

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

SENATE BILL 1499

By: Ford

AS INTRODUCED

An Act relating to schools; creating the "LearnPower 2000 Act"; amending Section 2, Chapter 307, O.S.L. 1995 (70 O.S. Supp. 1999, Section 3-125), which relates to the Educational Deregulation Act; clarifying language; amending Section 35, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 3-150), which relates to the Academic Performance Index; providing for implementation; clarifying statutory cites; requiring the State Board of Education to adopt a grading scale; amending 70 O.S. 1991, Section 5-141.2, which relates to incentive pay plans; changing certain dates; deleting certain criteria for pay plans; modifying district incentive pay plan awards; deleting certain petition process; amending 70 O.S. 1991, Sections 6-101.26 and 6-101.27, which relate to teacher due process; deleting requirement for a trial de novo; providing for a judicial review of a board of education employment decision; deleting trial de novo procedures; amending 70 O.S. 1991, Section 6-122.3, as last amended by Section 1, Chapter 202, O.S.L. 1999 (70 O.S. Supp. 1999, Section 6-122.3), which relates to Alternative Placement teaching certification; deleting certain criteria; modifying examination requirements; adding criteria relating to approval of a local school committee; deleting certain requirements for an Alternative Placement teaching certificate; requiring participation in the residency program; modifying limitation on adjunct teachers; requiring annual reports from the Board on Alternative Placement certification; deleting certain reporting and accreditation requirements; directing the State Board of Education to develop curricular standards for middle school grades; requiring the curricular standards to include certain competencies and skills; authorizing the Board to make 4x4 awards; making grants contingent upon funding; establishing procedure for awards; stating qualifications for awards; stating purpose of the awards; amending 70 O.S. 1991, Section 698.2, as last amended by Section 47, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 698.2), which relates to forgivable loan program for higher education; providing an implementation date; amending Section 54, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 1210.508E), which relates to grade promotion of certain students; requiring certain third-grade students to complete certain remediation; modifying summer academy requirements; establishing types of

remediation programs; modifying implementation date for expansion of remediation to other grades; directing public school sites to offer certain advanced placement courses in certain grades; providing for advanced placement tests; stating legislative intent regarding remedial courses; stating legislative intent relating to payment for remedial courses; amending 70 O.S. 1991, Section 11-103.6, as amended by Section 1, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 11-103.6), which relates to curriculum standards; adding sets of competencies as a requirement for high school graduation; clarifying that listed electives are not limited; deleting diploma of honor requirements; allowing certain additional courses with certain content and rigor; defining sets of competencies; requiring school districts to offer a certain number of courses to allow students to graduate; allowing credit for certain embedded courses; directing the State Board of Education to work with local school districts on approving additional courses; modifying enrollment requirement; requiring school districts to provide a six-hour school day; amending Section 1, Chapter 251, O.S.L. 1998, as amended by Section 2, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 11-103.2c), which relates to the diploma of honor; changing name; deleting certain course and grade point requirements; deleting course qualification standard; deleting requirement relating to credit for certain courses; establishing requirements for a diploma with honors; allowing the Board to approve certain other courses; providing for credit for a standard diploma; providing for qualification of an International Baccalaureate Diploma; amending Section 15, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 3-140), which relates to the Oklahoma Charter Schools Act; allowing a student attending a charter school to participate in extramural athletics at the resident school district; providing for eligibility; providing for eligibility if the student transfers to another school district; amending Sections 20, 22, and 23, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Sections 8-101.2, 8-103.1, and 8-103.2), which relate to the Education Open Transfer Act; prohibiting a reapplication requirement; exempting certain transfers from the Education Open Transfer Act; allowing for the transfer of the child of a school district employee; modifying athletic eligibility determinations; clarifying athletic eligibility for certain transfers; amending 70 O.S. 1991, Section 1210.508, as last amended by Section 2, Chapter 356, O.S.L. 1999 (70 O.S. Supp. 1999, Section 1210.508), which relates to norm-referenced and criterion-referenced tests; deleting requirements for certain norm-referenced, criterion-referenced tests, and end-of-instruction tests; directing the State Board of Education to develop and implement a comprehensive system of assessment; requiring certain system to provide certain data; requiring certain tests; modifying certain academic competencies to include certain standards; deleting obsolete language; authorizing the State Board of Education to promulgate certain rules; providing for codification;

providing for noncodification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "LearnPower 2000 Act".

SECTION 2. AMENDATORY Section 2, Chapter 307, O.S.L. 1995 (70 O.S. Supp. 1999, Section 3-125), is amended to read as follows:

Section 3-125. The purpose of this act is to ensure that local schools have the necessary freedom to innovate and improve education systems in order to maximize student learning and performance. Pursuant to this purpose, school districts shall be allowed to develop, make application for and implement educational improvement plans which would exempt the school district, a school site or any program, grade level, consortium of schools or school districts or other group within the district from the educational-related statutory regulations set forth in subsection ~~D~~ C of Section ~~3~~ 3-126 of this ~~act~~ title and the State Board of Education rules. The plans submitted by school districts and approved by the State Board of Education should emphasize innovation, flexibility, and collaboration at the local school level, accountability at the state and local level, dissemination of results, and strict emphasis on improved student achievement.

SECTION 3. AMENDATORY Section 35, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 3-150), is amended to read as follows:

Section 3-150. A. ~~The~~ By December 31, 2000, the State Board of Education shall develop an Academic Performance Index (API) to be used to measure performance of schools, including the academic

performance of students. The index shall consist of a variety of indicators including, but not limited to:

1. Attendance rates for students and school personnel;
2. Dropout rates;
3. Results of the Oklahoma School Testing Program administered pursuant to Section 1210.508 of ~~Title 70 of the Oklahoma Statutes~~ this title;

4. Advanced Placement participation;
5. Graduation rates for secondary school students;
6. Scores of the American College Test (ACT); and
7. College remediation rates.

B. The data collected for the API shall be disaggregated by socioeconomic status and ethnic group. Oklahoma School Testing Program results shall constitute no less than sixty percent (60%) of the value of the index.

