

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2608

By: Dank of the House

3
4 and

5 Paddack and Wilcoxson of
the Senate

6
7
8
9 (schools - amending six sections in Title 70 -

10 Oklahoma School Testing Program Act - amending 47

11 O.S., Sections 6-107.3 and 6-107.4 - driver license

12 or permit -

13 effective date)

14
15 AMENDMENT NO. 1: Page 1, strike the title, enacting clause
and entire bill and insert

16
17 "[schools - high school graduation requirements -

18 Oklahoma School Testing Program Act - driver

19 license or permit - effective date -

20 emergency]

21
22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. AMENDATORY 70 O.S. 2001, Section 11-103.6, as
24 last amended by Section 7, Chapter 432, O.S.L. 2005 (70 O.S. Supp.
25 2005, Section 11-103.6), is amended to read as follows:

26 Section 11-103.6 A. The State Board of Education shall adopt
27 curricular standards for instruction of students in the public
28 schools of this state that are necessary to ensure there is
29 attainment of desired levels of competencies in a variety of areas
30 to include language, mathematics, science, social studies and
31 communication. All students shall gain literacy at the elementary
32 and secondary levels through a core curriculum. Students must

1 develop skills in reading, writing, speaking, computing and critical
2 thinking. They also must learn about cultures and environments -
3 their own and those of others with whom they share the earth.
4 Students, therefore, must study social studies, literature,
5 languages, the arts, mathematics and science. Such curricula shall
6 provide for the teaching of a hands-on career exploration program in
7 cooperation with technology center schools. The core curriculum
8 shall be designed to teach the competencies for which students shall
9 be tested as provided in Section 1210.508 of this title, and shall
10 be designed to prepare all students for employment and/or
11 postsecondary education.

12 B. In order to graduate from a public high school accredited by
13 the State Board of Education with a standard diploma, students shall
14 complete the following ~~core~~ college preparatory curriculum units or
15 sets of competencies at the secondary level:

16 1. Four units of English to include Grammar, Composition,
17 Literature, or any English course approved for college admission
18 requirements;

19 2. Three units of mathematics, limited to Algebra I, Algebra
20 II, Geometry, Trigonometry, Math Analysis, Calculus, Advanced
21 Placement Statistics, or any mathematics course with content and/or
22 rigor above Algebra I and approved for college admission
23 requirements;

24 3. Three units of laboratory science, limited to Biology,
25 Chemistry, Physics, or any laboratory science course with content
26 and/or rigor equal to or above Biology and approved for college
27 admission requirements;

28 4. Three units of history and citizenship skills, including one
29 unit of American History, one-half unit of Oklahoma History, one-
30 half unit of United States Government and one unit from the subjects
31 of History, Government, Geography, Economics, Civics, or Non-Western
32 culture and approved for college admission requirements;

1 5. Two units of the same foreign or non-English language or two
2 units of computer technology approved for college admission
3 requirements, whether taught at a high school or a technology center
4 school, including computer programming, hardware, and business
5 computer applications such as word processing, databases,
6 spreadsheets, and graphics, excluding keyboarding or typing courses;

7 6. One additional unit selected from paragraphs 1 through 5 of
8 this subsection or career and technology education courses approved
9 for college admission requirements; and

10 7. One unit or set of competencies of fine arts, such as music,
11 art, or drama, or one unit of speech.

12 C. In lieu of the requirements of subsection B of this section
13 which requires a college preparatory curriculum, a student may
14 enroll in the core curriculum as provided in subsection D of this
15 section upon approval of the parent or legal guardian of the
16 student. School districts may require a parent or legal guardian of
17 the student to meet with a designee of the school prior to
18 enrollment in the core curriculum. The State Department of
19 Education shall develop and distribute to school districts a form
20 suitable for this purpose, which shall include information on the
21 benefits to students of completing the college preparatory
22 curriculum as provided for in subsection B of this section.

23 D. Subject to the requirements of subsection C of this section,
24 in order to graduate from a public high school accredited by the
25 State Board of Education with a standard diploma, students shall
26 complete the following core curriculum units or sets of competencies
27 at the secondary level:

28 1. Language Arts - 4 units or sets of competencies, to consist
29 of 1 unit or set of competencies of grammar and composition, and 3
30 units or sets of competencies which may include, but are not limited
31 to, the following courses:

32 a. American Literature,

- b. English Literature,
- c. World Literature,
- d. Advanced English Courses, or
- e. other English courses with content and/or rigor equal to or above grammar and composition;

2. Mathematics - 3 units or sets of competencies, to consist of 1 unit or set of competencies of Algebra I or Algebra I taught in a contextual methodology, and 2 units or sets of competencies which may include, but are not limited to, the following courses:

- a. Algebra II,
- b. Geometry or Geometry taught in a contextual methodology,
- c. Trigonometry,
- d. Math Analysis or Precalculus,
- e. Calculus,
- f. Statistics and/or Probability,
- g. Computer Science,
- h. contextual mathematics courses which enhance technology preparation whether taught at a:
 - (1) comprehensive high school, or
 - (2) technology center school when taken in the eleventh or twelfth grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education,
- i. mathematics courses taught at a technology center school by a teacher certified in the secondary subject area when taken in the eleventh or twelfth grade upon approval of the State Board of Education and the independent district board of education, or
- j. equal to or above Algebra I;

1 3. Science - 3 units or sets of competencies, to consist of 1
2 unit or set of competencies of Biology I or Biology I taught in a
3 contextual methodology, and 2 units or sets of competencies in the
4 areas of life, physical, or earth science or technology which may
5 include, but are not limited to, the following courses:

- 6 a. Chemistry I,
- 7 b. Physics,
- 8 c. Biology II,
- 9 d. Chemistry II,
- 10 e. Physical Science,
- 11 f. Earth Science,
- 12 g. Botany,
- 13 h. Zoology,
- 14 i. Physiology,
- 15 j. Astronomy,
- 16 k. Applied Biology/Chemistry,
- 17 l. Applied Physics,
- 18 m. Principles of Technology,
- 19 n. qualified agricultural education courses,
- 20 o. contextual science courses which enhance technology
21 preparation whether taught at a:
 - 22 (1) comprehensive high school, or
 - 23 (2) technology center school when taken in the
24 eleventh or twelfth grade, taught by a certified
25 teacher, and approved by the State Board of
26 Education and the independent district board of
27 education,
- 28 p. science courses taught at a technology center school
29 by a teacher certified in the secondary subject area
30 when taken in the eleventh or twelfth grade upon
31 approval of the State Board of Education and the
32 independent district board of education, or

