commission and the requirements of the act.

Section 8 of the bill would create the Quality Education Accountability Office as an agency of state government which may be a separate division within an existing department of the executive branch of government.

The chief executive officer of the office would be known as the Director of Quality Education Accountability and would be appointed by the Governor and confirmed by the Legislature. The director would serve as the primary staff for the commission.

Section 9 of the bill would describe the powers and duties of the Office as follows;

1. To serve as staff for the commission;
2. To officially represent the State to the United States Department of Education on all matters dealing with statewide assessment and state accountability;

3. To develop guidelines for local and state reporting for educational assessment;
4. To develop and implement a statewide assessment transition plan with the State Department of Education;
5. To make contracts pursuant to the act and to do all things necessary to cooperate with the federal government to qualify for, accept, expend, and dispense funds intended for the implementation of the act;
6. To contract for services if such services cannot be satisfactorily performed by employees of the office or by any other agency of state government;
7. To enter into such agreements as are necessary to carry out accountability research and development of assessments;
8. To carry out duties and responsibilities relating to assessment and quality education accountability as may be requested or required of the state and by the federal government; and
9. To form advisory citizen committees consistent with the duties of the commission and the office.

Section 79-762 would be amended to have the State Board of Education and the office adopt and promulgate rules and regulations to carry out the Act.

Explanation of amendments, if any:

Senator Ron Raikes, Chairperson