C. Based on the API, the State Board of Education shall adopt expected annual percentage growth targets for the state level, school districts, and all school sites based on their API baseline score as measured in July after implementation of this section. The Board shall also establish a grading scale, with grades of an "A" through "F", that will correspond with the API scores at the school site level. The minimum percentage growth target shall be five percent (5%) annually. However, the State Board of Education may set differential growth targets based on grade level of instruction.

SECTION 4. AMENDATORY 70 O.S. 1991, Section 5-141.2, is amended to read as follows:

Section 5-141.2 A. On or before September 1, 1990, the State Board of Education shall develop not fewer than five ~~(5)~~ different model incentive pay plans and shall distribute information about each plan to every school district board of education. ~~No plan developed by the Board or implemented by the local school board shall permit payment in any one (1) year of incentives to any one~~

~~teacher amounting to more than twenty percent (20%) of said teacher's regular salary, exclusive of fringe benefits or extra duty pay. Any incentive pay award shall be an annual award and shall not be a part of a teacher's continuing contract. Any incentive pay awards received shall be excluded from such teacher's compensation for purposes of calculating retirement pursuant to the Teachers' Retirement System of Oklahoma, established in Section 17-102 of Title 70 of the Oklahoma Statutes and shall not be subject to taxes levied by the Federal Insurance Contributions Act (F.I.C.A.), to the extent such exemption is provided by federal law.~~

B. Beginning with the ~~1991-92~~ 2000-2001 school year, each school district board of education ~~may~~ shall adopt an academically based, district incentive pay plan ~~for the district's classroom teachers. The district may adopt any incentive pay plan consistent with the requirements of this section, which may include any incentive pay plan developed by the State Board of Education pursuant to this section. The plan shall be designed to promote academic improvement, reward teachers for meritorious performance, and use empirical evidence which demonstrates that students have gained academically commensurate with the amount of time devoted to instruction and the acquisition of the expected academic skills and knowledge.~~ The local school board shall appoint an advisory committee consisting of teachers, parents, business persons or farmers and other local citizens to advise the board in formulating an incentive pay plan. Prior to the adoption of such plan, the board of education shall place such plan on the school board agenda for public comment and shall submit the plan to the State Board of Education for final approval ~~on or before March 1. The board of education shall comply with the provisions of this subsection for any year a plan is to be modified.~~ Each local school district shall have an incentive pay plan approved by the State Board of Education in compliance with this section in order to qualify for the receipt

of funding appropriated by the Legislature for the purpose of salary increases for teachers.

~~C. Beginning with the 1991-92 school year, a school district shall be required to adopt and implement an academically based, district incentive pay plan for any school year following the receipt by the school district board of education, of a petition signed by twenty percent (20%) of the classroom teachers employed in the district which calls for the adoption of an incentive pay plan for the district.~~

~~D. Pupil Student test scores results of the Oklahoma School Testing Program administered pursuant to Section 1210.508 of this title shall not be the sole criterion for allocation of incentive pay under any plan developed or approved by the Board.~~

~~E. D. For the purposes of this section only, "classroom teacher" shall mean any employee who holds certification and assignment outside the classification of administrator is assigned full-time to instruct students.~~

~~F. E. The State Board of Education shall promulgate rules ~~and regulations~~ necessary for the effective implementation and administration of this section.~~

~~G. F. Each local board of education shall provide for a local ~~evaluation~~ advisory committee which shall advise the board on which teachers are to receive incentive pay awards and the amount of each incentive pay award according to the plan.~~

~~H. G. Nothing herein shall preclude a school district from supplementing to any monies appropriated to such district for the purposes of the district's incentive pay plan, monies from the district's general fund.~~

SECTION 5. AMENDATORY 70 O.S. 1991, Section 6-101.26, is amended to read as follows:

Section 6-101.26 A. Whenever a board of education receives a superintendent's recommendation for the dismissal or nonreemployment

of a teacher, the board shall mail a copy of the recommendation to the teacher by certified mail, restricted delivery, return receipt requested or by substitute process as provided by law. By the same means, the board shall notify the teacher of such teacher's right to a hearing before the board and the date, time and place set by the board for the hearing, which shall be held within the school district not sooner than twenty (20) days or later than sixty (60) days after the teacher's receipt of notice. The notice shall specify the statutory grounds upon which the recommendation is based upon for a career teacher or shall specify the cause upon which the recommendation is based upon for a probationary teacher. Said notice shall also specify the underlying facts supporting the recommendation. At such hearing, the teacher shall be entitled to all rights guaranteed under such circumstances by the United States Constitution and the Constitution of Oklahoma.

B. The hearing shall be conducted by the local board according to procedures established by the State Board of Education.

C. Only after due consideration of the evidence and testimony presented at the hearing shall the local board decide whether to dismiss or nonreemploy the teacher. The board's decision shall be voted in open meeting. The board shall also notify the teacher of its decision, including the basis for the decision, by certified mail, restricted delivery, return receipt requested or substitute process as provided by law. If the decision is to dismiss or nonreemploy a career teacher, the board shall include notification of said teacher's right to petition for a ~~trial de novo~~ judicial review of the decision of the board in the district court within ten (10) days of receipt of notice of said decision. The board's decision regarding a probationary teacher shall be final. At the hearing the burden of proof shall be upon the superintendent or designee and the standard of proof shall be by the preponderance of the evidence. The career teacher shall receive any compensation or

benefits to which such teacher is otherwise entitled until such time as the teacher's case is ~~adjudicated at a trial de novo~~ reviewed by the district court if the career teacher petitions for the ~~trial de novo~~ review. Such compensation and benefits shall not be provided during any further appeal process. The probationary teacher shall receive any compensation or benefits to which such teacher is otherwise entitled until such time as the board's decision becomes final.

Provided, however, if the hearing for a probationary teacher is for nonreemployment of the probationary teacher, such compensation and benefits may be continued only until the end of such teacher's current contract.

SECTION 6. AMENDATORY 70 O.S. 1991, Section 6-101.27, is amended to read as follows:

Section 6-101.27 A. A career teacher shall be entitled to a ~~trial de novo~~ judicial review of the decision of the board of education in the district court of the county in which the school district is located. Within ten (10) days of receipt of the board's notification of said teacher's right to a ~~trial de novo~~ judicial review, the teacher shall file a petition for a ~~trial de novo~~ review.

