

ENROLLED SENATE
BILL NO. 958

BY: SHEDRICK, WILLIAMS (Penny),
RUBOTTOM and ROBINSON of
the SENATE

and

THOMPSON of the HOUSE

AN ACT RELATING TO SCHOOLS; AMENDING 70 O.S.
1991, SECTIONS 1210.508 AND 1210.512, WHICH
RELATE TO THE OKLAHOMA SCHOOL TESTING PROGRAM;
MODIFYING REQUIREMENTS FOR ADMINISTRATION OF
CERTAIN TESTS; DIRECTING STUDY OF CERTAIN TESTS;
MODIFYING CERTAIN HIGH SCHOOL GRADUATION
REQUIREMENTS; PROVIDING FOR DEVELOPMENT AND
IMPLEMENTATION OF CERTAIN COMPETENCY TESTS;
REQUIRING SCHOOLS TO PROVIDE REMEDIATION;
REQUIRING CERTAIN TEST RESULTS TO BE INCLUDED IN
OKLAHOMA EDUCATIONAL INDICATORS PROGRAM REPORTS;
DIRECTING ADOPTION OF RULES; PROVIDING ACCESS TO
CERTAIN MATERIALS; DELETING OBSOLETE LANGUAGE;
PROVIDING AN EFFECTIVE DATE; AND DECLARING AN
EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 1210.508, is amended to read as follows:

Section 1210.508 A. In every school year through 1993-94, the State Board of Education shall cause a norm-referenced test to be administered to every student enrolled in grades three, five, seven, nine, and eleven of the public schools of this state. Beginning with the 1994-95 school year and every school year thereafter, the State Board of Education shall cause a norm-referenced test to be administered to every student enrolled in grades three and seven of the public schools of this state. The test used shall be selected by the Board and shall measure specific skills represented by learner objectives. The student skills to be tested at the specified grade levels shall include reading, mathematics, language arts, communications, science and the principles of citizenship in the United States and other countries through the study of the ideals, history and government of the United States and other countries of the world, and through the study of the principles of democracy as they apply in the lives of citizens. Because the purpose of such norm-referenced testing is to focus on the progress of students and to diagnose a student's strengths and weaknesses, the Board shall seek to ensure that data yielded from the test is utilized at the school district level to prescribe skill reinforcement and/or remediation by requiring school districts to develop and implement a specific program of improvement based on the test results.

B. The State Department of Education shall review existing norm-referenced tests commercially available and shall designate for statewide use those tests which evaluate the broadest range of

identified, age-appropriate competencies. Such review process shall be coordinated, to the maximum extent possible, with the work of the Oklahoma Curriculum Committee. The first report of the review shall be filed by the State Board of Education with the Oklahoma Legislature on or before ~~June 30, 1992~~ January 1, 1993, and shall be filed with the Oklahoma Legislature on June 30 every third year thereafter.

C. In every school year through the 1993-94 school year, the Board shall cause a norm-referenced writing assessment test to be administered to every seventh- and tenth-grade student.

~~D. Beginning with the 1992-93 school year, the Board shall cause a criterion-referenced test to be administered to every student enrolled in the twelfth grade of the public schools of this state. This test shall be designed to indicate whether competencies expected of Oklahoma high school graduates, as defined by the Board, have been mastered by the student. The test shall include sections on reading and writing of English, culture and the arts, mathematics, science, geography and the history and government of the United States. Specific competencies expected and measures of satisfactory performance shall be determined by the Board and shall be consistent with the curricula for instruction promulgated by the Board. Each twelfth-grade student shall have the opportunity to take the test not later than the end of October of the twelfth-grade year. Each such student who does not perform satisfactorily on all sections of the test shall have additional opportunities during the remainder of the student's twelfth-grade enrollment to retake sections of the test on which performance was unsatisfactory. Except as otherwise provided by law, and effective September 1, 1992, a student shall not receive a diploma from a public high school of this state until that student has performed satisfactorily on all sections of said test. A student who completes the requirements for graduation from a public high school of this state, but who does not qualify for a diploma as a result of this act shall receive a Certificate of Attendance and Completion. For purposes of test development, the Board is authorized to conduct pilot testing during the 1989-90, 1990-91, and 1991-92 school years. The Board shall develop a series of criterion-referenced tests designed to indicate whether competencies Oklahoma public school students are expected to have attained in grades five, eight and twelve in mathematics, science, reading and writing of English, history and government of the United States, geography, and culture and the arts, as defined by the Board, have been mastered. The tests shall be designed and implemented in correlation with the implementation of the outcomes-based curricula standards adopted by the Board pursuant to Section 11-103.6 of this title. The series of tests shall be field-tested and implemented by the following schedule:~~

