

House Bill 2655

Sponsored by Representative GORSEK (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**.

Directs State Board of Education to adopt specified standards related to student education records.

Provides that parents have right to excuse student from statewide standardized summative assessment and that school districts must provide notice of that right to parents.

Provides that students must receive certain information related to statewide standardized summative assessments.

Declares emergency, effective July 1, 2015.

A BILL FOR AN ACT

1
2 Relating to education; creating new provisions; amending ORS 326.565; and declaring an emergency.

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

4 **SECTION 1.** ORS 326.565 is amended to read:

5 326.565. (1) The State Board of Education shall adopt by rule standards for the creation, use,
6 custody and disclosure, including access, of student education records. [*that are*] Consistent with the
7 requirements of applicable state and federal law[.], **the standards:**

8 (a) **Shall include requirements under which public and private schools and education
9 service districts will transfer student education records pursuant to ORS 326.575.**

10 (b) **Shall provide a parent with the right to limit the collection, storage, use and trans-
11 mittal of academic information and personally identifiable data.**

12 (c) **Shall provide a parent with the right to correct errors.**

13 (d) **May be applied differently to persons 18 years of age or older or enrolled in a post-
14 secondary institution of education.**

15 (2) The [*state*] board shall distribute the rules that are adopted **under subsection (1) of this
16 section** to all school districts.

17 (3) [*The*] School districts shall make [*those rules*] **the rules received under subsection (2) of
18 this section** available to the public schools in the district and to the public. [*The state board may
19 differentiate the standards applicable to persons 18 years of age or older or enrolled in post-secondary
20 institutions. The standards shall include requirements under which public and private schools and ed-
21 ucation service districts transfer student education records pursuant to ORS 326.575.*]

22 **SECTION 2.** Sections 3 and 4 of this 2015 Act are added to and made a part of ORS
23 **chapter 329.**

24 **SECTION 3.** (1) **The parents of a public school student have an unrestricted right to ex-
25 cuse the student from taking a statewide standardized summative assessment.**

26 (2) **Each school district and public charter school shall make readily available to parents
27 a form to excuse a student from taking a statewide standardized summative assessment.**

28 (3) **At the beginning of each school year, each school district and public charter school**

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 shall ensure that parents are provided with a notice that includes:

2 (a) A list of all statewide standardized summative assessments that will be administered
3 during the school year and the purpose of each assessment.

4 (b) A description of the persons who will have access to the results of the statewide
5 standardized summative assessments.

6 (c) The dates the statewide standardized summative assessments will be administered.

7 (d) The right of a parent to excuse a student from taking a statewide standardized
8 summative assessment.

9 (e) A description of the activity that an excused student will be engaged in while other
10 students are taking a statewide standardized summative assessment.

11 (f) The per student cost to the school district or the public charter school for adminis-
12 tering the statewide standardized summative assessments.

13 (4) A student who is excused from taking a statewide standardized summative assess-
14 ment may not be denied a diploma under ORS 329.451 for failure to satisfy any requirements
15 related to the assessment.

16 SECTION 4. (1) Prior to administering a statewide standardized summative assessment,
17 each school district and public charter school shall ensure that students are provided with
18 the following information:

19 (a) The purpose of the assessment and how the results of the assessment will be used.

20 (b) The learning targets that make up the assessment.

21 (c) The difference between good and poor performances on the assessment.

22 (d) When results of the assessment will be available to students.

23 (2) The results of a statewide standardized summative assessment must be provided to
24 students in a timely manner and in a manner that is understandable by the student.

25 SECTION 5. Sections 3 and 4 of this 2015 Act first apply to statewide standardized
26 summative assessments administered for the 2015-2016 school year.

27 SECTION 6. This 2015 Act being necessary for the immediate preservation of the public
28 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
29 July 1, 2015.