~~Upon filing the petition, the court clerk shall issue a summons and cause service by mail to be made to the clerk of the local board of education by certified mail, restricted delivery with return receipt requested or substitute process as provided by law.~~

B. If, within the ten-day period, the career teacher fails to file a petition for a ~~trial de novo concerning~~ judicial review of the teacher's dismissal or nonreemployment, the teacher shall be deemed to have waived the right to a ~~trial de novo~~ judicial review and the initial determination of the board shall be final.

C. ~~The local school board shall serve its answer within twenty (20) days of the service of summons and petition upon it. The trial~~

~~de novo shall be scheduled at the earliest possible date which will permit both parties adequate time to prepare for a just trial of the issues involved, provided however, said trial de novo shall be scheduled and held not less than ten (10) days and no later than thirty (30) days after the answer has been filed.~~

~~D. Except as otherwise provided specifically in this section, the law generally applicable to civil suits filed in district court shall apply to the proceedings for trial de novo under this section. At the trial de novo the standard of proof shall be by the preponderance of the evidence and the burden of proof shall be on the district superintendent or designee, as representative of the local board of education, to establish de novo that the teacher's dismissal or nonreemployment is warranted. The trial de novo shall proceed as a nonjury trial before the court. The court shall determine de novo all issues of fact and law necessary for full adjudication of the dispute at the trial. The court shall not, by applying principles of collateral estoppel or res adjudicata or otherwise, give preclusive effect to findings of fact or determinations of the board with regard to the issues necessary to determine the adequacy of the dismissal or nonreemployment of the teacher in the trial de novo. Within three (3) days following the conclusion of the trial de novo, the judge shall prepare written findings of fact and conclusions of law and shall enter judgment directing either of the following:~~

~~1. That the local board of education reinstate the career teacher with full employment status and benefits; or~~

~~2. That the decision of the local board of education for the dismissal or nonreemployment of the career teacher be sustained.~~

~~In addition, the court may enter an order awarding the prevailing party attorneys fees and costs.~~

~~E. The time limits set forth in this section for the proceedings before the district court may be extended by mutual agreement of the parties with the approval of the district court.~~

~~F. The decision of the district court shall be final and binding upon the teacher and the board of education unless the teacher or the board of education appeals the decision of the district court in the manner provided by law for the appeal of civil cases from the district court~~ The judicial review of a decision of a board of education shall be conducted pursuant to the provisions of the Administrative Procedures Act, Sections 319 through 323 of Title 75 of the Oklahoma Statutes.

SECTION 7. AMENDATORY 70 O.S. 1991, Section 6-122.3, as last amended by Section 1, Chapter 202, O.S.L. 1999 (70 O.S. Supp. 1999, Section 6-122.3), is amended to read as follows:

Section 6-122.3 A. The State Board of Education shall grant an Alternative Placement teaching certificate to a person who makes application to the State Board and meets all of the following criteria:

1. Holds at least a baccalaureate degree from an institution whose accreditation is recognized by the Oklahoma State Regents for Higher Education;

2. Has completed a major in a field that corresponds to an area of specialization for an Elementary-Secondary Certificate, a Secondary Certificate or a vocational-technical certificate;

~~3. Declares the intention to earn Standard Certification by means of the Alternative Placement Program in not more than three (3) years. For the purposes of the Alternative Placement Program only, the State Board of Education shall determine the subject matter of professional education component pursuant to this section, and the requirements for the Professional Education component required for Standard Certification shall be as follows:~~

- a. ~~baccalaureate degree, and eighteen (18) semester hours or two hundred seventy (270) clock hours, or~~
- b. ~~postbaccalaureate degrees, teaching experience or subject matter work experience, or a combination of the three shall reduce the eighteen (18) semester hours or two hundred seventy (270) clock hours by the following:~~

<del>Degree or Experience</del>	<del>Hour Reduction</del>
<del>Master's Degree</del>	<del>6 semester hours or 90 clock hours</del>
<del>Doctorate Degree</del>	<del>6 semester hours or 90 clock hours</del>
<del>1 year teaching or subject matter work experience</del>	<del>3 semester hours or 45 clock hours</del>
<del>2 years teaching or subject matter work experience</del>	<del>6 semester hours or 90 clock hours</del>
<del>3 years teaching or subject matter work experience</del>	<del>9 semester hours or 135 clock hours</del>
<del>4 years teaching or subject matter work experience</del>	<del>12 semester hours or 180 clock hours,</del>

- c. ~~the State Board of Education shall establish a core minimum of six (6) semester hours or ninety (90) clock hours. Under no circumstance shall the number of hours be reduced to less than six (6) semester hours or ninety (90) clock hours.~~
- d. ~~for purposes of this section:~~
  - (1) ~~"teaching experience" shall mean full-time employment as a teacher in a public school, private school licensed or accredited by the State Board of Education, or institution of higher education,~~
  - (2) ~~"Subject matter work experience" shall mean work experience in a field that corresponds to the area of specialization for Elementary-Secondary~~

~~Certificate, Secondary Certificate or vocational-  
technical certificate.~~

~~Such requirements shall exclude all student teaching requirements pursuant to the provisions of subsection D of this section;~~

4. Has passed the subject area curriculum examination(s) in the area of specialization for which certification is sought; and

~~5. 4. Either presents a document from an accredited public school district in this state offering employment in the area of specialization for which certification is sought on condition that the person enroll in an Alternative Placement Program approved by the State Board of Education or declares the intention to seek employment as a teacher at an accredited public school district in this state~~ Has been approved for employment by a local school committee. The committee shall be composed of the school principal, two or more classroom teachers, two or more parents of students enrolled in the school, and two or more interested citizens. The duty of the committee shall be to ensure that the alternative placement teacher applicant is qualified by training and is otherwise suitable to teach.

B. The certificate granted pursuant to ~~this~~ subsection A of this section shall be considered a "valid certificate of qualification" for the purposes of Sections 6-107 and 6-108 of this title, and the holder of such certificate shall be considered a resident teacher for the purposes of Section 6-195 of this title.

