

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2897

By: Staggs

AS INTRODUCED

An Act relating to schools; requiring the State Board of Education to provide for certain tests; specifying grade levels and subjects to be tested; specifying students to be tested; requiring development and implementation of tests; specifying academic nature of tests; requiring test and reporting of results for Oklahoma history; providing for use of test results; requiring remediation and opportunities for test retakes; requiring reporting of test results; encouraging certain use of test performances; providing for certain alternate tests and accommodations for disabled students; amending 70 O.S. 1991, Section 1210.541, as last amended by Section 4, Chapter 343, O.S.L. 1996 (70 O.S. Supp. 1997, Section 1210.541), which relates to low test performance and accountability; requiring State Board of Education to adopt student test performance levels; requiring implementation of a program of recognition and incentives; providing for financial awards; changing test and standard used to determine low performance on test; deleting non-applicable provision for small schools; deleting requirement for State Board of Education to

recommend certain criteria; deleting deadline for use of certain criteria; modifying criteria for identification of low-performing and high challenge schools; modifying certain reporting standard; requiring assistance team from the State Department of Education for certain school sites and districts; repealing 70 O.S. 1991, Section 1210.508, as last amended by Section 6, Chapter 343, O.S.L. 1997 (70 O.S. Supp. 1997, Section 1210.508), which relates to the Oklahoma School Testing Program; providing for codification; providing for effective dates; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.507A of Title 70, unless there is created a duplication in numbering, reads as follows:

A. 1. Beginning with the 1999-2000 school year and every school year thereafter, the State Board of Education shall cause a series of criterion-referenced tests, with norm-referenced components in reading and mathematics, to be administered to every student enrolled in grades five, eight and eleven of the public schools of this state who is a resident of the district in which the student is currently enrolled pursuant to the provisions of Section 1-113 of Title 70 of the Oklahoma Statutes. The State Department of Education shall develop and field test criterion-referenced tests, with norm-referenced components in reading and mathematics, for the third and seventh grades for implementation by the State Board of Education in the 1999-2000 school year. The criterion-referenced

tests shall indicate whether competencies as defined by the State Board of Education which Oklahoma public school students are expected to have attained in the following subjects for the grade level tested have been mastered: mathematics, science, reading and writing of English, social studies (United States history, constitution and government, and geography), and culture and the arts. Provided, the test administered to the eleventh grade shall indicate competencies for the twelfth grade level. The tests shall measure academic competencies in correlation with the curricula standards adopted by the Board pursuant to Section 11-103.6 of Title 70 of the Oklahoma Statutes.

2. A portion of the Oklahoma State Testing Program shall consist of a criterion-referenced test in Oklahoma history, to be administered upon a student's completion of that course at the secondary school level. Results of this test shall be reported in the same manner as other tests required in this section.

B. The State Board of Education shall seek to ensure that data yielded from the tests required in subsection A of this section 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. Students who do not perform satisfactorily on the criterion-reference tests shall be provided opportunities for remediation and shall retake the tests at times established by the Board during subsequent years.

C. Results of the test series required in this section shall be returned to each school district prior to May 1 of each year and included in the summary report of the Oklahoma Educational Indicators Program published pursuant to Section 1210.531 of Title 70 of the Oklahoma Statutes. The report shall include the number of students who perform satisfactorily on the tests, the number of students who did not perform satisfactorily, and the number of

students who perform satisfactorily on subsequent administrations of the tests.

D. School districts are encouraged to use test performances as a portion of students' grades and to post test performances on students' transcripts.

E. 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 2. Amendatory 70 O.S. 1991, Section 1210.541, as last amended by Section 4, Chapter 343, O.S.L. 1996 (70 O.S. Supp. 1997, Section 1210.541), is amended to read to follows:

Section 1210.541 A. ~~Except as otherwise provided, each school with a student average score in the lowest quartile of Oklahoma students and whose student average score falls below the national average score on any~~ The State Board of Education shall determine and adopt a series of student performance levels for the criterion-referenced test administered pursuant to the Oklahoma School Testing Program Act, Section 1210.505 et seq. of this title, through the 1998-99 school year, and pursuant to Section 1 of this act, beginning with the 1999-2000 school year and each year thereafter. The performance levels shall be known as the Oklahoma Performance Index and shall be set as advanced, satisfactory, limited knowledge, and unsatisfactory.

