

House Bill 4124

Sponsored by Representatives NATHANSON, WEBER, Senator FREDERICK; Representatives HUDSON, LEVY, LIVELY, MCLAIN, NOSSE, SCHOUTEN, WILDE, Senator DEMBROW (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Department of Education to conduct survey related to assessments administered to students by school districts and to develop recommendations and best practices related to assessments. Directs department to report results of survey and recommendations and best practices to State Board of Education and to interim committee of Legislative Assembly related to education no later than May 1, 2024.

Requires department and board to review standards related to disclosure and transfer of information in student education records. Directs department to report results of review to board and to interim committee of Legislative Assembly related to education no later than September 15, 2023.

A BILL FOR AN ACT

1 Relating to the collection of student data.

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

3 **SECTION 1. (1) The Department of Education shall conduct a survey of the assessments**
4 **administered to the students of this state by school districts.**

5 (2)(a) For the purpose of the survey required under subsection (1) of this section, the
6 department shall develop a form for school districts to complete.

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

9 (A) Whether the assessment is mandated by state or federal law or by school district
10 policy;

11 (B) Which grades of students are required or strongly encouraged to take the assess-
12 ment;

13 (C) Which student groups are required or strongly encouraged to take the assessment;

14 (D) The name of the assessment, the provider of the assessment and the cost of the as-
15 sessment to the school district;

16 (E) The intended purpose of the assessment, as identified by the provider or developer
17 of the assessment;

18 (F) The average time required for students to take the assessment and the frequency of
19 the administration of the assessment; and

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

22 (c) Notwithstanding paragraph (b) of this subsection, information shall not be collected
23 about the following assessments:

24 (A) Assessments necessary for the identification or evaluation of students for special
25 education and related services;

26 (B) Assessments of English language proficiency, administered to determine eligibility for
27

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 English language learner programs or to identify students with dyslexia;

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

3 (D) Assessments or other tests developed by teachers that are exclusively used for, or
4 related to, instruction provided in the classroom.

5 (3) Based on the information collected under subsection (2) of this section, the depart-
6 ment shall develop recommendations and best practices for school districts to:

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

8 (b) Help school districts develop balanced assessment systems that maximize student in-
9 structional time and minimize time spent on assessments.

10 (4) For the purposes of developing the form under subsection (2) of this section or de-
11 veloping the recommendations and best practices under subsection (3) of this section, the
12 department may convene a work group of stakeholders.

13 (5) The department shall provide a report to the State Board of Education and to an in-
14 terim committee of the Legislative Assembly related to education no later than May 1, 2024.
15 The report must summarize the information collected under subsection (2) of this section
16 and the recommendations and best practices developed under subsection (3) of this section.

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

18 SECTION 3. (1) No later than July 1, 2023, the State Board of Education and the De-
19 partment of Education shall:

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

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

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

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

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

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

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

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