1 q. other science courses with content and/or rigor equal
2 to or above Biology I;

3 4. Social Studies - 3 units or sets of competencies, to consist
4 of 1 unit or set of competencies of United States History, 1/2 to 1
5 unit or set of competencies of United States Government, 1/2 unit or
6 set of competencies of Oklahoma History, and 1/2 to 1 unit or set of
7 competencies which may include, but are not limited to, the
8 following courses:

9 a. World History,

10 b. Geography,

11 c. Economics,

12 d. Anthropology, or

13 e. other social studies courses with content and/or rigor
14 equal to or above United States History, United States
15 Government, and Oklahoma History; and

16 5. Arts - 2 units or sets of competencies which may include,
17 but are not limited to, courses in Visual Arts and General Music.

18 ~~C.~~ E. 1. In addition to the ~~15 units or sets of competencies~~
19 ~~of core~~ curriculum requirements ~~established in~~ of either subsection
20 B or D of this section, in order to graduate from a public high
21 school accredited by the State Board of Education students shall
22 complete any additional course requirements or recommended elective
23 courses as may be established by the State Board of Education and
24 the district school board. School districts shall strongly
25 encourage students to complete two units or sets of competencies of
26 foreign languages and two units or sets of competencies of physical
27 and health education.

28 ~~D.~~ 2. No student shall receive credit for high school
29 graduation more than once for completion of the same unit or set of
30 competencies to satisfy the ~~core~~ curriculum requirements of
31 ~~subsection B~~ of this section.

1 ~~E.~~ 3. A school district shall not be required to offer every
2 course listed in ~~subsection~~ subsections B and D of this section, but
3 shall offer sufficient courses to allow a student to meet the
4 graduation requirements during the secondary grade years of the
5 student.

6 F. For purposes of this section:

7 1. "Contextual methodology" means academic content and skills
8 taught by utilizing real-world problems and projects in a way that
9 helps students understand the application of that knowledge;

10 2. "Qualified agricultural education courses" means courses
11 that have been determined by the State Board of Education to offer
12 the sets of competencies in the Priority Academic Student Skills
13 (PASS), as adopted by the Board, for one or more science content
14 areas and which correspond to academic science courses. Qualified
15 agricultural education courses shall include, but are not limited
16 to, Horticulture, Plant and Soil Science, Natural Resources and
17 Environmental Science, and Animal Science. The courses shall be
18 taught by teachers certified in agricultural education and comply
19 with all rules of the Oklahoma Department of Career and Technology
20 Education;

21 3. "Rigor" means a level of difficulty that is appropriate for
22 the grade level and that meets state and/or national standards;

23 4. "Sets of competencies" means those skills and competencies
24 that are specified in the Priority Academic Student Skills (PASS),
25 as adopted by the State Board of Education, subchapter 5, Chapter
26 15, Title 210 of the Oklahoma Administrative Code, and other skills
27 and competencies adopted by the Board; and

28 5. "Unit" means a Carnegie Unit as defined by the North Central
29 Association's Commission on Schools.

30 G. 1. The State Board of Education shall adopt a plan to
31 ensure that rigor is maintained in the content, teaching
32 methodology, level of expectations for student achievement, and

1 application of learning in all the courses taught to meet the
2 graduation requirements as specified in ~~subsection B~~ of this
3 section.

4 2. The State Board of Education shall allow as much flexibility
5 at the district level as is possible without diminishing the rigor
6 or undermining the intent of providing these courses. To accomplish
7 this purpose, the State Department of Education shall work with
8 school districts in reviewing and approving courses taught by
9 districts that are not specifically listed in ~~subsection~~ subsections
10 B and D of this section. Options may include, but shall not be
11 limited to, courses taken by concurrent enrollment, advanced
12 placement, or correspondence, or courses bearing different titles.

13 3. Technology center school districts may offer programs
14 designed in cooperation with institutions of higher education which
15 have an emphasis on a focused field of career study upon approval of
16 the State Board of Education and the independent district board of
17 education. Students in the tenth grade may be allowed to attend
18 these programs for up to one-half (1/2) of a school day and credit
19 for the units or sets of competencies required in paragraphs 2 and 3
20 of ~~subsection~~ subsections B or D of this section shall be given if
21 the courses are taught by a teacher certified in the secondary
22 subject area; provided, credit for units or sets of competencies
23 pursuant to subsection B of this section shall be approved for
24 college admission requirements.

25 4. If a student enrolls in a concurrent course, the school
26 district shall not be responsible for any costs incurred for that
27 course, unless the school district does not offer enough course
28 selection during the student's secondary grade years to allow the
29 student to receive the courses needed to meet the graduation
30 requirements of ~~subsection B~~ of this section. If the school
31 district does not offer the necessary course selection during the
32 student's secondary grade years, it shall be responsible for the

1 cost of resident tuition at an institution in The Oklahoma State
2 System of Higher Education, fees, and books for the concurrent
3 enrollment course, and providing for transportation to and from the
4 institution to the school site.

5 It is the intent of the Legislature that for students enrolled
6 in a concurrent enrollment course which is paid for by the school
7 district pursuant to this paragraph, the institution charge only the
8 supplementary and special service fees that are directly related to
9 the concurrent enrollment course and enrollment procedures for that
10 student. It is further the intent of the Legislature that fees for
11 student activities and student service facilities, including the
12 student health care and cultural and recreational service fees, not
13 be charged to such students.

