

# WEST VIRGINIA LEGISLATURE

## 2016 REGULAR SESSION

Introduced

### House Bill 4024

FISCAL  
NOTE

BY DELEGATES COOPER, D. EVANS, AMBLER, PERRY,  
MOYE, LYNCH, KELLY, WAGNER, STATLER, WESTFALL  
AND ROWAN

[Introduced January 15, 2016;  
Referred to the Committee on Education.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §18-2E-3, relating to student assessment in grades K-12, prohibiting the use  
 3 of the Smarter Balanced Assessment and requiring schools to assess student progress  
 4 by alternate methods.

*Be it enacted by the Legislature of West Virginia:*

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
 2 section, designated §18-2E-3, to read as follows:

**ARTICLE 2E. HIGH QUALITY EDUCATIONAL PROGRAMS.**

**§18-2E-3. Student assessment; Smarter Balanced Assessment prohibited.**

1 (a) Statement of Purpose.-- The Legislature finds that the testing window for administering  
 2 the Smarter Balanced Assessment, in accordance with Smarter Balanced Assessment  
 3 Consortium standards, is excessively large. Because of the large testing window, there is a  
 4 shortage of assessment-capable computers in West Virginia schools and students must attend  
 5 school longer each year to complete the Smarter Balanced Assessment.

6 (b) Effective immediately, the West Virginia State Superintendent of Schools will initiate  
 7 any procedures necessary to withdraw the state from the Smarter Balanced Assessment  
 8 Consortium.

9 (c) Effective July 1, 2016, the Smarter Balanced Assessment or any other assessment  
 10 based on the Common Core Standards or Next Generation Science Standards may not be used  
 11 in West Virginia public schools.

12 (d) On or before July 1, 2016, the State Board of Education will develop statewide  
 13 summative academic content assessments to administer to students in grades K-8, to measure  
 14 student progress on an individual and statewide basis.

15 (e) Effective immediately, the State Board of Education will administer the American  
 16 College Test, known as the "ACT," to all students in grades nine through twelve on an annual  
 17 basis, to measure student progress on an individual and statewide basis.

NOTE: The purpose of this bill is to prohibit the use of the Smarter Balanced Assessment and to require that schools assess student progress by alternate methods.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.