~~B. Said certificate shall be renewed for not more than a maximum of three (3) years upon presentation of a document from an accredited public school district in this state offering renewed employment in the same area of specialization and a document from a teacher education institution verifying satisfactory progress in the appropriate Alternative Placement Program.~~

~~C. Persons enrolled in an Alternative Placement Program shall:~~

~~1. Have never been denied admittance to a teacher education program approved by the Oklahoma State Regents for Higher Education, the North Central Association of Colleges and Schools and by the Oklahoma State Board of Education to offer teacher education programs, nor have enrolled in and subsequently failed courses necessary to successfully meet the minimum requirements of such program, except those persons who hold a certificate;~~

~~2. Have on file with the director of teacher education at an Oklahoma institution of higher education a plan for meeting standard certification requirements within three (3) years;~~

~~3. Participate in the Entry-year Assistance Program, Section 6-152 et seq. of this title and have the same duties and responsibilities as other Entry-year Assistance Program participants, except those persons who hold a certificate; and~~

~~4. Document at least two (2) years of work experience which is related to the subject area of specialization if the person has only a baccalaureate degree with no postbaccalaureate work in a related area. The State Board of Education may grant an exception to a person based on that person's ability to demonstrate specific competency in the subject area of specialization.~~

~~D. Student teaching and a prestudent teaching field experience shall not be required of Alternative Placement Program participants for Standard Certification.~~

~~E. C. Persons granted an Alternative Placement teaching certificate shall participate in the residency program established pursuant to Section 6-195 of this title and have the same duties and responsibilities as other resident teachers.~~

D. The State Board of Education shall promulgate rules authorizing adjunct teachers who shall be persons with distinguished qualifications in their field. Adjunct teachers shall not be required to meet standard certification. Any such adjunct teachers

shall be limited to ~~ninety (90) clock hours~~ the equivalent of not more than two courses per semester.

~~F. Each teacher education institution shall provide the Office of Accountability an annual report of information specified by the Office of Accountability regarding participation in the Alternative Placement Program.~~

~~G. The State Board of Education shall not accredit, renew the accreditation of, or otherwise approve any teacher education program of any institution of higher education in this state that has not made a commitment to, and begun implementation of, Alternative Placement Programs in at least four areas of specialization, including mathematics, science and a foreign language, whereby individuals who meet the criteria of subsections A and C of this section are:~~

~~1. Admitted without further qualification; and~~

~~2. Offered the opportunity to complete the Standard Certification course requirements set forth in subsection A of this section during the summer preceding and the summer following the first year of teaching under the Alternative Placement Program. Provided, however, any person seeking Alternative Placement shall be permitted to take necessary courses during regular semesters if offered.~~

~~H. The criteria specified in subsection C of this section can be met through a cooperative arrangement entered into by two or more institutions of higher education.~~

E. The State Board of Education shall issue an annual report on the number and subject areas of Alternative Placement teaching certificates issued during the previous year.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-103.6c of Title 70, unless there is created a duplication in numbering, reads as follows:

A. By July 1, 2001, the State Board of Education shall develop curricular standards for instruction of students in middle school grades, sixth, seventh, and eighth grades, that are to be implemented no later than the 2002-2003 school year. The standards shall be incorporated into the Priority Academics Student Skills adopted by the Board pursuant to Section 11-103.6 of Title 70 of the Oklahoma Statutes.

B. The middle school curricular standards shall include the following competencies and skills:

1. In mathematics, all students shall either complete Algebra I with acceptable performance or pass a pre-algebra test of proficiency. Students also shall be able to apply mathematical concepts and to use mathematical reasoning to solve problems with multiple steps;

2. In science, the curriculum shall provide laboratory and technology experiences so as to allow students to apply the concepts in physical, life, and earth/space sciences that all students should learn in the middle grades;

3. In reading, instruction shall be across content areas and be a part of the academic core through the eighth grade. In addition, intensive reading courses shall be offered to students who are significantly below grade-level reading standards;

4. In language arts, students in the eighth grade shall demonstrate a well-developed vocabulary with proper grammar and spelling, and an ability to use these skills to find, organize, and report on information through reading, writing, speaking, and listening; and

5. In social studies, students in eighth grade shall be able to describe their heritage, their government, their world, and economic principles through their knowledge of the past and of key issues in the present and future.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-103.6d of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Contingent upon the provision of appropriated funds designated for the 4x4 program, the State Board of Education is hereby authorized to award schools Five Hundred Dollars (\$500.00) for each student who successfully completes four (4) years of study in each of the four core curriculum areas (English, mathematics, sciences, and social studies).

B. When a student enrolled in a school district completes a 4x4 program, the local school district shall submit a request for an award to the State Board of Education. The Board shall verify that each student has successfully completed the program before issuing an award to a school district. Awards shall be provided at the beginning of the school year following the school year in which the qualifying students graduated.

C. To qualify for a 4x4 award, the sequence of courses completed by each student shall be those courses required by the State Regents for Higher Education for college admissions.

D. 4x4 awards shall be used by school districts for improving instructional services of the schools.

SECTION 10. AMENDATORY 70 O.S. 1991, Section 698.2, as last amended by Section 47, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 698.2), is amended to read as follows:

Section 698.2 A. It is the intent of the Oklahoma Legislature that, beginning with the 2000-2001 school year, the Oklahoma State Regents for Higher Education establish a program for making available forgivable loans, as defined in this section, to students enrolled in a major course of study at the third- or fourth-year of undergraduate level or graduate level who declare an intention to serve and who subsequently serve this state by teaching in the

public schools of this state in the subject areas of shortage as determined annually by the State Board of Education.

B. The Oklahoma State Regents for Higher Education are authorized to provide student loans to persons who are enrolled at institutions of higher education in this state for the purposes specified in subsection A of this section. The loans shall be applied to the cost of said education. It is the intent of the Oklahoma Legislature that only those third- and fourth-year undergraduate and graduate students who are enrolled full time be eligible for said loans.

C. No person shall receive more than three annual loans of such kind. The maximum annual loan amount may be set by the Oklahoma State Regents for Higher Education at an amount not to exceed the normal cost of room, board, tuition, and fees at the state-supported colleges and universities, except that intersession or summer school loans may also be offered in amounts not to exceed one-third (1/3) of the annual loan amount.

