

Senate Bill 211

By: Senators Tippins of the 37th, Stone of the 23rd, Wilkinson of the 50th, Sims of the 12th,
Black of the 8th and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-281 of the Official Code of Georgia Annotated, relating to
2 student assessments, so as to provide for consideration of local reading programs when
3 establishing a research based formative assessment with a summative component for grades
4 one and two; to pursue maximum flexibility under federal law for state and local
5 assessments; to provide for a comparability study to determine and establish the concordance
6 of nationally recognized academic assessments with content standards and assessments in
7 grades nine through 12; to amend Code Section 20-2-161.3 of the Official Code of Georgia
8 Annotated, relating to the "Move on When Ready Act" and dual credit courses, so as to
9 prohibit local school systems from excluding students in dual credit courses from
10 valedictorian or salutatorian determinations; to provide for related matters; to provide for an
11 effective date; to repeal conflicting laws; and for other purposes.

12 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

13 **SECTION 1.**

14 Code Section 20-2-281 of the Official Code of Georgia Annotated, relating to student
15 assessments, is amended by revising subsection (a) and by adding a new subsection to read
16 as follows:

17 "(a) The State Board of Education shall adopt a student assessment program consisting of
18 instruments, procedures, and policies necessary to implement the program and shall fund
19 all costs of providing and scoring such instruments, subject to appropriation by the General
20 Assembly. The student assessment program shall include a comprehensive summative
21 assessment program for grades three through 12. In addition, each local school system
22 shall administer, with state funding, a research based formative assessment with a
23 summative component that is tied to performance indicators in English; language
24 arts/reading; and mathematics in grades one and two, subject to available appropriations.
25 Such research based assessment shall be selected, after consultation with local school
26 systems. Such research based assessment shall provide for real-time data analysis for

27 students, teachers, school leaders, and parents; allow flexible grouping of students based
28 on skill level; and measure student progress toward grade level expectations throughout the
29 school year. Each local school system may elect to administer, with state funding,
30 nationally norm-referenced instruments in reading, mathematics, science, or social studies
31 in grade three, four, or five and in grade six, seven, or eight, subject to available
32 appropriations, with assistance to such school systems by the State Board of Education
33 with regard to administration guidance, scoring, and reporting of such instruments.
34 Further, the State Board of Education shall adopt a school readiness assessment for
35 students entering first grade and shall administer such assessment pursuant to paragraph
36 (2) of subsection (b) of Code Section 20-2-151. Each local school system is strongly
37 encouraged to develop and implement a program of multiple formative assessments in
38 reading and mathematics for kindergarten through fifth grade to ensure that students
39 entering sixth grade are on track to meet grade-level expectations, including mastery in
40 reading by the end of third grade to prepare for the infusion of literacy in subsequent grades
41 and mastery in basic mathematics skills by the end of fifth grade and in accordance with
42 the local school system's five-year strategic plan, performance indicators, and, if applicable,
43 flexibility contract or other agreement with the State Board of Education for local school
44 systems that are not under a flexibility contract. The State Board of Education shall
45 periodically review, revise, and upgrade the content standards. Following the adoption of
46 such content standards, the State Board of Education shall contract for development of
47 end-of-grade assessments to measure the content standards. As part of the comprehensive
48 summative assessment program, end-of-grade assessments in English; language
49 arts/reading; and mathematics shall be administered annually to students in grades three
50 through eight, and such tests in science and social studies shall be administered annually
51 to students in grades five and eight. These tests shall contain features that allow for
52 comparability to other states with whom establishing such comparison would be
53 statistically sound; provided, however, that no such comparison shall be conducted which
54 would relinquish any measure of control over assessments to any individual or entity
55 outside the state. Further, as part of the comprehensive summative assessment program,
56 the State Board of Education shall adopt and administer, through the Department of
57 Education, end-of-course assessments for students in grades nine through 12 for all core
58 subjects, as determined by the state board. Writing performance shall be assessed, at a
59 minimum, for students in grades three, five, eight, and 11 and may be assessed for students
60 in additional grade levels as designated by the State Board of Education. Such required
61 writing performance assessment may be embedded within the assessments included in the
62 comprehensive summative assessment program. Writing performance results shall be
63 provided to students and their parents. If authorized by federal law to establish and operate

64 an innovative assessment system pursuant to 34 C.F.R. Section 200.104, the Department
 65 of Education may establish a pilot program for local school systems that have an existing
 66 program of multiple formative assessments during the course of the academic year that
 67 result in a single summative score that is valid and reliable in measuring individual student
 68 achievement or growth and assessing individual student needs or deficiencies, to utilize
 69 such local assessments in place of end-of-grade or end-of-course assessments, if provided
 70 for in the terms of the local school system's flexibility contract. As used in this subsection,
 71 the term 'flexibility contract' means a charter for a charter system or a charter school or a
 72 contract entered into with the State Board of Education for a strategic waivers school
 73 system."

74 "(t)(1) The State Board of Education shall direct the existing assessment workgroup to
 75 pursue maximum flexibility for state and local assessments under federal law. Such
 76 maximum flexibility shall include, but not be limited to, utilization of nationally
 77 recognized college and career ready high school assessments, provided that comparability
 78 can be established pursuant to paragraph (2) of this subsection, as well as application for
 79 innovative assessment demonstration authority, as provided for in 34 C.F.R.
 80 Section 200.104. The state board shall provide a report regarding such no later than
 81 September 1, 2017, to the State School Superintendent, Governor, Lieutenant Governor,
 82 Speaker of the House of Representatives, and the chairpersons of the Senate Education
 83 and Youth Committee and the House Committee on Education and shall post such report
 84 on the Department of Education website no later than September 1, 2017.

85 (2) The State Board of Education shall conduct a comparability study to determine and
 86 establish the concordance of nationally recognized academic assessments, including, but
 87 not limited to, the SAT, ACT, and ACCUPLACER with alignment to state content
 88 standards in grades nine through 12. Such comparability study shall also determine
 89 whether the nationally recognized high school academic assessment provides data that
 90 are comparable to current end-of-course assessments and valid and reliable for all
 91 subgroups and whether the assessment provides differentiation between schools'
 92 performances as required by the state accountability plan. The state board shall initiate
 93 such study no later than July 1, 2017, and shall post such study on the Department of
 94 Education website and provide the study to the State School Superintendent, Governor,
 95 Lieutenant Governor, Speaker of the House of Representatives, and the chairpersons of
 96 the Senate Education and Youth Committee and the House Committee on Education upon
 97 completion of the federal review process."

98

SECTION 2.

99 Code Section 20-2-161.3 of the Official Code of Georgia Annotated, relating to the "Move
100 on When Ready Act" and dual credit courses, is amended by adding a new paragraph to
101 subsection (f) to read as follows:

102 "(4) No local school system that receives funding under this article shall exclude eligible
103 high school students taking one or more dual credit courses pursuant to this Code section
104 from eligibility determinations for valedictorian and salutatorian of a participating
105 eligible high school; provided, however, that this shall not apply to a high school student
106 who moves into the local school system after his or her sophomore year and has not taken
107 any courses on site at the participating eligible high school."

108 **SECTION 3.**

109 This Act shall become effective upon its approval by the Governor or upon its becoming law
110 without such approval.

111 **SECTION 4.**

112 All laws and parts of laws in conflict with this Act are repealed.