

ENROLLED HOUSE  
BILL NO. 1441

By: Hager of the House

and

Long (Ed) and Campbell  
of the Senate

An Act relating to schools; amending 70 O.S. 1991, Section 3-104.4, which relates to standards for accreditation; modifying certain accreditation standards; amending 70 O.S. 1991, Section 1210.508, as last amended by Section 12, Chapter 361, O.S.L. 1993 (70 O.S. Supp. 1994, Section 1210.508), which relates to the Oklahoma Schools Testing Program Act; deleting certain obsolete testing requirements; modifying certain test selection procedures; deleting certain review processes and administration of certain test in certain grades; adding certain subjects to certain tests; amending 70 O.S. 1991, Section 1210.512, as amended by Section 2, Chapter 292, O.S.L. 1992 (70 O.S. Supp. 1994, Section 210.512), which relates to test security; deleting prohibition for provision of certain materials; 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 3-104.4, is amended to read as follows:

Section 3-104.4 A. On or before February 1, 1991, the State Board of Education shall adopt standards for the accreditation of the public schools in this state according to the requirements of this act, to be effective as set forth in this act. The accreditation standards shall incorporate the curricular standards established pursuant to Section ~~6~~ 11-103.6 of this ~~act~~ title for implementation with the 1993-94 school year; ~~provided, no.~~ No school shall be denied accreditation or have accreditation withdrawn prior to the 1997-98 school year solely for failure to fully implement the curricular standards. The accreditation standards shall equal or exceed the accreditation standards for schools promulgated by the North Central Association of Colleges and Schools to the extent that ~~such the~~ standards are consistent with an outcome-oriented approach to accreditation and academic results oriented approach to accreditation, excluding those standards which deal with affective behavior to the extent the adoption of the standards ~~do~~ does not conflict with state statute. The accreditation adopted by the State Board shall encompass accreditation for elementary schools, middle schools, junior high schools, and high schools. ~~Such~~ The accreditation standards shall be made available for public inspection at the offices of the State Department of Education.

B. Standards for accreditation adopted by the State Board of Education shall include standards relating to the provision of

school counselors to the public school children of this state. ~~Beginning July 1, 1990, the~~ The State Board of Education shall require each local school district to provide information regarding the number of counselors serving each school site, the duties of all such counselors including all administrative duties, the number of students served by each counselor, and information regarding the number of counselors employed per elementary school, middle school, junior high school and high school.

C. Except as otherwise provided by subsection A of this section with regard to curricular standards, as a condition of receiving state accreditation pursuant to this act:

1. High schools shall meet the accreditation standards not later than June 30, 1995; and

2. Elementary, middle and junior high schools shall meet the accreditation standards not later than June 30, 1999.

Schools shall thereafter continue to meet the accreditation standards as a condition of continued accreditation. Nothing herein shall be construed as preventing changes to the adopted standards by the State Board of Education pursuant to the Oklahoma Administrative Procedures Act, ~~Section 250 et seq. of Title 75 of the Oklahoma Statutes.~~

D. If one or more school sites fails to receive accreditation as required pursuant to this section by the dates set forth in subsection C of this section or subsequently loses ~~such~~ accreditation, the State Board of Education shall close the school and reassign the students to accredited schools within the district or shall annex the district to one or more other districts in which the students can be educated in accredited schools.

E. State Board accreditation regulations shall provide for warnings and for assistance to schools and school districts whenever there is reason to believe a school is in danger of losing its state accreditation.

F. The State Board shall provide assistance to districts in considering the possibility of meeting accreditation requirements through the use of nontraditional means of instruction. The State Board shall also assist districts in forming cooperatives and making arrangements for the use of satellite instruction or other instructional technologies to the extent that use of such instructional means meets accreditation standards.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 1210.508, as last amended by Section 12, Chapter 361, O.S.L. 1993 (70 O.S. Supp. 1994, 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 Periodically~~ the State Department of Education shall review existing norm-referenced tests commercially available and shall make recommendations to the State Board of Education which 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 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.~~ 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, constitution and government of the United States, geography, and culture and the arts, and in grade twelve, Oklahoma history, as defined by the Board, have been mastered. The tests shall measure academic competencies and 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:

Subject	Field-tested	Implemented
Mathematics	1993-94	1994-95
Science	1993-94	1994-95
Reading and Writing of English	1994-95	1995-96
<u>History, Constitution and Government of the United States</u>	1995-96	1996-97
<u>Geography, and for grade 11, includes Oklahoma history</u>	1996-97	1997-98
Culture and the Arts	1997-98	1998-99

~~E.~~ D. The Board shall cause the tests in each subject to be field-tested 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.~~ E. Results of the criterion-referenced test series required in subsection ~~D~~ C 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.~~ F. 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~~ C 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.

~~H.~~ G. The Board shall develop, 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 3. AMENDATORY 70 O.S. 1991, Section 1210.512, as amended by Section 2, Chapter 292, O.S.L. 1992 (70 O.S. Supp. 1994, Section 1210.512), is amended to read as follows:

Section 1210.512 A. 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~~, 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 4. This act shall become effective July 1, 1995.

SECTION 5. 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 House of Representatives the 10th day of May, 1995.

Speaker of the House of  
Representatives

Passed the Senate the 10th day of May, 1995.

President of the Senate