D. The Oklahoma State Regents for Higher Education are authorized to forgive loans authorized pursuant to the provisions of subsection A of this section which have been provided to persons who actually render service as teachers in the public schools of this state if not less than seventy-five percent (75%) of the teaching assignment is in a subject area specified in subsection A of this section. Loan forgiveness shall be twenty percent (20%) of the total loan for each school year of service rendered up to a total of five (5) years.

E. Persons failing to complete an appropriate program of studies or to meet any other requirements for full-time teaching employment, including certification in an area of shortage, shall immediately become liable to the Oklahoma State Regents for Higher Education for the sum of all outstanding loans received pursuant to the provisions of this section. Persons liable for repayment of

loans shall also be liable for interest for the entire period of the loans at a rate to be determined at the time each loan is granted. The Oklahoma State Regents for Higher Education may grant forbearance or deferment for justifiable temporary periods of interruption of studies. In the event of a borrower's death or total and permanent disability, the Chancellor of the Oklahoma State Regents for Higher Education may cancel the borrower's indebtedness to this program. The State Regents may utilize the Oklahoma Guaranteed Student Loan Program to undertake collection of any outstanding loans.

F. The Oklahoma State Regents for Higher Education shall require the execution of appropriate contracts and promissory notes with loan recipients. The Chancellor, with approval of the State Regents, may contract with any other appropriate organization or unit of government for the administration of the provisions of this section.

G. All loans and interest repaid to the Oklahoma State Regents for Higher Education pursuant to the provisions of this section may be used for the continuation of this program.

H. If insufficient funds are available for loans to qualified persons during any fiscal year, the Chancellor may make reductions in the loans made to qualifying applicants. Priority consideration may be given to highly qualified persons previously participating and making satisfactory academic progress in the program as determined by the institution.

SECTION 11. AMENDATORY Section 54, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 1210.508E), is amended to read as follows:

Section 1210.508E A. A Contingent upon the provision of appropriated funds designated for such purpose, beginning with the 2000-2001 school year, a third-grade student who does not perform satisfactorily on the mathematics or reading portion of the

criterion-referenced test required pursuant to Section 1210.508 of this title, or if a teacher who determines a third-grade student is unable to meet mathematics or reading competencies required for completion of third grade and promotion to fourth grade, ~~shall have the authority to recommend that the~~ promotion of the student to the fourth grade ~~is~~ shall be contingent upon the ~~participation in and~~ successful completion of the required competencies by the student ~~at a summer academy~~ in a remediation program. If the student does not successfully complete the mathematics or reading competencies in ~~the summer academy remediation,~~ the student shall be retained in the third grade. ~~Summer academy programs~~ Remediation programs shall include, but are not limited to, tutorial instruction after regular school hours, on Saturdays, and during the summer and shall be designed to ensure that participating students successfully complete the mathematics or reading competencies necessary for promotion to fourth grade and to enhance next-grade readiness.

B. Beginning ~~one (1) year after implementation of this section as provided for in Section 56 of this act~~ with the 2001-2002 school year, the requirements of subsection A of this section shall be expanded to apply to fourth-grade students being promoted to fifth grade. Each year thereafter the requirements shall be expanded by one grade level until the requirements apply to third-grade students through eighth-grade students. ~~Summer academy programs~~ Remediation programs shall be designed for each grade level.

SECTION 12. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.704 of Title 70, unless there is created a duplication in numbering, reads as follows:

Beginning with the 2003-2004 school year, every public school site in the state offering grades nine through twelve, shall offer advanced placement courses, with at least one course in each of the four core curriculum areas, on the list of course offerings for the school. The school shall also make available and each student

enrolled in an advanced placement course shall take the appropriate advanced placement tests.

SECTION 13. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3218.15 of Title 70, unless there is created a duplication in numbering, reads as follows:

It is the intent of the Legislature that by the 2001-2002 school year, all remedial courses in the comprehensive universities shall be terminated. Further, it is the intent of the Legislature that by the 2004-2005 school year, all remedial courses in the four-year colleges and universities shall be terminated and that thereafter only community colleges shall include remedial courses in their schedules. It is further the intent of the Legislature that any person out of school less than five (5) years not be required to pay any fee for remedial courses at any college or university within The Oklahoma State System of Higher Education.

SECTION 14. AMENDATORY 70 O.S. 1991, Section 11-103.6, as amended by Section 1, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 11-103.6), is amended to read as follows:

Section 11-103.6 A. The State Board of Education shall adopt curricular standards for instruction of students in the public schools of this state that are necessary to ensure there is attainment of desired levels of competencies in a variety of areas to include language, mathematics, science, social studies and communication. All students shall gain literacy at the elementary and secondary levels through a core curriculum. Students must develop skills in reading, writing, speaking, computing and critical thinking. They also must learn about cultures and environments - their own and those of others with whom they share the earth. Students, therefore, must study social studies, literature, languages, the arts, mathematics and science. Such curricula shall provide for the teaching of a hands-on career exploration program in cooperation with vocational-technical education schools. The core

curriculum shall be designed to teach the competencies for which students shall be tested as provided in Section 1210.508 of this title, and shall be designed to prepare all students for employment and/or post secondary education.