14 5. Credit for the units or sets of competencies in mathematics
15 required in ~~paragraph 2~~ of subsection B or D of this section shall
16 be given when such units or sets of competencies are taken in the
17 seventh or eighth grades if the teachers are certified or authorized
18 pursuant to Section 6-189.1 of this title to teach the subjects for
19 high school credit and the required rigor is maintained. Beginning
20 with ninth-grade students enrolled in the 2008-2009 school year, the
21 three units or sets of competencies in mathematics required in
22 subsection B or D of this section shall be completed in the ninth
23 through twelfth grades; provided, if a student completes any
24 required courses in mathematics prior to ninth grade, the student
25 may take any other mathematics courses to fulfill the requirement to
26 complete three units in grades nine through twelve after the student
27 has satisfied the requirements of paragraph 2 of subsection ~~B~~ D of
28 this section.

29 6. All units or sets of competencies required for graduation
30 may be taken in any sequence recommended by the school district.

31 H. As a condition of receiving accreditation from the State
32 Board of Education, all students in grades nine through twelve shall

1 enroll in a minimum of six periods, or the equivalent in block
2 scheduling, of rigorous academic and/or rigorous vocational courses
3 each day, which may include arts, vocal and instrumental music,
4 speech classes, and physical education classes.

5 I. 1. Academic and vocational-technical courses designed to
6 offer sets of competencies integrated or embedded within the course
7 that provide for the teaching and learning of the appropriate skills
8 and knowledge in the Priority Academic Student Skills (PASS), as
9 adopted by the State Board of Education, may upon approval of the
10 Board be counted for academic credit and toward meeting the
11 graduation requirements of ~~subsection B~~ of this section.

12 2. Internet-based courses offered by a technology center school
13 that are taught by a certified teacher and provide for the teaching
14 and learning of the appropriate skills and knowledge in the PASS
15 may, upon approval of the State Board of Education and the
16 independent district board of education, be counted for academic
17 credit and toward meeting the graduation requirements of ~~subsection~~
18 ~~B~~ of this section.

19 3. Internet-based courses or vocational-technical courses
20 utilizing integrated or embedded skills for which no Priority
21 Academic Student Skills have been adopted by the State Board of
22 Education may be approved by the Board if such courses incorporate
23 standards of nationally recognized professional organizations and
24 are taught by certified teachers.

25 4. Courses offered by a supplemental education organization
26 that is accredited by a national accrediting body and that are
27 taught by a certified teacher and provide for the teaching and
28 learning of the appropriate skills and knowledge in the PASS may,
29 upon approval of the State Board of Education and the school
30 district board of education, be counted for academic credit and
31 toward meeting the graduation requirements of ~~subsection B~~ of this
32 section.

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

6 K. The State Board of Education shall prescribe, adopt and
7 approve a promotion system based on the attainment by students of
8 specified levels of competencies in each area of the core
9 curriculum.

10 L. Children who have individualized education programs pursuant
11 to the Individuals with Disabilities Education Act (IDEA), and who
12 satisfy the graduation requirements through the individualized
13 education program for that student shall be awarded a standard
14 diploma.

15 M. Students enrolled in an alternative education program who
16 meet the requirements of their plans leading to high school
17 graduation developed pursuant to Section 1210.568 of this title
18 shall be awarded a standard diploma.

19 N. Any student who completes the curriculum requirements of the
20 International Baccalaureate Diploma Program shall be awarded a
21 standard diploma.

22 O. ~~Notwithstanding any other provision of law, any~~ Any student
23 who successfully completes an advanced mathematics or science course
24 offered pursuant to Section 1210.404 of this title shall be granted
25 academic credit toward meeting the graduation requirements pursuant
26 to paragraph 2 or 3, as appropriate, of subsection B or D of this
27 section.

28 P. For purposes of this section, the courses approved for
29 college admission requirements shall be courses which are approved
30 by the Oklahoma State Regents for Higher Education for admission to
31 an institution within The Oklahoma State System of Higher Education.
32

1 Q. The State Department of Education shall collect and report
2 data by school site and district on the number of students who
3 enroll in the core curriculum as provided in subsection D of this
4 section.

5 SECTION 2. AMENDATORY 70 O.S. 2001, Section 1210.508, as
6 amended by Section 2, Chapter 428, O.S.L. 2003 (70 O.S. Supp. 2005,
7 Section 1210.508), is amended to read as follows:

8 Section 1210.508 A. 1. Beginning with the 2000-2001 school
9 year through the 2003-2004 school year, the State Board of Education
10 shall cause a norm-referenced test to be administered to every
11 student in the third grade of the public schools who is a resident
12 of or transferee into the district in which the student is enrolled.
13 The test used shall be selected by the Board and shall measure
14 specific skills represented by learner objectives. The student
15 skills to be tested at the third-grade level shall include reading,
16 mathematics, and language arts.

17 The State Board of Education shall develop and administer a
18 series of criterion-referenced tests designed to indicate whether
19 the state academic content standards, as defined by the State Board
20 of Education in the Priority Academic Student Skills Curriculum,
21 which Oklahoma public school students are expected to have attained
22 have been achieved. The Board may develop and administer any
23 criterion-referenced test in any subject not required by federal
24 law, contingent upon the availability of funding. Students who do
25 not perform satisfactorily on tests shall be remediated, subject to
26 the availability of funding.

27 2. The Board shall administer criterion-referenced tests in the
28 reading and writing of English, mathematics, science, and social
29 studies as delineated in paragraphs 3 and 4 of this subsection to
30 every student in the fifth- and eighth-grades.

31 3. Contingent upon the availability of funds, each year the
32 Board shall continue to administer and improve, refine and align the

1 fifth-grade criterion-referenced test with the state academic
2 content standards in:

- 3 a. reading,
- 4 b. mathematics,
- 5 c. science,
- 6 d. social studies, which shall consist of the history,
7 Constitution and government of the United States, and
8 geography, and
- 9 e. writing of English.

10 The State Department of Education shall convene a group of
11 specialists in social studies from faculty from institutions of
12 higher education, the Oklahoma State Regents for Higher Education,
13 and various teachers and other appropriate individuals to advise and
14 assist the State Department of Education on the implementation of
15 the fifth-grade social studies test and report to the Legislature on
16 or before December 1, 2003, on implementation of test.

