

**Enrolled**  
**Senate Bill 602**

Sponsored by Senator FREDERICK, Representative MCLAIN; Senator GORSEK, Representatives LEWIS, NERON, REYNOLDS, RUIZ (Presession filed.)

CHAPTER .....

AN ACT

Relating to statewide summative assessments; amending ORS 329.479; repealing section 6, chapter 519, Oregon Laws 2015; and declaring an emergency.

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

**SECTION 1. Section 6, chapter 519, Oregon Laws 2015, is repealed.**

**SECTION 2.** ORS 329.479, as amended by section 5, chapter 519, Oregon Laws 2015, is amended to read:

329.479. (1) This section shall be known and may be cited as the Student Assessment Bill of Rights.

(2) As used in this section:

(a) "Adult student" means a student of a public school or a public charter school who is 18 years of age or older or who is emancipated pursuant to ORS 419B.550 to 419B.558.

(b) "Parent" means a parent, legal guardian or person in parental relationship, as defined in ORS 339.133, of a student of a public school or a public charter school.

(c) "Statewide summative assessment" means a standardized summative assessment that is identified by the Department of Education for administration in all of the school districts and public charter schools of this state.

**(3) A parent or an adult student may annually choose to excuse the student from taking a statewide summative assessment by:**

**(a) Completing a form established by the Department of Education as provided by subsection (4) of this section; and**

**(b) Submitting the completed form to the school district for the school that the student attends.**

**(4) The Department of Education shall establish a form to excuse a student from taking a statewide summative assessment. The form must have at least the following:**

**(a) An explanation of the right of a parent or an adult student to excuse the student from taking a statewide summative assessment; and**

**(b) An explanation of the purpose and value of statewide summative assessments.**

~~(3)~~ (5) At the beginning of each school year, each school district and public charter school shall ensure that parents and adult students are provided with a notice about statewide summative assessments. The notice shall be established by the Department of Education and must include information about statewide summative assessments, the time frame when the statewide summative assessments most likely will be administered and a student's or parent's right to excuse the student from taking the statewide summative assessments.

[4)(a)] **(6)(a)** At least 30 days prior to the administration of statewide summative assessments, a school district or public charter school must send to parents and adult students a notice about the statewide summative assessments. The notice must include:

- (A) The purpose of the assessments and how the results of the assessments will be used;
- (B) The specific days the statewide summative assessments will be administered;
- (C) The amount of class time required for the statewide summative assessments;
- (D) The learning targets that make up the assessments;
- (E) The difference between good and poor performances on the assessments; [and]
- (F) When results of the assessments will be available to students[.]; **and**
- (G) Access to the form established as provided by subsection (4) of this section.**

(b) Notwithstanding paragraph (a) of this subsection, the Department of Education may waive the notice requirement for a school district or public charter school if a human-created disaster or a natural disaster affects the ability of the school district or public charter school to administer the statewide summative assessments and the statewide summative assessments must be provided at a later date.

[5)] **(7)** School districts and public charter schools shall provide supervised study time for students excused from the statewide summative assessments as provided by this section. The study time shall be considered instructional time for purposes of rules adopted by the State Board of Education.

[6)] **(8)** A student who is excused from the statewide summative assessments may not be denied a diploma under ORS 329.451 if the student is able to satisfy all other requirements for the diploma established under ORS 329.451.

[7)] **(9)** The results of a statewide summative assessment must be provided to students in a timely manner and in a manner that is understandable by the student.

[8)] **(10)** If the rating on a school performance report is affected by the number of parents and adult students who excuse students from taking a statewide summative assessment as provided by this section, the Department of Education shall include on the school performance report:

- (a) An indication that the rating was affected by a federal law requirement;
- (b) A brief explanation of the federal law requirement that affected the rating; and
- (c) The rating the school would have received if not for the federal law requirement.

**SECTION 3. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.**

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**Passed by Senate May 3, 2021**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House June 7, 2021**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M.,....., 2021

**Approved:**

.....M.,....., 2021

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2021

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Shemia Fagan, Secretary of State