B. Beginning with the 2002-2003 school year, in order to graduate from a public high school accredited by the State Board of Education with a standard diploma, students shall complete the following core curriculum units or sets of competencies at the secondary level:

1. Language Arts - 4 units or sets of competencies, to consist of 1 unit or set of competencies of grammar and composition, and 3 units ~~from the following language arts electives~~ or sets of competencies which may include, but are not limited to, the following courses: American Literature ~~or~~, English Literature ~~(which are required to qualify for the diploma of honor as provided for in Section 11-103.2 of this title)~~, World Literature, Advanced English Courses, ~~or~~ Speech or other English courses with content and rigor above the required core;

2. Mathematics - 3 units or sets of competencies, to consist of 1 unit or set of competencies of Algebra I, and 2 units ~~from the following mathematics electives~~ or sets of competencies which may include, but are not limited to, the following courses: Algebra II ~~or~~, Geometry ~~(which are required to qualify for the diploma of honor as provided for in Section 11-103.2 of this title)~~, Trigonometry, Math Analysis or Precalculus, Calculus, Statistics and/or Probability, Mathematics of Finance, Applied Mathematics I and II, ~~or~~ Computer Science or other mathematics courses with content and rigor above Algebra I. Provided, credit may be granted for Applied Mathematics I and II and Computer Science whether taught at the comprehensive high school or at a vocational-technical school;

3. Science - 3 units or sets of competencies, to consist of 1 unit or set of competencies of Biology I, and 2 units ~~from the~~

~~following science electives~~ or sets of competencies in the areas of life, physical and earth science or technology which may include, but are not limited to, the following courses: Chemistry I ~~or~~, Physics ~~(which are required to qualify for the diploma of honor as provided for in Section 11-103.2 of this title)~~, Biology II, Chemistry II, Physical Science, Earth Science, Botany, Zoology, Physiology, Astronomy, ~~or~~ Applied Science (Biology/Chemistry, Physics, and Technology) ~~or~~, the 4th year of agriculture science education when taken in the twelfth grade, or other science courses with content and rigor above Biology I. Provided, credit may be granted for the Applied Science (Biology/Chemistry, Physics, and Technology) whether taught at the comprehensive high school or at a vocational-technical school; and

4. Social Studies - 3 units or sets of competencies, to consist of 1 unit or set of competencies of United States History, 1/2 to 1 unit or set of competencies of United States Government, 1/2 unit or set of competencies of Oklahoma History, and 1/2 to 1 unit ~~from the following social studies electives~~ or set of competencies which may include, but are not limited to, the following courses: World History ~~(which is required to qualify for the diploma of honor as provided for in Section 11-103.2 of this title)~~, Geography, Economics, Anthropology, Psychology, ~~or~~ Sociology, or other social studies courses with content and rigor above the required core.

For purposes of this section, a "unit" means a Carnegie Unit as defined by the North Central Association's Commission on Schools. "Sets of competencies" means those skills or competencies specified in the Priority Academic Student Skills (PASS) adopted by the Board of Education pursuant to this section and all other skills or competencies as specified by the Board.

C. A school district shall not be required to offer every course listed in subsection B of this section, but shall be required to offer enough course selection necessary to allow a student to

meet the graduation requirements during the secondary grade years of the student.

D. 1. The State Board of Education shall adopt a plan to ensure that rigor is maintained in the content, teaching methodology, level of expectations for student achievement, and application of learning in all the courses taught to meet the graduation requirements as specified in subsection B of this section.

2. Courses designed to offer sets of competencies integrated or embedded within academic and vocational-technical courses to provide for the teaching and learning of the skills and knowledge in the Priority Academic Student Skills (PASS) adopted by the Board pursuant to this section may be awarded academic credit and counted toward meeting the graduation requirements upon completion of the skills.

3. Advanced Placement and International Baccalaureate courses may be substituted on a course-by-course basis to satisfy the academic units or sets of competencies required for high school graduation.

4. The State Board of Education shall allow as much option at the local district level as is possible without diminishing the rigor or undermining the intent of providing these courses. The State Board of Education shall work with local school districts in reviewing and approving courses taught by districts that are not specifically listed in subsection B of this section but are comparable to those listed. Local options may include, but shall not be limited to, ~~comparable~~ courses taken by concurrent enrollment ~~or,~~ advanced placement, ~~and comparable~~ or courses bearing different titles with the same or more rigor and content than those courses listed in subsection B of this section.

5. Credit for the courses required in subsection B of this section shall be given when such courses are taken in the seventh or

eighth grades if the teachers are certified to teach the courses at the intermediate or secondary level and the required course rigor is maintained.

~~D.~~ E. As a condition of receiving accreditation from the State Board of Education, all students in grades nine through twelve shall enroll in ~~a minimum of six periods, or the equivalent in block scheduling,~~ of rigorous academic and/or rigorous vocational courses each school day, which may include arts, vocal and instrumental music, speech classes, and physical education classes. School districts shall be required to provide a school day that consists of not less than six (6) hours as required in Section 1-111 of this title. Participation in extramural athletic activities shall not be a part of a physical education class for purposes of being counted as part of a school day, but may be counted for physical education course credit.

~~E.~~ F. The State Board of Education shall provide an option for high school graduation based upon attainment of the desired levels of competencies as required in tests pursuant to the provisions of Section 1210.508 of this title. Such option shall be in lieu of the amount of course credits earned.

~~F.~~ G. The State Board of Education shall prescribe, adopt and approve a promotion system based on the attainment by students of specified levels of competencies in each area of the core curriculum. Provided, however, that children who have individualized education plans pursuant to the Individuals with Disabilities Education Act (IDEA), P.L. No. 101-476 may be exempted from the requirements of this subsection.

SECTION 15. AMENDATORY Section 1, Chapter 251, O.S.L. 1998, as amended by Section 2, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 11-103.2c), is amended to read as follows:

Section 11-103.2c A. In addition to the standard diploma as required in Section 11-103.6 of this title, district boards of

education shall develop and issue a diploma ~~of~~ with honor that is to be awarded to students, beginning with students in the 2002-2003 high school graduating class who have met or exceeded the following criteria by the end of their senior year ~~in high school with at least a 3.0 grade point average on a 4.0 scale:~~

- ~~1. Earned four units in English;~~
- ~~2. Earned three units in mathematics;~~
- ~~3. Earned three units in social studies;~~
- ~~4. Earned three units in science; and~~
- ~~5. Earned one-half (1/2) additional unit in the area of technology.~~

~~B. For purposes of this section, to qualify as academic units as required in subsection A of this section, courses shall be core-curriculum courses recommended by the American College Testing Corporation.~~

~~C. For purposes of this section, advanced placement classes in the subject areas listed in paragraphs 1, 2, 3 and 4 of subsection A of this section may be substituted on a course-by-course basis to satisfy the academic units required for a diploma of honor. Applied mathematics and science classes shall not qualify as a required unit.~~

~~D. For purposes of this section, "unit" means a Carnegie Unit as defined by the North Central Association's Commission on Schools:~~

