

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1414

By: Staggs

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1210.508, which relates to the Oklahoma School Testing Program Act; deleting certain norm-referenced test requirement; limiting time for administering certain norm-referenced test; modifying grade level and subject area of the criterion-referenced tests to conform to federal law requirements; requiring administration of certain tests to middle level students upon request; modifying grade level for certain results and reports; 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 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 through the 2003-2004 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, as required by federal law, 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~~ three through eight in the subjects specified in paragraphs 1 through 5 have been achieved. After the effective date of this act, the Board shall continue to administer any criterion-referenced tests which were implemented prior to the effective date in this act, and while continuing to administer those criterion-referenced tests, the Board shall work on developing improvements to the tests as required by federal law. After the effective date of this act, the development and administration of any criterion-referenced tests or the development of improvements to any criterion-referenced test administered prior to the effective date of this act shall be made in accordance with federal law and funded with federal funds. The Board may develop and administer any criterion-referenced test not required by federal law, contingent upon the availability of

funding. 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. 1. Contingent upon the availability of federal 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 administer criterion-referenced tests for grades three and four in:~~

- ~~a. reading, and~~
- ~~b. mathematics.~~

~~The tests shall be developed or may be improved during the 2003-2004 school year, field tested during the 2004-2005 school year, implemented in the 2005-2006 school year and administered each year thereafter.~~

~~2. Contingent upon the availability of state and federal funds, the State Department of Education shall administer criterion-referenced tests for grade five in:~~

- ~~a. reading or language arts,~~
- ~~b. science, and~~
- ~~c. mathematics.~~

~~The reading and mathematics tests may be improved using federal funds during the 2003-2004 and the 2004-2005 school years. The~~

science test may be improved during the 2005-2006 and 2006-2007 school years.

3. Contingent upon the availability of state and federal funds, the State Department of Education shall administer criterion-referenced tests for grade six in:

- a. reading or language arts, and
- b. mathematics.

The reading and mathematics tests shall be developed during the 2003-2004 school year, field tested during the 2004-2005 school year, implemented in the 2005-2006 school year and administered each year thereafter.

4. Contingent upon the availability of state and federal funds, the State Department of Education shall administer criterion-referenced tests for grade seven in:

- a. reading or language arts, and
- b. mathematics.

The reading and mathematics tests shall be developed during the 2003-2004 school year, field tested during the 2004-2005 school year, implemented in the 2005-2006 school year and administered each year thereafter.

5. Contingent upon the availability of state and federal funds, the State Department of Education shall administer criterion-referenced tests for grade eight in:

- a. reading or language arts,
- b. science, and
- c. mathematics.

The reading and mathematics tests may be improved during the 2003-2004 and the 2004-2005 school years. The science test may be improved during the 2005-2006 and the 2006-2007 school years.

~~4.~~ 6. 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~~ shall, 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 postsecondary 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 paragraphs 1 through 5 of subsection B of this section for grades three, ~~five and~~ through eight shall be returned to the State Department of Education, the Office of Accountability, and 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. 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 2. This act shall become effective July 1, 2003.

SECTION 3. 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.

49-1-5185            KB            01/20/03