

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1678

By: Corn

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Section 3-104.4, as amended by Section 1, Chapter 188, O.S.L. 1995 (70 O.S. Supp. 2000, Section 3-104.4), which relates to accreditation standards; deleting obsolete language; requiring school district to provide instructors with certain input and consultation as a part of the Comprehensive Local Education Plan; stating type and subject of consultation; stating purpose of consultation; providing for school visits by school accreditation teams; stating composition of teams; requiring the teams to examine certain content of a school plan and progress in implementing the plan; requiring schools to meet certain goals to receive accreditation; requiring the teams to file certain reports; providing time period for implementing goals; directing school districts to provide certain training; providing for reimbursement of certain expenses for the teams; amending Section 21, Chapter 322, O.S.L. 1995, as last amended by Section 3, Chapter 289, O.S.L. 2000 (70 O.S. Supp. 2000, Section 6-200), which relates to professional development institutes; requiring the Oklahoma Commission for Teacher Preparation to develop and offer professional development institutes in enhanced norm-referenced tests; requiring certain number of hours; providing for stipends for teachers completing institutes; amending 70 O.S. 1991, Section 1210.508, as last amended by Section 1, Chapter 306, O.S.L. 2000 (70 O.S. Supp. 2000, Section 1210.508), which relates to the state testing program; modifying date for certain norm-referenced tests; modifying date and grade level of the third-grade norm-referenced test; requiring the State Board of Education to administer a fifth-grade enhanced norm-referenced test in certain subject areas; defining enhanced norm-referenced tests; changing certain criterion-referenced test to a norm-referenced test; deleting certain subject areas; deleting requirements for certain criterion-referenced tests; requiring the Board to administer a fifth-grade criterion-referenced test in writing; requiring the Board to administer a series of six through eighth grade criterion-referenced tests in certain subject areas; adding certain tests to certain requirements; amending 70 O.S. 1991, Section 1210.541, as last amended by Section 2, Chapter 306, O.S.L. 2000 (70 O.S. Supp. 2000, Section 1210.541), which relates to the Oklahoma Performance Index; adding norm-referenced and enhanced norm-referenced

tests to indicators; 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, as amended by Section 1, Chapter 188, O.S.L. 1995 (70 O.S. Supp. 2000, 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 11-103.6 of this title ~~for implementation with the 1993-94 school year~~. 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 the standards are consistent with an academic results oriented approach to accreditation, excluding those standards which deal with affective behavior to the extent the adoption of the standards 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. 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. 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.

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 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.

G. 1. As a part of the school district Comprehensive Local Education Plan, the instructors at each elementary school site shall receive input and consultation from experts in the field of science, social studies, and the arts. For purposes of this subsection, an expert shall be a curriculum coordinator specializing in the subject area, a teacher holding National Board Certification in the subject area, or a teacher or educational leader holding at least a masters degree in the subject area. The purpose of the consultation shall be to assist local instructors in determining the proper method and content in instruction and assessment of each of the above mentioned subject areas. The school principal or school superintendent shall have final authority to determine the curriculum and assessment methods used.

2. Beginning with the 2003-2004 school year, school accreditation teams shall visit at least twenty-five percent (25%) of all elementary schools in the state, and each year thereafter shall visit another twenty-five percent (25%) of the elementary schools. The accreditation teams shall be composed of administrators and certified teachers in the fields of elementary education, the arts, social studies, or sciences. The accreditation team shall examine the Comprehensive Local Education Plan for the school district with regard to the subject areas of science, social studies, and the arts in the elementary schools. The accreditation teams shall verify the progress of each elementary school site in the district in meeting the goals outlined in the district's plan. In order to receive accreditation, the school district shall demonstrate acceptable progress in meeting the goals at each school site. If the accreditation team does not verify acceptable progress at a school site, the team shall file a report with the State

Department of Education identifying the areas that need to be addressed by the school and making recommendations for intervention and additional resources. A school for which a report is filed shall have three (3) years to improve and meet the accreditation standards.

3. As a part of its professional development plan, each school district shall provide training in the proper formulation and assessment of Comprehensive Local Education Plans for qualified employees interested in serving on a school accreditation team.

4. Actual travel, meal, and lodging expenses of each school accreditation team shall be reimbursed by the State Board of Education.