17 4. Contingent upon the availability of funds, each year the
18 Board shall continue to administer and to improve, refine, and align
19 the eighth-grade criterion-referenced test with the state academic
20 content standards in:

- 21 a. reading,
- 22 b. mathematics,
- 23 c. science,
- 24 d. social studies, which shall consist of the history,
25 Constitution, and government of the United States, and
- 26 e. writing of English.

27 5. Contingent upon the availability of state and federal funds,
28 the Board, in accordance with federal law, shall administer
29 criterion-referenced tests for grades three and four in:

- 30 a. reading, and
- 31 b. mathematics.

32

1 The tests shall be developed during the 2002-2003 school year,
2 field-tested during the 2003-2004 school year, implemented during
3 the 2004-2005 school year and administered each year thereafter.

4 6. Contingent upon the availability of state and federal funds,
5 the Board, in accordance with federal law, shall administer
6 criterion-referenced tests for grades six and seven in:

- 7 a. reading, and
- 8 b. mathematics.

9 The tests shall be developed during the 2003-2004 school year,
10 field-tested during the 2004-2005 school year, implemented during
11 the 2005-2006 school year and administered each year thereafter. In
12 addition, the geography criterion-referenced test currently
13 administered in the eighth grade shall be modified to measure the
14 state academic content standards for geography for the seventh
15 grade. The test shall be field-tested if necessary during the 2003-
16 2004 school year, implemented during the 2004-2005 school year and
17 administered each year thereafter to students in the seventh grade.
18 Provided, the test shall be implemented during the 2003-2004 school
19 year if field-testing is determined not to be necessary.

20 7. Each student who graduates from high school prior to the
21 2011-2012 school year and completes the instruction for English II,
22 United States History, Biology I, and Algebra I at the secondary
23 level shall complete an end-of-instruction test to measure for
24 attainment in the appropriate state academic content standards in
25 order to graduate from high school. All students shall take the
26 tests prior to graduation, unless otherwise exempt by law. The
27 State Board of Education shall administer the criterion-referenced
28 tests.

29 The end-of-instruction tests shall serve the purpose of the
30 criterion-referenced tests as provided in paragraph 1 of this
31 subsection. The English II end-of-instruction test shall, at a
32 minimum, assess writing skills. Students shall be afforded the

1 opportunity to retake the tests once prior to graduation. In order
2 to provide an indication of the levels of competency attained by the
3 student in a permanent record for potential future employers and
4 institutions of higher education, school districts shall report the
5 highest achieved state test performance level on the end-of-
6 instruction tests on the student's high school transcript. Any
7 student at the middle school level who completes the instruction in
8 a secondary course specified in this paragraph shall be administered
9 the appropriate end-of-instruction test. It is the intent of the
10 Legislature that the performance data and any available research
11 shall be reviewed for consideration of additional consequences,
12 including, but not limited to, high school graduation.

13 Students who graduate from high school by the end of the 2011-
14 2012 school year and each year thereafter shall be required to
15 demonstrate mastery on the end-of-instruction tests as provided for
16 in Section 1210.523 of this title.

17 8. a. The State Board of Education shall convene a task
18 force composed of representatives of school districts,
19 teachers, faculty from higher education institutions,
20 and representatives of the Oklahoma Arts Council. By
21 December 31, 2003, the task force shall make
22 recommendations on appropriate fine arts assessment
23 strategies that are aligned with the state academic
24 arts standards by grade level as adopted by the State
25 Board of Education and known as the Priority Academic
26 Student Skills and the National Standards for Arts
27 Education. The recommendations shall be communicated
28 to school districts by the State Board of Education
29 for use in implementing the assessment strategies for
30 the district. The assessment strategies selected by
31 the school district may be in the form of grading,
32 portfolio, or performance assessment. The assessment

1 strategies shall measure achievement levels based on
2 the state and national academic art standards and
3 shall be labeled as "meets standard" or "does not meet
4 standard".

5 b. During the 2003-2004 school year, the State Department
6 of Education shall work with school districts in
7 planning implementation of fine arts assessments as
8 required in this paragraph and shall provide technical
9 assistance to school districts in developing pilot
10 assessments. Each school district shall determine the
11 structure of the assessment strategies to be
12 administered to students.

13 c. Beginning with the 2004-2005 school year, each school
14 district shall administer to each student in the
15 school district in grades three through eight an
16 assessment designed to assess the student in the fine
17 arts area in which the student has received
18 instruction.

19 d. Each school district shall prepare an annual report
20 for approval by the State Board of Education outlining
21 the fine arts assessment strategies used by the
22 district, when the assessments were administered, how
23 many students were assessed during the previous year,
24 and the results of the assessments.

25 e. The criterion-referenced tests in the arts shall be
26 discontinued after the 2002-2003 school year and
27 replaced with the school district assessments as
28 provided for in this paragraph.

29 B. All criterion-referenced tests required by this section
30 shall measure academic competencies in correlation with the state
31 academic content standards adopted by the Board pursuant to Section
32 11-103.6 of this title and known as the Priority Academic Student

1 Skills Curriculum. The State Board of Education shall evaluate the
2 academic content standards to ensure the competencies reflect high
3 standards, are specific, well-defined, measurable, challenging, and
4 will prepare elementary students for next-grade-level course work
5 and secondary students for postsecondary studies at institutions of
6 higher education or technology center schools without the need for
7 remediation in core curriculum areas. All state academic content
8 standards shall reflect the goal of improving the state average
9 American College Testing (ACT) score. The State Department of
10 Education shall annually evaluate the results of the criterion-
11 referenced tests. The State Board of Education shall ensure that
12 test results are reported to districts in a manner that yields
13 detailed, diagnostic information for the purpose of guiding
14 instruction and student remediation. As improvements are made to
15 the criterion-referenced tests required by this section, the Board
16 shall seek to increase the depth of knowledge assessed for each
17 subject. The State Board of Education shall seek to ensure that
18 data yielded from the tests required in this section are utilized at
19 the school district level to prescribe reinforcement and/or
20 remediation by requiring school districts to develop and implement a
21 specific program of improvement based on the test results.