<u>Subject</u>	<u>Field-tested</u>	<u>Implemented</u>
<u>Mathematics</u>	<u>1993-94</u>	<u>1994-95</u>
<u>Science</u>	<u>1993-94</u>	<u>1994-95</u>
<u>Reading and Writing of English</u>	<u>1994-95</u>	<u>1995-96</u>
<u>History and Government of the United States</u>	<u>1995-96</u>	<u>1996-97</u>
<u>Geography</u>	<u>1996-97</u>	<u>1997-98</u>
<u>Culture and the Arts</u>	<u>1997-98</u>	<u>1998-99</u>

E. The Board shall cause the tests in each subject to be field-tested by administering the fifth-grade competency test in each subject to students enrolled in the sixth grade, by administering the eighth-grade competency test in each subject to students enrolled in the ninth grade, and by administering the twelfth-grade competency test in each subject to students enrolled in the twelfth grade of the public schools of this state during the year the field tests for each subject are scheduled. The Board shall cause the tests in each subject to be implemented by administering the fifth-grade competency test to fifth-grade students, by administering the eighth-grade competency test to eighth-grade students, and by administering the twelfth-grade competency test to eleventh-grade students in the public schools of this state during the spring semester of the year scheduled for implementation of tests in each subject. The Board shall administer the appropriate tests in each implemented subject to fifth-, eighth-, and eleventh-grade students every year after implementation. Students who do not perform satisfactorily on the implemented tests shall be provided opportunities for remediation and shall retake the tests at times established by the Board during subsequent years as follows: Fifth-grade tests shall be re-administered during the sixth and seventh grades; eighth-grade tests shall be re-administered during the ninth and tenth grades; and the twelfth-grade tests shall be re-administered during the twelfth grade.

F. Results of the criterion-referenced test series required in subsection D of this section shall be included in the summary report of the Oklahoma Educational Indicators Program published pursuant to Section 1210.531 of this title. The report shall include the number of students who perform satisfactorily on the tests, the number of students who do not perform satisfactorily, and the number of students who perform satisfactorily on subsequent administrations of the tests.

G. The State Board of Education shall be responsible for the development, field-testing, and validation of the criterion-referenced test series required in subsection D of this section. In the interest of economy the Board shall adapt criterion-referenced tests that have been developed by other states or are otherwise commercially available, or portions of such tests, to the extent that such tests are appropriate for use in the criterion-referenced test series to be administered to Oklahoma students.

E. H. Beginning with the 1991-1992 school year, the The Board shall develop, and, beginning with the 1992-93 school year, shall administer, and incorporate as a part of the Oklahoma School Testing Program, other testing programs or procedures, including appropriate accommodations for the testing of handicapped students and students with learning disabilities, necessary to measure additional competencies of students which are not adequately measured by the tests required by this section.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 1210.512, is amended to read as follows:

Section 1210.512 A. No Except as otherwise provided for in subsection B of this section, no person shall provide any test materials, including, but not limited to, test booklets, and teacher's test administration manuals, and student pretest materials administered or intended for administration to any student pursuant to the Oklahoma School Testing Program Act to any teacher employed by any school district in this state or to any other person providing services to a school as a test monitor prior to the date on which the test is administered to the students.

B. Materials furnished by any company providing tests required by the Oklahoma School Testing Program Act, Section 1210.505 et seq. of this title, which are intended to aid teachers, parents or students in the preparation for testing may be provided to students, teachers or any other person providing service to a school as a test monitor.

C. Any person providing any test to a teacher or test monitor in violation of subsection A of this section, upon conviction, shall be guilty of a misdemeanor, punishable by the imposition of a fine not exceeding Two Thousand Five Hundred Dollars (\$2,500.00).

SECTION 3. This act shall become effective July 1, 1992.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 12th day of May, 1992.

President of the Senate

Passed the House of Representatives the 20th day of May, 1992.

Speaker of the House of Representatives