

Enrolled House Bill 4124

Sponsored by Representatives NATHANSON, WEBER, Senators FREDERICK, ARMITAGE; Representatives ALONSO LEON, CAMPOS, DEXTER, HUDSON, LEVY, LIVELY, MCLAIN, NERON, NOSSE, REARDON, RUIZ, SCHOUTEN, WILDE, Senators DEMBROW, PATTERSON, SOLLMAN (Pre-session filed.)

CHAPTER

AN ACT

Relating to the collection of student data.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section, “school district” means:

- (a) A common school district;**
- (b) A union high school district; or**
- (c) An education service district that operates educational programs for component school districts.**

(2)(a) The Department of Education shall conduct a survey of the academic assessments administered to the students of this state by school districts.

(b) The survey required under this section may not include students in educational programs provided by school districts in any of the following settings:

- (A) The Youth Corrections Education Program;**
- (B) The Juvenile Detention Education Program;**
- (C) A long term care or treatment facility, as described in ORS 343.961; or**
- (D) A hospital, as provided by ORS 343.261.**

(3)(a) For the purpose of the survey required under subsection (2) of this section, the department shall develop a form for school districts to complete.

(b) The form developed under paragraph (a) of this subsection must collect the following information about each academic assessment administered by a school district:

- (A) Whether the assessment is mandated by state or federal law or by school district policy;**
- (B) Which grades of students are required or strongly encouraged to take the assessment;**
- (C) Which student groups are required or strongly encouraged to take the assessment;**
- (D) The name of the assessment, the provider of the assessment and the cost of the assessment to the school district;**
- (E) The intended purpose of the assessment, as identified by the provider or developer of the assessment;**
- (F) The average time required for students to take the assessment and the frequency of the administration of the assessment; and**

(G) How the school district uses the data from the assessment, including who has access to the data and the time frame in which the data is made available.

(c) Notwithstanding paragraph (b) of this subsection, information may not be collected about the following academic assessments:

(A) Assessments administered only for evaluation purposes for special education and related services;

(B) Assessments of English language proficiency, administered to determine eligibility for English language learner programs or to comply with screening requirements for risk factors of dyslexia as prescribed by the State Board of Education by rule;

(C) Statewide summative assessments, as defined in ORS 329.479; or

(D) Assessments or other tests developed or selected by teachers that are used in relation to instruction provided in the classroom and that are not required by the school district or used by the school district.

(4) Based on the information collected under subsection (3) of this section, the department shall develop recommendations and best practices for school districts to:

(a) Ensure that information from district-mandated academic assessments is used effectively; and

(b) Help school districts develop balanced academic assessment systems that maximize student instructional time and minimize time spent on academic assessments.

(5) For the purposes of developing the form under subsection (3) of this section or developing the recommendations and best practices under subsection (4) of this section, the department shall convene a work group of stakeholders.

(6) The department shall provide a report to the State Board of Education and to an interim committee of the Legislative Assembly related to education no later than May 1, 2024. The report must summarize the information collected under subsection (3) of this section and the recommendations and best practices developed under subsection (4) of this section.

SECTION 2. Section 1 of this 2022 Act is repealed on June 30, 2024.

SECTION 3. (1) No later than July 1, 2023, the State Board of Education and the Department of Education shall:

(a) Review the standards for the disclosure and transfer of student education records as provided by ORS 326.565, 326.575 and 326.580 and any related rules.

(b) Identify any barriers or difficulties experienced by educational institutions, substitute care programs or detention facilities in complying with the standards reviewed under paragraph (a) of this subsection.

(c) Consider a communications plan to inform educational institutions, substitute care programs and detention facilities about the standards reviewed under paragraph (a) of this subsection.

(d) If necessary, amend the rules related to the disclosure and transfer of student education records to achieve the goal of guiding the instruction provided to a student based on the student's individual needs, as achieved by ensuring that the educational institution or substitute care program receives the most recent and relevant information available in a student's cumulative education record, including any information obtained from a diagnostic, screening, interim or progress monitoring assessment and any other information to the greatest extent allowed by state and federal law.

(2) For the purposes of subsection (1) of this section, the department shall convene a work group of stakeholders.

(3) No later than September 15, 2023, the Department of Education shall provide a report to an interim committee of the Legislative Assembly related to education. The report must summarize the actions of the department and State Board of Education under subsection (1) of this section.

(4) As used in this section, "detention facility," "educational institution" and "substitute care program" have the meanings given those terms in ORS 326.575.

SECTION 4. Section 3 of this 2022 Act is repealed on January 2, 2024.

SECTION 5. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1 (1), chapter 603, Oregon Laws 2021, for the biennium ending June 30, 2023, for operations, is increased by \$193,482 for purposes of the survey conducted under section 1 of this 2022 Act.

Passed by House February 28, 2022

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

Passed by Senate March 3, 2022

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2022

Approved:

.....M,....., 2022

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2022

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Shemia Fagan, Secretary of State