

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1511

By: Dank

COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2001, Section 1-109, as amended by Section 1, Chapter 236, O.S.L. 2002 (70 O.S. Supp. 2002, Section 1-109), which relates to the length of a school year; establishing a starting date of the school year; deleting certain school year length requirements; providing exceptions to the starting date for certain activities; allowing an exception for a school district upon approval of the State Board of Education; requiring submission of a request; limiting approval; directing the Board to adopt rules; amending 70 O.S. 2001, Section 1210.508, which relates to the Oklahoma School Testing Program; changing date for the return of test results and reports; adding certain tests; deleting duplicative language; 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. 2001, Section 1-109, as amended by Section 1, Chapter 236, O.S.L. 2002 (70 O.S. Supp. 2002, Section 1-109), is amended to read as follows:

Section 1-109. A. A Beginning with the 2004-2005 school year, a school year for all public schools in Oklahoma shall ~~consist of at least ten (10) months of four (4) weeks~~ begin on any day after September 1, ~~during which time~~ and school shall actually be in session and instruction offered for not less than one hundred eighty (180) days.

B. The provisions of subsection A of this section shall not prohibit a school district from:

1. Scheduling athletic or other extracurricular activities, contests or practices prior to September 1;

2. Scheduling in-service training programs or staff work days prior to September 1; or

3. Offering an extended school year according to the provisions of Section 1-109.1 of this title.

C. Five (5) days of the one hundred eighty (180) days of instruction may be used for attendance of professional meetings and teachers may be paid for a length of term in excess thereof, under conditions hereinafter outlined. Subject to district board of education policy or collective bargaining agreement, additional professional leave days may be granted for individual teachers to attend or participate in professional meetings, staff development training, or National Board certification portfolio development. During two (2) days of the additional professional days granted to teachers for National Board certification portfolio development, a substitute teacher shall be provided by the school district at no cost to the teacher.

D. A school district may authorize parent-teacher conferences to be held during a regular school day. Following such authorization by the school district, these conferences shall be counted towards a school day, as defined in Section 1-111 of this title, and included as part of the one hundred seventy-five (175) days of classroom instruction.

E. A school district may maintain school for less than a full term only when conditions beyond the control of school authorities make the maintenance of the term impossible and the State Board of Education has been apprised and has expressed concurrence in writing.

F. A school district may begin school prior to September 1 upon approval by the State Board of Education. The school district shall submit a request to the Board stating the reasons for an earlier starting date. The Board shall approve the request only upon a showing of extraordinary circumstances. The Board shall adopt rules

establishing criteria for implementing the provisions of this subsection.

~~B.~~ G. The State Board of Education shall establish criteria for an extended day schedule. The criteria shall:

1. Prescribe a lengthened school day within limits determined not to be detrimental to quality instruction; and

2. Ensure that the schedule is equivalent in annual hours of instruction to the one-hundred-eighty-day school year specified in subsection A of this section; and

3. Be consistent with the provisions of this section and Sections 1-110 through 1-112 of this title, but may result in fewer annual days of instruction.

The State Board of Education may authorize school districts to implement an extended day schedule for instruction pursuant to the criteria developed. The State Board of Education shall require the participating school districts to prepare a report of the impact of the extended day schedule.

SECTION 2. AMENDATORY 70 O.S. 2001, Section 1210.508, is amended to read as follows:

Section 1210.508 A. 1. Contingent upon the availability of funding, 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.

2. Beginning with the 2000-2001 school year the State Board of Education shall cause a norm-referenced test to be administered to 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. 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-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. 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. 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. The English II end-of-instruction test shall, at a minimum, assess writing skills. 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.

C. All criterion-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 technology center 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 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 required in subsection B of this section for grades three, five and eight and the norm-referenced tests required in subsection A of this section shall be returned to each school district prior to ~~May 1~~ June 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. 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.

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 3. This act shall become effective July 1, 2003.

SECTION 4. 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.

49-1-6448 KB 02/20/03