22 C. 1. The State Board of Education shall set the testing
23 window dates for each criterion-referenced test required in
24 paragraphs 1 through 6 of subsection A of this section for grades
25 three through eight so that, with the exception of the writing
26 assessments, the tests are administered to students no earlier than
27 April 10 each year and so that the test results are reported back to
28 school districts in a timely manner. Each criterion-referenced test
29 required in paragraph 7 of subsection A of this section may be
30 administered to students at a time set by the State Board of
31 Education as near as possible to the end of the course. All results
32 and reports of the criterion-referenced test series required in

1 paragraphs 1 through 6 of subsection A of this section for grades
2 three through eight shall be returned to each school district prior
3 to the beginning of the next school year. The vendor shall provide
4 a final electronic data file of all school site, school district,
5 and state results to the Department and the Office of Accountability
6 prior to July 1 of each year. The Department shall forward the
7 final data files for each school district and each school site in
8 that district to the school district. The Board shall ensure the
9 contract with the testing vendor includes a provision that the
10 vendor report test results directly to the Office of Accountability
11 at the same time it is reported to the Board.

12 2. State, district, and site level results of all tests
13 required in this section shall be disaggregated by gender, race
14 ethnicity, disability status, migrant status, English proficiency,
15 and status as economically disadvantaged, except that such
16 disaggregation shall not be required in a case in which the number
17 of students in a category is insufficient to yield statistically
18 reliable information or the results would reveal personally
19 identifiable information about an individual student. Each school
20 site shall notify the student's parents of the school's performance
21 levels in the Oklahoma School Testing Program as reported in the
22 Oklahoma Educational Indicators Program at the end of each school
23 year.

24 D. The State Board of Education shall be responsible for the
25 development, field-testing, and validation of the criterion-
26 referenced test series required in subsection A of this section. In
27 the interest of economy the Board shall adapt criterion-referenced
28 tests that have been developed by other states or are otherwise
29 commercially available, or portions of such tests, to the extent
30 that such tests are appropriate for use in the testing program to be
31 administered to Oklahoma students.

32

1 E. The Board shall develop, administer, and incorporate as a
2 part of the Oklahoma School Testing Program, other testing programs
3 or procedures, including appropriate accommodations for the testing
4 of students with disabilities as required by the Individuals with
5 Disabilities Education Act (IDEA), P.L. No. 101-476.

6 SECTION 3. AMENDATORY Section 5, Chapter 432, O.S.L.
7 2005 (70 O.S. Supp. 2005, Section 1210.522), is amended to read as
8 follows:

9 Section 1210.522 A. Except as provided in subsection B of this
10 section, every public school student shall demonstrate mastery of
11 the state academic content standards in reading and mathematics by
12 the end of the student's eighth-grade year, beginning in the 2009-
13 2010 school year. To demonstrate mastery of reading and
14 mathematics, a student shall attain a satisfactory or advanced score
15 on the eighth-grade criterion-referenced tests in reading and
16 mathematics administered pursuant to Section 1210.508 of ~~Title 70 of~~
17 ~~the Oklahoma Statutes~~ this title. Students who do not score
18 satisfactory or advanced shall be provided remediation by means
19 which may include, but are not limited to, a summer academy,
20 tutoring, on-line coursework, or other supplementary services.

21 B. Students who have individualized education programs pursuant
22 to the Individuals with Disabilities Education Act (IDEA) shall be
23 exempt from the requirements of this section unless provided for in
24 the student's individualized education program.

25 C. Pursuant to the appropriation of funds by the Legislature
26 for this purpose, beginning with the 2007-2008 school year, school
27 districts shall provide intervention and remediation to students
28 entering the sixth grade who may be at risk of failing to
29 demonstrate mastery on the eighth-grade criterion-referenced tests
30 in reading and mathematics.

31
32

1 SECTION 4. AMENDATORY Section 6, Chapter 432, O.S.L.
2 2005 (70 O.S. Supp. 2005, Section 1210.523), is amended to read as
3 follows:

4 Section 1210.523 A. Except as otherwise provided for in
5 ~~subsections C and D of this section, beginning with students~~
6 entering the ninth grade in the 2008-2009 school year, every student
7 shall demonstrate mastery of the state academic content standards in
8 ~~a minimum of four out of six selected~~ certain subject areas in order
9 to receive a high school diploma from a public school in this state.
10 To demonstrate mastery, the student shall attain a satisfactory or
11 advanced score on the end-of-instruction criterion-referenced tests
12 administered pursuant to ~~Section 1210.508 of Title 70 of the~~
13 ~~Oklahoma Statutes~~ subsection B of this section. Each of the ~~six~~
14 tests shall assess core academic subjects. ~~Two of the four required~~
15 ~~end-of-instruction tests shall include Algebra I, or the additional~~
16 ~~mathematics test developed based upon the recommendation of the~~
17 ~~Achieving Classroom Excellence Task Force as provided for in~~
18 ~~subsection B of this section, and English II. Notwithstanding any~~
19 ~~other provision of law, students who do not attain a satisfactory or~~
20 ~~advanced score on any required test shall be provided remediation~~
21 ~~and the opportunity to retake the test until a satisfactory or~~
22 ~~advanced score is attained.~~

23 B. ~~Determination of the two additional end-of-instruction tests~~
24 ~~to be developed shall be made by the Legislature upon receipt of~~
25 ~~recommendations of the Achieving Classroom Excellence Task Force~~
26 ~~created pursuant to Section 4 of this act. One of the two~~
27 ~~additional end-of-instruction tests developed shall be a mathematics~~
28 ~~test with rigor which is equal to or greater than the core~~
29 ~~curriculum courses listed in paragraph 2 of subsection B of Section~~
30 ~~11-103.6 of Title 70 of the Oklahoma Statutes. The second of the~~
31 ~~two additional end-of-instruction tests developed shall assess one~~
32 ~~of the core curriculum subjects or units listed in paragraph 1, 3,~~

1 ~~or 4 of subsection B of Section 11-103.6 of Title 70 of the Oklahoma~~
2 ~~Statutes.~~

3 1. Students who graduate from high school prior to the 2011-
4 2012 school year shall be required to take the following end-of-
5 instruction tests upon completion of instruction for that course as
6 provided for in Section 1210.508 of this title:

- 7 a. English II,
- 8 b. Algebra I,
- 9 c. Biology I, and
- 10 d. United States History.