B. The State Board of Education shall implement a program of recognition and incentive for school sites which achieve significant academic gain or performance on the criterion-referenced test as determined by the Oklahoma Performance Index. Subject to the availability of funds appropriated for this purpose, the State Board

of Education shall make financial awards to school sites achieving such improvement or attainment.

C. Each school site with a performance level of unsatisfactory on the Oklahoma Performance Index shall cooperate with the State Department of Education to develop a program of action to address such low achievement performance and shall implement such program by the beginning of the fall semester of the school year following the school year for which such low achievement performance is reported.  
~~For schools that test fewer than fifteen (15) pupils in any grade, the median or mean score may be used for purposes of this section.~~

~~B. On or before November 1, 1996, the State Board of Education shall submit a proposal to the Legislature to expand the criteria by which the standard for low-performing and high challenge schools is determined. The criteria may include:~~

~~1. Performance on the norm-referenced and criterion-referenced tests administered pursuant to the Oklahoma School Testing Program Act, including delineation of the percentages of students tested and not tested;~~

~~2. High school graduation, student attendance and student dropout rates;~~

~~3. Teacher attendance rates;~~

~~4. Student suspensions and other disciplinary measures which can be quantified;~~

~~5. Secondary student participation in and completion of the Oklahoma Higher Learning Access Program when applicable;~~

~~6. Student vocational-technical program participation and completion rates;~~

~~7. Student college entrance and preparatory test-taking rates;~~

~~8. Parental involvement rates; and~~

~~9. Any indicators reported through the Oklahoma Educational Indicators Program.~~

~~Except as otherwise provided, until the 1997-98 school year, each school with a student average score in the lowest quartile of Oklahoma students and whose student average score falls below the national average score on any test of the Oklahoma School Testing Program~~ Such school shall be declared a low-performing school, if such standard is met for one (1) or two (2) consecutive years, and a high challenge school if such standard is met for three (3) consecutive years, by the State Board of Education. ~~For schools that test fewer than fifteen (15) pupils in any grade, the median or mean score may be used for purposes of this section. Beginning with the 1997-98 school year, additional criteria as described in this subsection shall constitute part of the standard by which a school is determined to be low-performing and high challenge.~~ The State Board of Education shall report to the Legislature by November 1 all districts in which at least one school has been declared a low-performing or high challenge school. The annual report to the Legislature shall include test ~~scores~~ performance indices and other indicators for each school declared to be a low-performing or a high challenge school and shall include intervention actions that have been taken and are planned by the district board of education and the State Board of Education to ensure the proper education of the students of each such school. ~~Means~~ The State Board of Education shall assign a team from the State Department of Education to provide guidance and assistance to the school site and district until the site is no longer declared to be low-performing or high challenge. Other means of intervention which may be exercised by the State Board of Education may include but are not necessarily limited to: ~~provision of guidance and assistance to the school and school district;~~ special funding; reassignment of district personnel; transfer of students; operation of the school by personnel employed by the State Department of Education; mandatory annexation of all or part of the local school district; and placing

operation of the school with an institution of higher education as a developmental research school pursuant to the provisions of Sections 1210.571 through 1210.579 of this title if the high challenge school is within a single-site district and is within ten (10) miles of a college of education within an institution of The Oklahoma State System of Higher Education.

SECTION 3. REPEALER 70 O.S. 1991, Section 1210.508, as last amended by Section 6, Chapter 343, O.S.L. 1997 (70 O.S. Supp. 1997, Section 1210.508), is hereby repealed.

SECTION 4. Sections 1 and 2 of this act shall become effective July 1, 1998.

SECTION 5. Section 3 of this act shall become effective July 1, 1999.

SECTION 6. 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.

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