

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 1157

Introduced by Raikes, 25.

Read first time January 23, 2008

Committee: Education

A BILL

1 FOR AN ACT relating to education; to amend section 79-760.03,
2 Revised Statutes Supplement, 2007; to change provisions
3 relating to statewide assessment and reporting; and to
4 repeal the original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-760.03, Revised Statutes
2 Supplement, 2007, is amended to read:

3 79-760.03 (1) For school year 2009-10 and each school
4 year thereafter, the State Board of Education shall implement
5 a statewide system for the assessment of student learning and
6 for reporting the performance of school districts and learning
7 communities pursuant to this section. The assessment and reporting
8 system shall measure student knowledge of subject matter materials
9 covered by measurable academic content standards selected by the
10 state board.

11 (2) The state board shall adopt a plan for an assessment
12 and reporting system and implement and maintain the assessment and
13 reporting system. The state board shall select ~~three~~ grade levels
14 for assessment and reporting which include grades three through
15 eight and one grade in high school. The purposes of the system are
16 to:

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

20 (b) Report the performance of public schools based upon
21 the results of state assessment instruments and national assessment
22 instruments;

23 (c) Provide information for the public and policymakers
24 on the performance of public schools; ~~and~~

25 (d) Provide for the comparison among Nebraska public

1 schools and the comparison of Nebraska public schools to public
2 schools elsewhere; and -

3 (e) Comply with federal assessment and accountability
4 requirements.

5 (3) The state board shall prescribe a statewide
6 assessment of writing that relies on writing samples in each of
7 three grades selected by the state board. Each year at least one
8 of the three selected grades shall participate in the statewide
9 writing assessment with each selected grade level participating at
10 least once every three years.

11 (4) For school year 2009-10 and for each school year
12 thereafter, the state board shall prescribe a statewide assessment
13 of reading, ~~that is based on model assessments developed pursuant~~
14 ~~to section 79-760.~~ The reading assessment instruments shall be
15 developed in collaboration with educational service units and
16 be approved by a majority of the educational service unit
17 ~~administrators.~~ the Educational Service Unit Coordinating Council
18 created pursuant to section 79-1245. The statewide assessment of
19 reading shall include assessment instruments for each of the grade
20 levels and standards selected by the state board.

21 (5) For school year 2010-11 and for each school year
22 thereafter, the state board shall prescribe a statewide assessment
23 of mathematics, ~~that is based on model assessments developed~~
24 ~~pursuant to section 79-760.~~ The mathematics assessment instruments
25 shall be developed in collaboration with educational service

1 units and be approved by a ~~majority of the educational service~~
2 ~~unit administrators.~~ the council. The statewide assessment of
3 mathematics shall include assessment instruments for each of the
4 grade levels and standards selected by the state board.

5 (6) School districts shall develop assessment portfolios.
6 Such assessment portfolios may be developed through school
7 district collaboration with educational service units and learning
8 communities or through interlocal agreements. ~~Educational service~~
9 ~~units shall conduct a peer review of local district assessments~~
10 ~~annually.~~ Educational service units shall submit documentation
11 of the district portfolios for review by the State Department
12 of Education not more than once every three years. Assessment
13 portfolios shall include all assessment instruments required by the
14 state board and by the Quality Education Accountability Act, except
15 that school districts shall not be required to include reading
16 and mathematics after the implementation of statewide assessment
17 instruments required by subsections (4) and (5) of this section.

18 (7) The department shall identify criteria for rating
19 assessment instruments and assessment portfolios. The department
20 shall establish statewide minimum proficiency levels for local
21 assessments and shall include proficiency levels in the rating of
22 assessment instruments and assessment portfolios. The department
23 shall contract with independent, recognized assessment experts
24 to review and rate locally developed assessment instruments and
25 portfolios according to such criteria and proficiency levels.

1 (8) The department shall conduct studies to verify the
2 technical quality of assessment instruments and demonstrate the
3 comparability of assessment instrument results required by the
4 Quality Education Accountability Act. The department shall annually
5 report such findings to the Governor, the Legislature, and the
6 State Board of Education.

7 (9) The State Board of Education shall recommend national
8 assessment instruments for the purpose of national comparison. Each
9 school district shall include national assessment instruments in
10 its assessment portfolio.

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

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

24 (i) Provide for the confidentiality of the results of
25 individual students; and

1 (ii) Include all public schools and all public school
2 students.

3 (b) The state board shall adopt criteria for the
4 inclusion of students with disabilities, students entering the
5 school for the first time, and students with limited English
6 proficiency.

7 Sec. 2. Original section 79-760.03, Revised Statutes
8 Supplement, 2007, is repealed.