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

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"(a) The State Board of Education shall adopt a student assessment program consisting of instruments, procedures, and policies necessary to implement the program and shall fund all costs of providing and scoring such instruments, subject to appropriation by the General Assembly. The student assessment program shall include a comprehensive summative assessment program for grades three through twelve. In addition, each local school system shall administer, with state funding, a research based formative assessment with a summative component that is tied to performance indicators in English, language arts/reading; and mathematics in grades one and two, subject to available appropriations. Such research based assessment shall be selected, after consultation with local school systems. Such research based assessment shall provide for real-time data analysis for..."
students, teachers, school leaders, and parents; allow flexible grouping of students based
on skill level; and measure student progress toward grade level expectations throughout the
school year. Each local school system may elect to administer, with state funding,
nationally norm-referenced instruments in reading, mathematics, science, or social studies
in grade three, four, or five and in grade six, seven, or eight, subject to available
appropriations, with assistance to such school systems by the State Board of Education
with regard to administration guidance, scoring, and reporting of such instruments.
Further, the State Board of Education shall adopt a school readiness assessment for
students entering first grade and shall administer such assessment pursuant to paragraph
(2) of subsection (b) of Code Section 20-2-151. Each local school system is strongly
encouraged to develop and implement a program of multiple formative assessments in
reading and mathematics for kindergarten through fifth grade to ensure that students
entering sixth grade are on track to meet grade-level expectations, including mastery in
reading by the end of third grade to prepare for the infusion of literacy in subsequent grades
and mastery in basic mathematics skills by the end of fifth grade and in accordance with
the local school system's five-year strategic plan, performance indicators, and, if applicable,
flexibility contract or other agreement with the State Board of Education for local school
systems that are not under a flexibility contract. The State Board of Education shall
periodically review, revise, and upgrade the content standards. Following the adoption of
such content standards, the State Board of Education shall contract for development of
end-of-grade assessments to measure the content standards. As part of the comprehensive
summative assessment program, end-of-grade assessments in English; language
arts/reading; and mathematics shall be administered annually to students in grades three
through eight, and such tests in science and social studies shall be administered annually
to students in grades five and eight. These tests shall contain features that allow for
comparability to other states with whom establishing such comparison would be
statistically sound; provided, however, that no such comparison shall be conducted which
would relinquish any measure of control over assessments to any individual or entity
outside the state. Further, as part of the comprehensive summative assessment program,
the State Board of Education shall adopt and administer, through the Department of
Education, end-of-course assessments for students in grades nine through 12 for all core
subjects, as determined by the state board. Writing performance shall be assessed, at a
minimum, for students in grades three, five, eight, and 11 and may be assessed for students
in additional grade levels as designated by the State Board of Education. Such required
writing performance assessment may be embedded within the assessments included in the
comprehensive summative assessment program. Writing performance results shall be
provided to students and their parents. If authorized by federal law to establish and operate
an innovative assessment system pursuant to 34 C.F.R. Section 200.104, the Department of Education may establish a pilot program for local school systems that have an existing program of multiple formative assessments during the course of the academic year that result in a single summative score that is valid and reliable in measuring individual student achievement or growth and assessing individual student needs or deficiencies, to utilize such local assessments in place of end-of-grade or end-of-course assessments, if provided for in the terms of the local school system's flexibility contract. As used in this subsection, the term 'flexibility contract' means a charter for a charter system or a charter school or a contract entered into with the State Board of Education for a strategic waivers school system."

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

(2) The State Board of Education shall conduct a comparability study to determine and establish the concordance of nationally recognized academic assessments, including, but not limited to, the SAT, ACT, and ACCUPLACER with alignment to state content standards in grades nine through 12. Such comparability study shall also determine whether the nationally recognized high school academic assessment provides data that are comparable to current end-of-course assessments and valid and reliable for all subgroups and whether the assessment provides differentiation between schools' performances as required by the state accountability plan. The state board shall initiate such study no later than July 1, 2017, and shall post such study on the Department of Education website and provide the study to the State School Superintendent, Governor, Lieutenant Governor, Speaker of the House of Representatives, and the chairpersons of the Senate Education and Youth Committee and the House Committee on Education upon completion of the federal review process."
Code Section 20-2-161.3 of the Official Code of Georgia Annotated, relating to the "Move On When Ready Act" and dual credit courses, is amended by adding a new paragraph to subsection (f) to read as follows:

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

SECTION 3.

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

SECTION 4.

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