STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE CONCURRENT
RESOLUTION HCR1052: Staggs

AS INTRODUCED

A Concurrent Resolution memorializing the Oklahoma Congressional Delegation to support legislation and regulations that modify certain requirements of the No Child Left Behind Act of 2001; and directing distribution.

WHEREAS, the United States Department of Education has taken on a significant role in the education of students across the country through the reauthorization of the Elementary and Secondary Education Act of 2001 (ESEA), P.L. No. 107-110, also known as the No Child Left Behind Act of 2001 (NCLB); and

WHEREAS, the NCLB legislation provides for greater accountability for all student learning by using yearly data in grades three through eight; and

WHEREAS, the goal of the NCLB act is to use scientifically based research methods and materials to achieve proficiency levels on state-adopted criterion-referenced tests that are aligned to challenging state academic content standards with sufficient funding provided for the development and initial administration of the state assessments; and

WHEREAS, under NCLB, all test scores for students must be disaggregated by economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students that are English language learners, and all such groups must meet the state academic achievement standards in order to meet Adequate Yearly Progress (AYP) , which will be a significant

challenge, especially in rural states where each of those student groups have small population numbers; and

WHEREAS, highly qualified teachers and student remediation are integral parts of NCLB and of schools achieving Adequate Yearly Progress (AYP) for all children under NCLB; and

WHEREAS, administering the same grade-level criterion-referenced tests to special education students as is administered to regular students is inappropriate, and expecting them to achieve at the same rate and to the same extent as all other groups of students is also inappropriate; and

WHEREAS, to not allow for the "grandfathering" of qualified career teachers who have taught for decades in highly productive classrooms across the country and who meet and sometimes exceed state standards and identifying them as not "highly qualified" because they have not met standards that were established in 2001 in the NCLB legislation is inappropriate; and

WHEREAS, expecting special education teachers and alternative education teachers to be certified in all content areas in which they teach children with special needs is inappropriate; and

WHEREAS, adequate annual funding for the necessary remediation of students who are not meeting the satisfactory and advanced/proficient performance standards is a necessity if states are to meet the goals of NCLB.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 49TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma Legislature memorializes the Oklahoma Congressional Delegation to take all possible action to actively support passage of any legislation to amend NCLB and to encourage the United States Department of Education to issue regulations implementing NCLB that:

1. Provide for appropriate testing of special education students and English language learners, or if appropriate testing is not feasible to exclude the test scores of such students from the state academic achievement standards;

2. Recognize qualified career teachers who have taught in highly productive classrooms and who meet state standards as highly qualified; and

3. Do not require special education and alternative education teachers to be certified in all content areas.

THAT a copy of this resolution be distributed to each member of the Oklahoma Congressional Delegation, the Secretary of the United States Department of Education, and the President of the United States.

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