1. Completed the following core curriculum units or sets of competencies:

- a. 1 unit or set of competencies of grammar and composition, and 3 units in English of courses recommended by the American College Testing Corporation,
- b. 1 unit or set of competencies of Algebra I, and 2 units in mathematics of courses recommended by the American College Testing Corporation,

c. 1 unit or set of competencies of United States History, 1/2 to 1 unit or set of competencies of United States Government, and 1/2 unit or set of competencies of Oklahoma History, and 1 1/2 units in social studies of courses recommended by the American College Testing Corporation, and

d. 1 unit or set of competencies of Biology I, and 2 units in science of courses recommended by the American College Testing Corporation;

2. Completed 2 units or sets of competencies in foreign languages; and

3. Earned at least a 3.0 grade point average on a 4.0 scale.

B. The State Board of Education may, upon the request of a school district, approve on a course-by-course basis other courses with at least the same or more content and rigor as the courses recommended by the American College Testing Corporation which may count for academic credit for the diploma with honor.

C. Any student who completes courses required for the diploma with honor shall be considered to have met the course requirements for a standard diploma.

D. Any student who earns an International Baccalaureate Diploma shall also have met the curriculum requirements to be awarded a diploma with honor.

SECTION 16. AMENDATORY Section 15, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 3-140), is amended to read as follows:

Section 3-140. A. A charter school shall enroll those students whose legal residence is within the boundaries of the school district in which the charter school is located and who submit a timely application, or those students who transfer to the district in which the charter school is located in accordance with Section 8-103 of ~~Title 70 of the Oklahoma Statutes~~ this title, unless the

number of applications exceeds the capacity of a program, class, grade level, or building. If capacity is insufficient to enroll all eligible students, the charter school shall select students through a lottery selection process. A charter school shall give enrollment preference to eligible students who reside within the boundaries of the school district in which the charter school is located. A charter school may limit admission to students within a given age group or grade level.

B. A charter school shall admit students who reside in the attendance area of a school or in a school district that is under a court order of desegregation or that is a party to an agreement with the United States Department of Education Office for Civil Rights directed towards mediating alleged or proven racial discrimination unless notice is received from the resident school district that admission of the student would violate the court order or agreement.

C. A charter school may designate a specific geographic area within the school district in which the charter school is located as an academic enterprise zone and may limit admissions to students who reside within that area. An academic enterprise zone shall be a geographic area in which sixty percent (60%) or more of the children who reside in the area qualify for the free or reduced school lunch program.

D. Except as provided in subsections B and C of this section, a charter school shall not limit admission based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measures of achievement, aptitude, or athletic ability.

E. A student attending a charter school shall be allowed to participate in school-related extramural athletic competition provided by the school district in which the student resides if the student otherwise meets the eligibility requirements of the school district. If the student is granted a subsequent transfer to

another school district, eligibility of the student to participate in school-related extramural athletic competition shall be determined by the Oklahoma Secondary School Activities Association.

SECTION 17. AMENDATORY Section 20, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 8-101.2), is amended to read as follows:

Section 8-101.2 A. On and after January 1, 2000, the transfer of a student from the district in which the student resides to another school district furnishing instruction in the grade the student is entitled to pursue shall be granted if the transfer has the approval of the board of education of the receiving district. A student granted a transfer may continue to attend the school to which the student transferred with the approval of the receiving district only, ~~and any~~ and shall not be required to reapply for a transfer each year thereafter. Any brother or sister of such student may attend such school with the approval of the receiving district only. No student shall be permitted to transfer more than once in any school year.

If the grade a student is entitled to pursue is not offered in the district where the student resides, the transfer shall be automatically approved.

B. When a student has been transferred and later changes residence to another school district in the State of Oklahoma, the student shall be entitled to continue to attend school in the district to which the student was transferred. If a change of residence is to the district to which the student was transferred, upon affidavit of the parent of the student, that district shall become the resident district. If a student changes residence to another district during the school year which is not the same district the student transferred to, the student shall be entitled to attend school in either the receiving district or the new district of residence for the remainder of the current year.

C. Any student transfer approved for any reason prior to ~~the implementation of the Oklahoma Charter Schools Act~~ January 1, 2000, shall continue to be valid ~~until this act is fully operational or until~~ and shall not be subject to the Education Open Transfer Act unless the parent having custody chooses otherwise.

SECTION 18. AMENDATORY Section 22, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 8-103.1), is amended to read as follows:

Section 8-103.1 A local school district board of education which receives a request for a transfer for a student who does not reside in the school district may refuse the transfer in accordance with the provisions of the open transfer policy adopted by the local school district board of education. Each local board of education shall adopt an open transfer policy for the school district which specifies its criteria and standards for approval of transfers of students who do not reside in the district. The policy shall include, but shall not be limited to, provisions relating to the availability of programs, staff, or space as criteria for approval or denial of transfers. A school district may include in the policy as the basis for denial of a transfer, the reasons outlined in Section 24-101.3 of ~~Title 70 of the Oklahoma Statutes~~ this title.

In considering requests for students to transfer into a school district, the board of education shall consider the requests on a first-come, first-serve basis. A school district shall not accept or deny a transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude, or athletic ability.

A school district may allow for the transfer of a child or children of a school district employee who does not reside in the district. Such transfers shall not be subject to the application requirements of the Education Open Transfer Act.

Notwithstanding the provisions of the Education Open Transfer Act, transfers of children with disabilities shall be granted as authorized in Section 13-103 of ~~Title 70 of the Oklahoma Statutes~~ this title.

SECTION 19. AMENDATORY Section 23, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 8-103.2), is amended to read as follows:

Section 8-103.2 A. Except as otherwise provided, a student who enrolls, pursuant to the Education Open Transfer Act, in a school district in which the student is not a resident shall ~~not~~ be eligible to participate in school-related extramural athletic competition governed by the Oklahoma Secondary School Activities Association ~~for a period of one (1) year from the first day of attendance at the receiving school unless the transfer is from a school district which does not offer the grade the student is entitled to pursue~~ as determined by the Oklahoma Secondary School Activities Association.

