

HB 3038-A3  
(LC 530)  
5/15/25 (HRS/ps)

Requested by SENATE COMMITTEE ON EDUCATION

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 3038**

On page 1 of the printed A-engrossed bill, line 2, after “327.380,” insert  
“329.488.”.

On page 8, line 6, after “unless” insert “:  
“(a)”.

In line 8, delete “(a)” and insert “(A)”.

In line 12, delete “(b)” and insert “(B)”.

After line 15, insert:

“(b) The parent or guardian of the child consents to the placement of the  
child, as provided by rules adopted by the State Board of Education.”.

On page 12, after line 32, insert:

**“NATIONALLY NORMED ASSESSMENTS**

**“SECTION 17.** ORS 329.488 is amended to read:

“329.488. (1) The Department of Education shall contract with a nonprofit  
entity **or a benefit company that is incorporated, organized, formed or  
created under ORS 60.754** to administer a nationally normed assessment,  
in collaboration with the department, to all students in grade [10] **11** who  
are enrolled in a public school. The purpose of the assessment is to predict  
the success of students on, and provide practice for students taking, college  
entrance exams.

1 “(2) The department shall base the selection of the contractor under sub-  
2 section (1) of this section on all of the following criteria:

3 “(a) The contractor must be able to provide to the department statewide  
4 data containing the results of the assessment;

5 “(b) The contractor shall provide an assessment that:

6 “(A) Identifies students with high potential to excel in advanced place-  
7 ment (AP) or other honors courses based on a research-based correlation of  
8 scores on the grade [10] 11 assessment to advanced placement examinations;

9 “(B) Examines students in mathematics, reading and writing; and

10 “(C) Provides results that can be used by Oregon’s higher education in-  
11 stitutions to recruit students to attend college;

12 “(c) The contractor must be able to supply schools with an item-by-item  
13 analysis of student performance on the assessment; and

14 “(d) The contractor must be able to make available to each student taking  
15 the assessment a free career assessment and online exploration of colleges  
16 and career opportunities.

17 “(3)(a) In lieu of using the contractor selected by the department under  
18 subsection (1) of this section, a school district may apply to the department  
19 for a waiver to allow the district to enter into a contract with [*a different*  
20 *nonprofit entity*] **an alternative contractor that is a nonprofit entity or**  
21 **a benefit company that is incorporated, organized, formed or created**  
22 **under ORS 60.754** for the purpose of administering a nationally normed as-  
23 sessment to all students in grade [10] 11 who are enrolled in the public  
24 schools operated by the district. The department shall grant the waiver if:

25 “(A) The district had entered into a contract with the [*entity*] **alternative**  
26 **contractor** for the 2007-2008 school year to administer a grade 10 assess-  
27 ment;

28 “(B) The [*entity*] **alternative contractor**, in coordination with the dis-  
29 trict, administered a grade 10 assessment during the 2007-2008 school year;

30 “(C) For the most recent school year in which the [*entity administered a*

1 *grade 10 assessment*] **alternative contractor administered an assessment**  
2 **as provided by this section**, the *[entity]* **alternative contractor** met the  
3 criteria set forth in subsection (2) of this section as in effect for the school  
4 year in which the *[entity]* **alternative contractor** administered the assess-  
5 ment; and

6 “(D) The *[entity]* **alternative contractor** plans to meet the criteria set  
7 forth in subsection (2) of this section as in effect for the school year for  
8 which the school district seeks a waiver.

9 “(b) A waiver granted by the department under this subsection:

10 “(A) Is valid for one school year; and

11 “(B) May be renewed each school year.

12 “(c) The department shall reimburse a school district for the cost of as-  
13 sessments allowed under this subsection from funds available to the depart-  
14 ment under ORS 327.008 (13).

15 “(4) Notwithstanding subsections (1) and (3) of this section:

16 “(a) The department may, under rules adopted by the State Board of Ed-  
17 ucation, waive the assessment for specific groups of students; and

18 “(b) Upon request from a student who is enrolled in a public school op-  
19 erated by a school district or the parent or guardian of the student, the  
20 school district shall waive the assessment for the student.”.

21 In line 36, delete “17” and insert “18”.

22 In line 39, delete “18” and insert “19”.

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