11 2. Students who graduate from high school by the end of the
12 2011-2012 school year and each year thereafter shall be required to
13 demonstrate mastery on the following end-of-instruction tests upon
14 completion of instruction for that course in order to graduate from
15 high school:

- 16 a. English II,
- 17 b. Algebra I, and
- 18 c. two of the following five end-of-instruction tests:
 - 19 (1) Biology I,
 - 20 (2) United States History,
 - 21 (3) English III with a writing component,
 - 22 (4) Algebra II, and
 - 23 (5) Geometry.

24 C. The State Board of Education shall develop and field-test
25 end-of-instruction tests in English III, Algebra II and Geometry,
26 which shall be implemented during the 2008-2009 school year. The
27 Board may adapt end-of-instruction tests that have been developed by
28 other states or are otherwise commercially available, or portions of
29 such tests, to the extent that the content is appropriate for use in
30 the tests to be administered to Oklahoma students.

31 D. Students who do not meet the requirements of subsection A of
32 this section may receive a high school diploma by demonstrating

1 mastery of state academic content standards by alternative methods
2 ~~as recommended by the Achieving Classroom Excellence Task Force~~
3 ~~created pursuant to Section 4 of this act.~~ The State Board of
4 Education shall evaluate and adopt one or more alternative tests
5 which may be taken and passed by students in order to receive a high
6 school diploma. The American College Test (ACT), an Advanced
7 Placement (AP) test, the Scholastic Aptitude Test (SAT), the
8 International Baccalaureate (IB) Program assessments, the Test of
9 English as a Foreign Language (TOEFL), or any other test may be used
10 as an alternative test as determined by the Board. The Board shall
11 also establish the minimum score or level of mastery needed to pass
12 each test. Any alternative test adopted by the Board shall be
13 standardized, independently graded, knowledge-based, and
14 administered on a multistate or international level.

15 D. E. Notwithstanding any other provision of law and pursuant
16 to the appropriation of funds by the Legislature for this purpose,
17 students who do not attain a satisfactory or advanced score on any
18 end-of-instruction test shall be provided remediation and the
19 opportunity to retake the test until a satisfactory or advanced
20 score is attained. For students who do not attain a satisfactory or
21 advanced score on the Algebra I or Biology I tests and are enrolled
22 in courses at a career technology center, remediation may be
23 provided by the career technology center. The State Department of
24 Education shall provide to school districts information about the
25 best practices for remediation and intervention. School districts
26 shall monitor the results of each type of remediation and
27 intervention program and report the findings to the Department. The
28 State Board of Education shall establish guidelines on the
29 administration of retests and alternative tests.

30 F. 1. Students who have individualized education programs
31 pursuant to the Individuals with Disabilities Education Act (IDEA)
32 shall be exempt from the requirements of subsection A of this

1 section unless ~~provided for in~~ the student's individualized
2 education program provides for the administration of a modified
3 version of the tests or the administration of the tests as required
4 in subsection B of this section.

5 2. Students who are English language learners who have been
6 determined not to be proficient in English as defined by a state-
7 designated English proficiency assessment shall be exempt from the
8 requirements of subsection A of this section unless it is determined
9 the student can be administered an alternative test.

10 G. The State Board of Education shall establish guidelines for
11 awarding a high school diploma to students who enroll in an Oklahoma
12 public school after completion of the eleventh grade.

13 H. The State Board of Education shall establish an Achieving
14 Classroom Excellence Steering Committee. The Committee shall assist
15 the Board in the development, alteration, and monitoring of the end-
16 of-instruction tests and will participate in the alignment of the
17 curriculum for grades eight through twelve with national standards.
18 The Board shall select individuals to serve on the Steering
19 Committee who are or represent, in an equal manner, educational
20 leaders, higher education leaders, business leaders, and
21 governmental leaders.

22 SECTION 5. AMENDATORY 70 O.S. 2001, Section 1210.515, as
23 amended by Section 3, Chapter 197, O.S.L. 2004 (70 O.S. Supp. 2005,
24 Section 1210.515), is amended to read as follows:

25 Section 1210.515 A. Pursuant to the provisions of paragraph 2
26 of subsection A of Section 6-107.3 of Title 47 of the Oklahoma
27 Statutes, any person under the age of eighteen (18) years wishing to
28 apply for a driver license or permit shall successfully demonstrate
29 a satisfactory reading and mathematics ability at the eighth-grade
30 reading level by meeting the following criteria:

31 1. A student enrolled in a public school shall successfully
32 complete the reading and mathematics portion of the state criterion-

1 referenced test offered in the eighth grade. Following the
2 administration of this test in the eighth grade, any student not
3 successfully completing the reading or mathematics portion shall be
4 assigned a plan of remedial reading or mathematics or both if the
5 student was not successful in both portions of the test. Any
6 student not successful in completing the reading or mathematics
7 portion of the state criterion-referenced test may take a comparable
8 alternative reading or mathematics proficiency test in order to
9 satisfy the criteria for a driver license or permit. Alternative
10 reading or mathematics proficiency tests shall be approved by the
11 State Department of Education. Subsequent successful completion of
12 an alternative reading or mathematics proficiency test shall serve
13 to satisfy any test retaking requirement which may be required for
14 the reading or mathematics portion of the state criterion-referenced
15 test in the eighth grade in the Oklahoma School Testing Program.
16 School districts shall notify, in writing, each student who takes
17 the reading or mathematics portion of the state criterion-referenced
18 test for the eighth grade or who takes an alternative reading or
19 mathematics proficiency test and the student's parent or legal
20 guardian of the test results. If the student fails to perform
21 satisfactorily on the test, the notice shall inform the student of
22 the reading and mathematics proficiency driver license requirement
23 and the school's remediation plan for the student. Upon the
24 student's successful completion of the test, the school shall
25 furnish the student with the documentation needed for the driver
26 license application in Oklahoma;

27 2. Unless alternatively documented according to the provisions
28 of subsection C of this section, students under the age of eighteen
29 (18) years shall successfully complete a reading and mathematics
30 proficiency test approved by the State Department of Education; and
31
32

1 3. Any student who wishes to apply for a restricted license to
2 operate a motorcycle may take an alternative reading and mathematics
3 proficiency test, subject to the provisions of this section.