B. If the student is granted an emergency transfer pursuant to Section 8-104 of this title or was granted a transfer for any reason prior to January 1, 2000, eligibility to participate in school-related extramural athletic competition shall be determined by the Oklahoma Secondary School Activities Association.

SECTION 20. AMENDATORY 70 O.S. 1991, Section 1210.508, as last amended by Section 2, Chapter 356, O.S.L. 1999 (70 O.S. Supp. 1999, Section 1210.508), is amended to read as follows:

Section 1210.508 A. ~~Beginning with the 2001-2002 school year and every school year thereafter, for purposes of comparison with the state criterion-referenced tests for student academic achievement at the elementary level, the State Board of Education shall cause a norm-referenced test to be administered to every student in the fourth-grade of the public schools who is a resident of or transferee into the district in which the student is enrolled.~~

~~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 fourth-grade level shall include reading, mathematics, and language arts.~~ To improve Oklahoma's accountability system, the State Board of Education shall develop and implement during the 2000-2001 school year a comprehensive system of assessment which shall be designed to provide comprehensive data on student achievement that will guide instructional practice, inform parents on the academic progress of students, serve the school in making judgments about student promotion, guide the efforts of schools to provide for the remedial and support needs of students, and serve as a basis for student, teacher, and school accountability. The comprehensive system of assessment shall at a minimum:

1. Assess reading, language arts, and mathematics for students in grades three through eight;

2. Utilize norm-referenced tests for comparing progress of Oklahoma students to other states;

3. Utilize criterion-referenced tests to measure student attainment of required academic competencies; provided, nothing in this section shall prevent the State Department of Education from utilizing criterion-referenced tests already in existence or development;

4. Statistically link norm-referenced test items to criterion-referenced test items or provide a combination norm-referenced and criterion-referenced test when possible;

5. Utilize end-of-course tests for grades nine through twelve in the subject areas of Algebra I, Biology, English, and American History; and

6. Require all students to take the American College Testing (ACT) examination prior to graduation from high school.

B. 1. ~~The~~ Through the 1999-2000 school year, the Board shall develop and administer a series of criterion-referenced tests designed to indicate whether competencies as defined by the State Board of Education which Oklahoma public school students are expected to have attained in grades five and eight in mathematics, science, reading and writing of English, history, constitution and government of the United States, geography, and the arts and for the subjects and grade levels specified in ~~paragraphs~~ paragraph 2 ~~7-3~~ ~~and 4~~ of this subsection have been achieved. Students who do not perform satisfactorily on the tests shall be provided opportunities for remediation.

2. ~~The~~ Through the 1999-2000 school year, the Board shall administer criterion-referenced tests in the reading and writing of English, mathematics, science, United States history, Constitution and government, geography, and the arts to every student in the fifth- and eighth-grades who are residents of or transferees into the district in which they are currently enrolled.

~~3. Contingent upon the availability of funds appropriated for that purpose, the State Department of Education shall develop and field-test during the 1999-2000 school year a series of criterion-referenced tests in reading/language arts, and mathematics for every student in the third-grade of the public schools who is a resident of or transferee into the district in which the student is enrolled. If the necessary funds are made available, the tests shall be implemented in the 2000-2001 school year and administered every year thereafter.~~

~~4. Each student who completes the instruction for the specified secondary level competencies, beginning with the school year listed in this paragraph and each school year thereafter, shall complete an end-of-instruction test for those competencies in order to graduate from high school. The State Board of Education shall administer the~~

~~critterion-referenced tests, to be implemented according to the following schedule:~~

<del>Subject</del>	<del>Implementation</del>
<del>English II</del>	<del>2000-2001</del>
<del>United States History</del>	<del>2000-2001</del>
<del>Biology I</del>	<del>2001-2002</del>
<del>Algebra I</del>	<del>2001-2002</del>

~~The end-of-instruction tests shall serve the purpose of the critterion-referenced tests as provided in paragraph 1 of this subsection. Students shall be afforded the opportunity to retake the tests once prior to graduation. In order to provide an indication of the levels of competency attained by the student in a permanent record for potential future employers and institutions of higher education, school districts shall report the highest achieved state test performance index on the end-of-instruction tests on the student's high school transcript. Any student at the middle school level who passes a secondary course specified in this paragraph may, upon the student's request, be administered the appropriate end-of-instruction test. It is the intent of the Legislature that, following implementation of the secondary level end-of-instruction tests, the performance data and any available research shall be reviewed for consideration of additional consequences, including, but not limited to, high school graduation.~~

C. All critterion-referenced tests required by this section shall measure academic competencies in correlation with the curricular standards adopted by the Board pursuant to Section 11-103.6 of this title. The State Board of Education shall evaluate academic competencies to ensure such competencies reflect high world-class standards, are specific, well-defined, measurable, challenging, and will prepare elementary students for next-grade-level course work and secondary students for post-secondary studies admittance at institutions of higher education or vocational-

~~technical schools~~ within The Oklahoma State System of Higher Education without the need for remediation in core curriculum areas. All academic competencies shall reflect the goal of improving the state average American College Testing (ACT) score. The State Department of Education shall annually evaluate the results of the criterion-referenced tests. The State Board of Education shall seek to ensure that data yielded from the tests required in this section are 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.

D. 1. All results and reports of the ~~criterion-referenced test series~~ tests required in ~~subsection B~~ of this section ~~for grades three, five and eight~~ shall be returned, ~~beginning with the 1998-99 school year,~~ to each school district prior to May 1 of each year.

2. State, district, and site level results of all tests required in this section shall be disaggregated by race and gender and returned to the State Department of Education and to the Education Oversight Board by June 15 of each year. Each school site shall notify the student's parents of the school's performance levels in the Oklahoma School Testing Program as reported in the Oklahoma Educational Indicators Program at the end of each school year.

E. The State Board of Education shall ~~be responsible for the development, field-testing, and validation of the criterion-referenced test series required in subsection B 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 testing program to be administered to Oklahoma students~~ promulgate rules for the implementation of this section.

F. 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 students with disabilities as required by the Individuals with Disabilities Education Act (IDEA), P.L. No. 101-476.

SECTION 21. This act shall become effective July 1, 2000.

SECTION 22. 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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