

The Senate Committee on Education and Youth offered the following substitute to SB 211:

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 provide for related matters; to provide for an effective date; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

10 Code Section 20-2-281 of the Official Code of Georgia Annotated, relating to student
11 assessments, is amended by revising subsection (a) and by adding a new subsection to read
12 as follows:
13

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

27 nationally norm-referenced instruments in reading, mathematics, science, or social studies
28 in grade three, four, or five and in grade six, seven, or eight, subject to available
29 appropriations, with assistance to such school systems by the State Board of Education
30 with regard to administration guidance, scoring, and reporting of such instruments.
31 Further, the State Board of Education shall adopt a school readiness assessment for
32 students entering first grade and shall administer such assessment pursuant to paragraph
33 (2) of subsection (b) of Code Section 20-2-151. Each local school system is strongly
34 encouraged to develop and implement a program of multiple formative assessments in
35 reading and mathematics for kindergarten through fifth grade to ensure that students
36 entering sixth grade are on track to meet grade-level expectations, including mastery in
37 reading by the end of third grade to prepare for the infusion of literacy in subsequent grades
38 and mastery in basic mathematics skills by the end of fifth grade and in accordance with
39 the local school system's five-year strategic plan, performance indicators, and, if applicable,
40 flexibility contract or other agreement with the State Board of Education for local school
41 systems that are not under a flexibility contract. The State Board of Education shall
42 periodically review, revise, and upgrade the content standards. Following the adoption of
43 such content standards, the State Board of Education shall contract for development of
44 end-of-grade assessments to measure the content standards. As part of the comprehensive
45 summative assessment program, end-of-grade assessments in English; language
46 arts/reading; and mathematics shall be administered annually to students in grades three
47 through eight, and such tests in science and social studies shall be administered annually
48 to students in grades five and eight. These tests shall contain features that allow for
49 comparability to other states with whom establishing such comparison would be
50 statistically sound; provided, however, that no such comparison shall be conducted which
51 would relinquish any measure of control over assessments to any individual or entity
52 outside the state. Further, as part of the comprehensive summative assessment program,
53 the State Board of Education shall adopt and administer, through the Department of
54 Education, end-of-course assessments for students in grades nine through 12 for all core
55 subjects, as determined by the state board. Writing performance shall be assessed, at a
56 minimum, for students in grades three, five, eight, and 11 and may be assessed for students
57 in additional grade levels as designated by the State Board of Education. Such required
58 writing performance assessment may be embedded within the assessments included in the
59 comprehensive summative assessment program. Writing performance results shall be
60 provided to students and their parents. If authorized by federal law to establish and operate
61 an innovative assessment system pursuant to 34 C.F.R. Section 200.104, the Department
62 of Education may establish a pilot program for local school systems that have an existing
63 program of multiple formative assessments during the course of the academic year that

64 result in a single summative score that is valid and reliable in measuring individual student
 65 achievement or growth and assessing individual student needs or deficiencies, to utilize
 66 such local assessments in place of end-of-grade or end-of-course assessments, if provided
 67 for in the terms of the local school system's flexibility contract. As used in this subsection,
 68 the term 'flexibility contract' means a charter for a charter system or a charter school or a
 69 contract entered into with the State Board of Education for a strategic waivers school
 70 system."

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

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

95 **SECTION 2.**

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

98 **SECTION 3.**
99 All laws and parts of laws in conflict with this Act are repealed.