4 B. Alternative reading and mathematics proficiency tests shall
5 be offered by testing sites, which shall include the public schools
6 at least four (4) times per calendar year, and may include any of
7 the following which chose to participate, the technology center
8 school districts, Regional Education Service Centers, colleges,
9 accredited private schools, and other sites approved by the State
10 Department of Education. A student may take ~~the~~ a test as often as
11 wished, subject to the provisions of this section. Testing sites
12 shall provide the first alternative ~~reading~~ proficiency test for
13 each student at no cost to the student. Students may be assessed a
14 fee not to exceed Twenty-five Dollars (\$25.00) by the testing site
15 for each subsequent alternative ~~reading~~ proficiency test taken.

16 C. A school district shall provide for alternative
17 documentation of reading or mathematics proficiency for the purposes
18 of paragraph 2 of subsection A of Section 6-107.3 of Title 47 of the
19 Oklahoma Statutes for any student with an individualized education
20 program that, at a minimum, is in an area related to reading or
21 mathematics. The alternative documentation shall be furnished to
22 such student who is performing satisfactorily in reading or
23 mathematics pursuant to the student's individualized education
24 program. Parents of disabled students educated pursuant to the
25 provisions of Section 4 of Article XIII of the Oklahoma Constitution
26 may satisfy the requirement of paragraph 2 of subsection A of
27 Section 6-107.3 of Title 47 of the Oklahoma Statutes by signing an
28 affidavit that, based upon their best information and belief, their
29 child would qualify for an individualized education program that, at
30 a minimum, is in an area related to reading or mathematics if
31 enrolled in public school, and that in their judgment their child is
32 performing satisfactorily in reading or mathematics and is therefore

1 academically qualified to satisfy the requirement of paragraph 2 of
2 subsection A of Section 6-107.3 of Title 47 of the Oklahoma
3 Statutes.

4 SECTION 6. AMENDATORY 47 O.S. 2001, Section 6-107.3, is
5 amended to read as follows:

6 Section 6-107.3 A. The Department of Public Safety shall deny
7 a license, restricted license, or instruction permit for the
8 operation of a motor vehicle to any person under eighteen (18) years
9 of age who does not, at the time of application, present
10 documentation that such person:

- 11 1. a. is a student enrolled in a public or private secondary
12 school, including any technology center school, of
13 this state or any other state,
- 14 b. has received a diploma or certificate of completion
15 issued to the person from a secondary school of this
16 state or any other state,
- 17 c. is enrolled and making satisfactory progress in a
18 program leading to a Certificate of High School
19 Equivalency issued by the State Department of
20 Education, or has obtained such certificate,
- 21 d. is excused from such requirement pursuant to a lawful
22 excuse as defined in subsection G of this section or
23 due to circumstances beyond the control of the person,
24 or
- 25 e. is excused from such requirement pursuant to
26 subsection C of this section; and

27 2. Has successfully passed the criterion-referenced reading and
28 mathematics test required for all eighth grade students or an
29 alternative reading and mathematics proficiency test approved by the
30 State Department of Education pursuant to the provisions of Section
31 3 1210.515 of ~~this act~~ Title 70 of the Oklahoma Statutes
32 demonstrating reading and mathematics proficiency at the eighth-

1 grade reading level, unless such student is excused from such
2 requirement pursuant to the provisions of Section ~~3~~ 1210.515 of ~~this~~
3 ~~act~~ Title 70 of the Oklahoma Statutes.

4 Provided, during the summer months when school is not in regular
5 session, as established by the school district pursuant to Section
6 1-109 of Title 70 of the Oklahoma Statutes, persons under eighteen
7 (18) years of age may satisfy the documentation requirement of this
8 subsection by providing a notarized written statement from the
9 parent, custodial parent or legal guardian of the child to the
10 Department of Public Safety that the child completed the immediately
11 previous school year and is enrolled or intends to enroll for the
12 immediately subsequent school year. The documentation shall be
13 signed by the parent, custodial parent or legal guardian.

14 B. 1. A student under eighteen (18) years of age who is
15 receiving education by other means, including education at home
16 pursuant to Section 4 of Article XIII of the Oklahoma Constitution,
17 shall satisfy the documentation requirement of paragraph 1 of
18 subsection A of this section by providing a written statement from
19 the parent, custodial parent, or legal guardian of the student to
20 the Department of Public Safety attesting that the child is
21 receiving instruction by other means pursuant to Section 4 of
22 Article XIII of the Oklahoma Constitution. The documentation shall
23 be signed by the parent, custodial parent, or legal guardian.

24 2. Any person who falsifies the information required in such
25 documentation, upon conviction, shall be guilty of a misdemeanor.

26 C. 1. A student under eighteen (18) years of age, who does not
27 meet the requirements of subparagraphs a through c of paragraph 1 of
28 subsection A of this section or the requirements of subsection B of
29 this section, may retain or be issued a driver license if:

- 30 a. the student is employed at least twenty-four (24)
31 hours per week, and
32

1 b. the student's employer verifies such employment on a
2 form prescribed by the Department of Public Safety.

3 2. Any student who has retained or been issued a driver license
4 pursuant to this subsection who leaves such employment shall have
5 fifteen (15) days from the date of termination of employment to
6 provide verification of employment from a new employer.

7 3. Any employer who falsifies a verification of employment
8 shall be subject to an administrative fine of not more than Fifty
9 Dollars (\$50.00), to be assessed by the Department of Public Safety.

10 D. 1. School district attendance officers, upon request, shall
11 provide a documentation of enrollment status form, established and
12 approved by the Department of Public Safety, to any student under
13 eighteen (18) years of age who is properly enrolled in a school for
14 which the attendance officer is responsible, for presentation to the
15 Department of Public Safety upon application for or reinstatement of
16 an instruction permit, restricted license, or license to operate a
17 motor vehicle.

