

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 353

Introduced by Legislative Performance Audit Committee: Schimek, 27,
Chairperson; Engel, 17; Flood, 19; Heidemann, 1;
McDonald, 41; Stuthman, 22;

Read first time January 12, 2007

Committee: Education

A BILL

1 FOR AN ACT relating to the Quality Education Accountability Act;
2 to amend section 79-760, Revised Statutes Cumulative
3 Supplement, 2006; to change provisions relating to the
4 statewide assessment system; and to repeal the original
5 section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-760, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 79-760 (1) The State Board of Education shall implement
4 a statewide system for the assessment of student learning and
5 for reporting the performance of school districts and learning
6 communities. The assessment and reporting system shall test student
7 knowledge of subject matter materials covered by the measurable
8 model academic content standards approved by the state board.
9 The state board shall adopt an assessment and reporting plan
10 and begin implementation of the assessment and reporting system
11 in the 2000-01 school year beginning with the assessment of
12 reading and writing. The state board shall prescribe statewide
13 assessments of writing that rely on writing samples beginning
14 in the spring of 2001 with students in each of three grades
15 selected by the state board. For each academic year thereafter, one
16 of the three selected grades shall participate in the statewide
17 writing assessment. The state board shall develop an assessment
18 system and prescribe statewide assessments for the subject areas
19 of reading, mathematics, science, social studies, and history.
20 The assessment and reporting system for each subject area, except
21 writing, shall be based on locally developed assessments the
22 first year. Following the first assessment in each subject area,
23 except writing, the State Department of Education shall contract
24 with independent, recognized assessment experts to review and
25 rate locally developed assessments. The department shall identify

1 the criteria for rating the model assessments. The assessment
2 experts shall identify not more than ~~four~~ three model assessments
3 receiving the highest ratings. Districts shall thereafter adopt one
4 of the ~~four~~ three model assessments and may, in addition, adapt
5 their locally developed assessments. The aggregate results of any
6 assessments required by the state board pursuant to this section
7 shall be reported by the district on a building basis to the public
8 in that district, to the learning community coordinating council
9 if such district is a member of a learning community, and to the
10 department. Each learning community shall also report the aggregate
11 results of any assessments required by the state board pursuant
12 to this section to the public in that learning community and to
13 the department. The department shall report the aggregate results
14 of any assessments required by the state board pursuant to this
15 section on a learning community, district, and building basis as
16 part of the statewide assessment and reporting system.

17 (2) The purposes of the assessment and reporting system
18 are to:

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

22 (b) Report the performance of public schools based upon
23 the results of the assessment;

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

1 (d) Provide for the comparison of Nebraska public schools
2 to their peers and to school systems of other states and other
3 countries.

4 (3) The assessment and reporting plan shall include
5 all public schools and all public school students. The state
6 board shall adopt criteria for the inclusion of students with
7 disabilities, students entering the school for the first time, and
8 students with limited English proficiency.

9 (4) The assessment and reporting plan shall provide for
10 the confidentiality of the individual students.

11 (5) The state board shall adopt and promulgate rules and
12 regulations to carry out this section.

13 Sec. 2. Original section 79-760, Revised Statutes
14 Cumulative Supplement, 2006, is repealed.