

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 453

BY: SNYDER

AS INTRODUCED

AN ACT RELATING TO SCHOOLS; AMENDING 70 O.S. 1981, SECTION 8-101, AS AMENDED BY SECTION 1, CHAPTER 250, O.S.L. 1989, SECTION 7, CHAPTER 329, O.S.L. 1985, AS LAST AMENDED BY SECTION 19, CHAPTER 2, O.S.L. SUPP. 1989, AND 70 O.S. 1981, SECTION 2281, AS AMENDED BY SECTION 26, CHAPTER 369, O.S.L. 1989 (70 O.S. SUPP. 1990, SECTIONS 8-101, 1210.508 AND 2281), WHICH RELATE TO PUPIL TRANSFERS, THE OKLAHOMA SCHOOL TESTING PROGRAM ACT, AND CERTAIN EXEMPTION FROM ENROLLMENT FEES; REQUIRING CERTAIN SCHOOL ASSIGNMENTS; PROVIDING CERTAIN EXEMPTION RELATING TO DIPLOMAS; AUTHORIZING TEST DEVELOPMENT ACTIVITIES; AND DELETING CERTAIN TIME RESTRICTION.

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

SECTION 1. AMENDATORY 70 O.S. 1981, Section 8-101, as amended by Section 1, Chapter 250, O.S.L. 1989 (70 O.S. Supp. 1990, Section 8-101), is amended to read as follows:

Section 8-101. A. Any child residing in a school district that does not offer the grade which such child is entitled to pursue, any student in grades nine through twelve who is assigned to a nonaccredited school, and any student in grades nine through twelve

who, prior to the 1997-98 school year, is assigned to a school that has not fully implemented the curriculum required pursuant to Sections 3-104.4 and 11-103.6 of this title, shall be entitled to be transferred to any school district inside or outside of the transportation area in which such student resides which offers the grade which he is entitled to pursue, to a school within such district which is accredited, or to a district which will assign the student to a school which has fully implemented said curriculum, hereinafter "receiving district," and if the district of residence is a dependent school district as defined in Section 5-103 of this title, to have paid from the funds of the district in which he resides to the receiving district a dependent transfer fee. Nothing in this section shall be construed as preventing the approval of any other kind of transfer for which such student is eligible as elsewhere provided by law.

B. The dependent transfer fee required by subsection A of this section shall be paid during the fiscal year following each fiscal year in which the transfer student is in attendance in the receiving district. The dependent transfer fee shall be the receiving district's general fund ad valorem revenue for the fiscal year preceding the year of attendance divided by the receiving district's average daily attendance (ADA) for that preceding year. Said general fund ad valorem revenue shall include receipts in said year from prior year assessments but shall not include apportionment pursuant to subsection (b) of Section 9 of Article X of the Oklahoma Constitution.

C. The dependent transfer fees required by this section shall be reported in the annual estimates of needs of both the receiving district and the district of residence and shall be reflected in both districts' budgets. Each receiving district shall be required to report in its annual attendance report to the State Board of Education the total number of all such transferred pupils and the

name and school district number of the district from which they are transferred.

D. The due and outstanding obligation of any school district to pay any transfer fee required by this section for the attendance of a student in the year prior to ~~the effective date of this act~~ July 1, 1989 is hereby canceled.

SECTION 2. AMENDATORY Section 7, Chapter 329, O.S.L. 1985, as last amended by Section 19, Chapter 2, O.S.L. Supp. 1989 (70 O.S. Supp. 1990, Section 1210.508), is amended to read as follows:

Section 1210.508 A. In every school year, 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. 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, and shall be filed with the Oklahoma Legislature on June 30 every third year thereafter.

C. In every 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; provided prior to the 1997-98 school year, if a student is attending grades nine through twelve in a school in the district of residence that has not fully implemented

the curriculum required pursuant to Sections 3-104.4 and 11-103.6 of this title, said student shall not be denied a diploma. 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~~ and other test development activities at any time.

E. Beginning with the 1991-1992 school year, 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 necessary to measure additional competencies of students which are not adequately measured by the tests required by this section.

SECTION 3. AMENDATORY 70 O.S. 1981, Section 2281, as amended by Section 26, Chapter 369, O.S.L. 1989 (70 O.S. Supp. 1990, Section 2281), is amended to read as follows:

Section 2281. A. Any current or former prisoner of war or person missing in action, as defined by the provisions of this section, and any dependent of a current or former prisoner of war or person missing in action, upon being duly accepted for enrollment into any state-supported institution of higher education of any type, or state-supported technical or vocational school, shall be allowed to obtain a bachelors degree, or certificate of completion, for so long as such former prisoner of war, person missing in action or dependent is eligible, free of general enrollment fees. Once a person qualifies as a dependent under the terms and provisions of this section, the fact of the return of the parent or the reported death of the parent will not remove the dependent from the provisions or benefits of this section.

B. For purposes of this section:

1. "Prisoner of war" and "person missing in action" means any person who was a resident of the State of Oklahoma at the time he or she entered service of the United States Armed Forces, or whose official residence is within the State of Oklahoma, and who, while serving in the United States Armed Forces has been declared to be a prisoner of war, or to be a person missing in action as established by the Secretary of Defense ~~after January 1, 1960~~; and

2. "Dependent" means any child born to a parent who served or is serving as a prisoner of war or was declared by the United States Armed Forces to be a person missing in action.

C. If federal funds are provided for general enrollment fees of said dependent, this section shall not be applicable.

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