18 2. Except as provided in subsection E of this section, whenever
19 a student over fourteen (14) years of age and under eighteen (18)
20 years of age withdraws from school, the attendance officer shall
21 notify the Department of Public Safety of such withdrawal through a
22 documentation of enrollment status form.

23 3. Within fifteen (15) working days of the receipt of such
24 notice, the Department of Public Safety shall provide written notice
25 to the student, by first class, postage prepaid mail, that the
26 student's license will be canceled, or the driver license
27 application of the student will be denied thirty (30) days following
28 the date the notice to the student was sent, unless documentation of
29 compliance with the provisions of this section is received by the
30 Department of Public Safety before such time. After the thirty-day
31 period, the Department of Public Safety shall cancel the driving
32 privileges of the student.

1 E. When the withdrawal from school of a student is:

2 1. Due to circumstances beyond the control of the student;

3 2. Pursuant to any lawful excuse; or

4 3. For the purpose of transfer to another school, including
5 education at home pursuant to Section 4 of Article XIII of the
6 Oklahoma Constitution, as confirmed in writing by a parent,
7 custodial parent, or legal guardian of the student,

8 no notice as required by subsection D of this section shall be sent
9 to the Department of Public Safety, or, if sent, such notice shall
10 be disregarded by the Department of Public Safety. If the student
11 is applying for a license, restricted license, or instruction
12 permit, the attendance officer shall provide the student with
13 documentation to present to the Department of Public Safety to
14 excuse the student from the requirements of this section.

15 F. Every school district shall, upon request, provide
16 documentation of reading and mathematics proficiency for any student
17 enrolled in such school district by certifying passage of a reading
18 and mathematics examination pursuant to the provisions of Section ~~3~~
19 1210.515 of this act Title 70 of the Oklahoma Statutes.

20 G. As used in this section:

21 1. "Withdrawal" means more than ten (10) consecutive days, or
22 parts of days, of unexcused absences or fifteen (15) days, or parts
23 of days, total unexcused absences during a single semester;

24 2. "Lawful excuse" means absence from school pursuant to any
25 valid physical or mental illness or pursuant to any legal excuse as
26 provided in Section 10-105 of Title 70 of the Oklahoma Statutes;
27 provided, however, the meaning of such term shall not include
28 marriage;

29 3. "Circumstances beyond the control of the person" shall not
30 include marriage, suspension or expulsion from school, or
31 imprisonment in a jail, penitentiary or other correctional
32 institution;

1 4. "Documentation of enrollment status form" means the document
2 established and approved by the Department of Public Safety to
3 substantiate information concerning a student's eligibility to apply
4 for or to retain a license or permit to drive. Such documentation
5 shall not include any information which is considered an education
6 record pursuant to the Family Education Rights and Privacy Act, 20
7 U.S.C., Sections 1232g through 1232i, unless compliance is made with
8 the restrictions regarding disclosure of the information; and

9 5. "Documentation of reading and mathematics proficiency" means
10 information provided by a school authorized by subsection B of
11 Section ~~3~~ 1210.515 of ~~this act~~ Title 70 of the Oklahoma Statutes to
12 certify a student's eligibility to apply for a license or permit
13 based on passage of a reading and mathematics proficiency test
14 approved by the State Department of Education, or pursuant to the
15 alternative documentation criteria provided in subsection C of
16 Section ~~3~~ 1210.515 of ~~this act~~ Title 70 of the Oklahoma Statutes.
17 Such documentation shall not include any information which is
18 considered an education record pursuant to the Family Education
19 Rights and Privacy Act, 20 U.S.C., Sections 1232g through 1232i,
20 unless compliance is made with the restrictions regarding disclosure
21 of the information.

22 H. The provisions of this section shall be inapplicable with
23 respect to any minor upon whom rights of majority have been
24 conferred pursuant to Sections 91 through 94 of Title 10 of the
25 Oklahoma Statutes.

26 I. The Department of Public Safety shall establish and approve
27 documentation forms and certificates required by this section for
28 use by school districts to comply with the provisions of this
29 section. Upon establishment and approval of such forms and
30 certificates, the Department of Public Safety shall notify each
31 school district and the State Board of Education of the content
32 thereof.

1 SECTION 7. AMENDATORY 47 O.S. 2001, Section 6-107.4, is
2 amended to read as follows:

3 Section 6-107.4 A. Whenever a license or instruction permit
4 for the operation of a motor vehicle is canceled or denied pursuant
5 to Section 6-107.3 of this title, the license or privilege to
6 operate a motor vehicle shall remain canceled or denied for a
7 minimum period of sixty (60) days or until the person whose license
8 or permit has been canceled or denied reaches eighteen (18) years of
9 age, whichever period is the shortest; ~~provided, however, a.~~ A
10 denial pursuant to paragraph 2 of subsection A of Section 6-107.3 of
11 this title shall remain in effect only until such time as a student
12 presents to the Department of Public Safety sufficient documentation
13 of attainment of an eighth grade level of reading and mathematics
14 proficiency pursuant to the provisions of Section 1210.515 of Title
15 70 of the Oklahoma Statutes.

16 B. After the minimum period, the licensee or applicant may at
17 any time apply for driving privileges by presenting sufficient
18 documentation to the Department of Public Safety pursuant to Section
19 6-107.3 of this title and paying the fee required for issuance or
20 renewal of a Class D license. Upon reinstatement after cancellation
21 and upon issuance after denial, the Department shall remove the
22 record of cancellation or denial from the person's driving record.

23 SECTION 8. REPEALER Section 8, Chapter 432, O.S.L. 2005
24 (70 O.S. Supp. 2005, Section 11-111), is hereby repealed.

25 SECTION 9. This act shall become effective July 1, 2006.

26 SECTION 10. It being immediately necessary for the preservation
27 of the public peace, health and safety, an emergency is hereby
28 declared to exist, by reason whereof this act shall take effect and
29 be in full force from and after its passage and approval."
30
31
32