SECTION 2. AMENDATORY Section 21, Chapter 322, O.S.L. 1995, as last amended by Section 3, Chapter 289, O.S.L. 2000 (70 O.S. Supp. 2000, Section 6-200), is amended to read as follows:

Section 6-200. A. Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall have authority to develop and administer training for residency committees and training for professional development through professional development institutes. Included in the professional development institutes training shall be technology training. Professional development institutes shall be accepted by the State Board of Education for professional development purposes and shall be defined as continuing education experiences which consist of a minimum of thirty (30) clock hours. The institutes shall be competency-based, emphasize effective learning practices, require collaboration among participants, and require each participant to prepare a work product which can be utilized in the classroom by the participant. Any state professional development institutes administered by the Commission shall be chosen through a competitive bid process and if funds are available subject to peer review. The Commission, prior to offering any professional development institute, shall promulgate

rules related to administering state professional development institutes.

B. With the funds appropriated in House Bill No. 1872 of the 1st Session of the 46th Oklahoma Legislature specifically for the purpose of funding professional development institutes in intensive elementary reading, the Oklahoma Commission for Teacher Preparation shall develop, offer and administer professional development institutes to train elementary school teachers in reading education. The funds shall be used for the cost of developing, administering and contracting for the professional development institutes. When possible, certified reading specialists shall be included as consultants. All costs of the institutes shall be included in the contract price and no tuition or registration fee shall be collected from teachers attending the institutes. The institutes shall be offered by or through the Commission. Working in conjunction with the State Department of Education, the Commission shall develop a state plan for administration of such institutes and shall report to the Governor and the Legislature on the format of and participation in the institutes. The State Department of Education shall cooperate with and provide any information requested to the Oklahoma Commission for Teacher Preparation as is necessary to carry out the provisions of this subsection. As additional funds become available for such purpose, the Commission shall develop and offer professional development institutes in mathematics for teachers in grades five through nine, the use of technology in the classroom, training of residency committee members in teacher mentoring and in hands-on inquiry-based science for elementary teachers.

C. Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall:

1. Make available in Fiscal Year 1999, a three-day follow-up professional development institute for teachers who participated in

an elementary school reading professional development institute during Fiscal Year 1998;

2. Provide five-day initial professional development institutes in elementary school reading for elementary school teachers and instructional leaders;

3. Contract for an independent evaluation of the elementary school reading professional development institute; and

4. Provide continued support of the elementary school reading professional development institutes through ongoing teacher development at individual school sites. Funds may be used for the cost of mentor training, payment for substitute teachers, on-site facilitation, and any other costs necessary to ensure improved reading by students.

D. Prior to the 2002-2003 school year, subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall develop and offer professional development institutes for fifth-grade teachers in the proper administration of and interpretation of the results of enhanced norm-referenced tests. The professional development institutes shall not be less than twenty (20) hours in length. Teachers who have completed a enhanced norm-referenced test professional development institute provided by the Oklahoma Commission for Teacher Preparation shall receive a stipend in the amount of One Thousand Dollars (\$1,000.00).

SECTION 3. AMENDATORY 70 O.S. 1991, Section 1210.508, as last amended by Section 1, Chapter 306, O.S.L. 2000 (70 O.S. Supp. 2000, Section 1210.508), is amended to read as follows:

Section 1210.508. A. 1. ~~Beginning with~~ For 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~~ 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.

2. Beginning with the ~~2000-2001~~ 2002-2003 school year the State Board of Education shall cause a norm-referenced test to be administered to every student in the third and 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 third-and fourth-grade level shall include reading, mathematics, and language arts. ~~The third-grade norm-referenced test shall be administered every year thereafter, until the implementation of the third-grade criterion-referenced test provided for in paragraph 3 of subsection B of this section.~~

B. ~~1.~~ Beginning with the 2002-2003 school year and every school year thereafter, the State Board of Education shall cause an enhanced norm-referenced test to be administered to every student in the fifth 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 fifth-grade level shall include reading, mathematics, and language arts. An enhanced norm-referenced test shall be a testing instrument whose results allow the measurement of student progress in comparison with other students and also mastery of the Priority Academic Student Skills adopted by the State Board of Education.

