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An Act To Delay Any New Statewide Assessment Test

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Private and Special Law 2015, chapter 10, section 1 required the Department of Education to adopt a new method of educational assessment for the 2015-2016 school year; and

Whereas, there is insufficient time for all school administrative units to implement a new method of educational assessment for the 2015-2016 school year; and

Whereas, the 2015-2016 school year will end prior to the expiration of the 90-day period; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. P&SL 2015, c. 10, §1 is amended to read:

Sec. 1. Department of Education to adopt educational assessment that does not collect personal student data. On the effective date of this section, the Department of Education shall terminate the State's membership in the Smarter Balanced Assessment Consortium and the use of the Smarter Balanced Assessment used to assess student achievement in the 2014-2015 school year. The department shall adopt a method of educational assessment pursuant to the Maine Revised Statutes, Title 20-A, section 6202 for the 2015-2016 school year and each school year thereafter that complies with federal law but does not collect or disseminate personal data and attributes of students, such as attitudes, values, motivations, stereotypes and feelings. The method of assessment must be selected with direct input from education stakeholders and must specifically address the needs of students and citizens of the State. Prior to the 2016-2017 school year, the department may not require a school administrative unit to implement the method of educational assessment adopted by the department pursuant to this section. For the 2015-2016 school year, a school administrative unit may implement the method of educational assessment adopted by the department pursuant to this section.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill delays by one year the implementation of any assessment test chosen by the Department of Education to replace the Smarter Balanced Assessment but allows schools to voluntarily implement the new test for the 2015-2016 school year.