~~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 2, 3 and 4 of this subsection have been achieved. Students who do not perform satisfactorily on the tests shall be remediated, subject to the availability of funding.~~

~~2. 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 2001-2002 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 2002-2003 school year and administered every year thereafter.~~

~~4. C. Beginning with the 2002-2003 school year and every school year thereafter, the State Board of Education shall cause a criterion-referenced test in writing to be administered to every student in the fifth grade of the public schools who is a resident of or transferee into the district in which the student is enrolled.~~

~~D. Beginning with the 2002-2003 school year and every school year thereafter, the State Board of Education shall cause a series of criterion-referenced tests in mathematics, reading and writing, science, history, Constitution and government, geography, and the~~

arts to be administered to every student in grades six through eight of the public schools who is a resident of or transferee into the district in which the student is enrolled upon completion of coursework covering the appropriate Priority Academic Student Skills.

E. 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. After the end-of-instruction tests are fully implemented all students will take the tests prior to graduation, unless otherwise exempt by law. The State Board of Education shall administer the criterion-referenced tests, to be implemented according to the following schedule:

Subject	Implementation
English II	2000-2001
United States History	2000-2001
Biology I	2002-2003
Algebra I	2002-2003

The end-of-instruction tests shall serve the purpose of the criterion-referenced tests as provided in ~~paragraph 1 of this subsection~~ D of this section. 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 completes the instruction in 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.

~~E.~~ F. All criterion-referenced, norm-referenced, or enhanced norm-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 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 at institutions of higher education or vocational-technical schools 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, norm-referenced, and enhanced norm-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.~~ G. 1. All results and reports of the ~~criterion-referenced~~ test series required in ~~subsection B~~ of this section for grades three, ~~five and~~ through eight shall be returned 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 ethnic group and gender. ~~All results and reports of the criterion-referenced test series required in subsection B of this section shall be returned to~~

~~the State Department of Education and to the Office of Accountability 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. H.~~ H. The State Board of Education shall be responsible for the development, field-testing, and validation of the criterion-referenced, norm-referenced, and enhanced norm-referenced test series required in ~~subsection B of~~ this section. In the interest of economy, the Board shall adapt criterion-referenced, norm-referenced, or enhanced norm-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.

~~F. I.~~ I. 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 4. AMENDATORY 70 O.S. 1991, Section 1210.541, as last amended by Section 2, Chapter 306, O.S.L. 2000 (70 O.S. Supp. 2000, Section 1210.541), is amended to read as follows:

Section 1210.541. A. The State Board of Education shall determine and adopt a series of student performance levels for the criterion-referenced, norm-referenced, and enhanced norm-referenced tests administered pursuant to the Oklahoma School Testing Program Act, Section 1210.505 et seq. of this title. The performance levels shall be known as the Oklahoma Performance Index and shall be set by a method similar to that used for the achievement levels on the National Assessment of Educational Progress. Student performance

levels shall be labeled: advanced, satisfactory, limited knowledge, and unsatisfactory.

B. Contingent upon the availability of funds, the State Board of Education shall award school sites which demonstrate academic achievement on the criterion-referenced, norm-referenced, or enhanced norm-referenced tests as determined by the Oklahoma Performance Index. The award shall consist of recognition and incentive for achievement measured against benchmarks. The State Board of Education shall report to the Legislature by November 1 of each year the school sites which have demonstrated academic achievement pursuant to the provisions of this subsection.

C. For the 1999-2000 school year and every year thereafter the State Board of Education shall identify and publish annually by site and by district the results of the tests, presented in context with other relevant information.

D. School sites at which more than thirty percent (30%) of students score Unsatisfactory in both reading/English and mathematics on the grade-level criterion-referenced, norm-referenced, or enhanced norm-referenced tests or on the secondary end-of-instruction tests shall be declared a low-performing school. School sites which administer any norm-referenced test as required by the Oklahoma School Testing Program which have a student average score in the lowest quartile of Oklahoma students and whose student average score falls below the national average score shall be declared a low-performing school. School sites identified as low-performing for three (3) consecutive years shall be declared a high challenge school by the State Board of Education.

E. Other relevant information employed by the State Board of Education to identify low-performing and high challenge schools may include, but shall not be limited to, the following criteria:

1. Delineation of the percentages of students not tested on criterion-referenced tests;

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.

F. Subject to the availability of funds, the State Department of Education shall provide funding to school sites identified as low-performing and high challenge for remediation. The State Board of Education shall assign a team 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: 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 5. This act shall become effective July 1, 2001.

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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