

CS for EHB 2608

1 THE STATE SENATE
2 Thursday, April 6, 2006

3 Committee Substitute for
4 ENGROSSED
5 House Bill No. 2608

6 COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 2608 - By: DANK of
7 the House and PADDACK and WILCOXSON of the Senate.

8 [schools - high school graduation requirements - Oklahoma
9 School Testing Program Act - driver license or permit -
10 effective date -
11 emergency]

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 70 O.S. 2001, Section 11-103.6, as
14 last amended by Section 7, Chapter 432, O.S.L. 2005 (70 O.S. Supp.
15 2005, Section 11-103.6), is amended to read as follows:

16 Section 11-103.6 A. The State Board of Education shall adopt
17 curricular standards for instruction of students in the public
18 schools of this state that are necessary to ensure there is
19 attainment of desired levels of competencies in a variety of areas
20 to include language, mathematics, science, social studies and
21 communication. All students shall gain literacy at the elementary
22 and secondary levels through a core curriculum. Students must
23 develop skills in reading, writing, speaking, computing and critical
24 thinking. They also must learn about cultures and environments -
25 their own and those of others with whom they share the earth.

1 Students, therefore, must study social studies, literature,
2 languages, the arts, mathematics and science. Such curricula shall
3 provide for the teaching of a hands-on career exploration program in
4 cooperation with technology center schools. The core curriculum
5 shall be designed to teach the competencies for which students shall
6 be tested as provided in Section 1210.508 of this title, and shall
7 be designed to prepare all students for employment and/or
8 postsecondary education.

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

13 1. Four units of English to include Grammar, Composition,
14 Literature, or any English course approved for college admission
15 requirements;

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

21 3. Three units of laboratory science, limited to Biology,
22 Chemistry, Physics, or any laboratory science course with content

1 and/or rigor equal to or above Biology and approved for college
2 admission requirements;

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

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

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

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

19 C. In lieu of the requirements of subsection B of this section
20 which requires a college preparatory curriculum, a student may
21 enroll in the core curriculum as provided in subsection D of this
22 section upon approval of the parent or legal guardian of the
23 student. School districts may require a parent or legal guardian of

1 the student to meet with a designee of the school prior to
2 enrollment in the core curriculum. The State Department of
3 Education shall develop and distribute to school districts a form
4 suitable for this purpose, which shall include information on the
5 benefits to students of completing the college preparatory
6 curriculum as provided for in subsection B of this section.

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

12 1. Language Arts - 4 units or sets of competencies, to consist
13 of 1 unit or set of competencies of grammar and composition, and 3
14 units or sets of competencies which may include, but are not limited
15 to, the following courses:

- 16 a. American Literature,
- 17 b. English Literature,
- 18 c. World Literature,
- 19 d. Advanced English Courses, or
- 20 e. other English courses with content and/or rigor equal
21 to or above grammar and composition;

22 2. Mathematics - 3 units or sets of competencies, to consist of
23 1 unit or set of competencies of Algebra I or Algebra I taught in a

1 contextual methodology, and 2 units or sets of competencies which
2 may include, but are not limited to, the following courses:

- 3 a. Algebra II,
- 4 b. Geometry or Geometry taught in a contextual
5 methodology,
- 6 c. Trigonometry,
- 7 d. Math Analysis or Precalculus,
- 8 e. Calculus,
- 9 f. Statistics and/or Probability,
- 10 g. Computer Science,
- 11 h. contextual mathematics courses which enhance
12 technology preparation whether taught at a:
 - 13 (1) comprehensive high school, or
 - 14 (2) technology center school when taken in the
15 eleventh or twelfth grade, taught by a certified
16 teacher, and approved by the State Board of
17 Education and the independent district board of
18 education,
- 19 i. mathematics courses taught at a technology center
20 school by a teacher certified in the secondary subject
21 area when taken in the eleventh or twelfth grade upon
22 approval of the State Board of Education and the
23 independent district board of education, or

- 1 j. equal to or above Algebra I;
- 2 3. Science - 3 units or sets of competencies, to consist of 1
- 3 unit or set of competencies of Biology I or Biology I taught in a
- 4 contextual methodology, and 2 units or sets of competencies in the
- 5 areas of life, physical, or earth science or technology which may
- 6 include, but are not limited to, the following courses:
- 7 a. Chemistry I,
- 8 b. Physics,
- 9 c. Biology II,
- 10 d. Chemistry II,
- 11 e. Physical Science,
- 12 f. Earth Science,
- 13 g. Botany,
- 14 h. Zoology,
- 15 i. Physiology,
- 16 j. Astronomy,
- 17 k. Applied Biology/Chemistry,
- 18 l. Applied Physics,
- 19 m. Principles of Technology,
- 20 n. qualified agricultural education courses,
- 21 o. contextual science courses which enhance technology
- 22 preparation whether taught at a:
- 23 (1) comprehensive high school, or

1 (2) technology center school when taken in the
2 eleventh or twelfth grade, taught by a certified
3 teacher, and approved by the State Board of
4 Education and the independent district board of
5 education,

6 p. science courses taught at a technology center school
7 by a teacher certified in the secondary subject area
8 when taken in the eleventh or twelfth grade upon
9 approval of the State Board of Education and the
10 independent district board of education, or

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

13 4. Social Studies - 3 units or sets of competencies, to consist
14 of 1 unit or set of competencies of United States History, 1/2 to 1
15 unit or set of competencies of United States Government, 1/2 unit or
16 set of competencies of Oklahoma History, and 1/2 to 1 unit or set of
17 competencies which may include, but are not limited to, the
18 following courses:

- 19 a. World History,
20 b. Geography,
21 c. Economics,
22 d. Anthropology, or

1 e. other social studies courses with content and/or rigor
2 equal to or above United States History, United States
3 Government, and Oklahoma History; and

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

6 ~~C.~~ E. 1. In addition to the ~~15 units or sets of competencies~~
7 ~~of core~~ curriculum requirements ~~established in~~ of either subsection
8 B or D of this section, in order to graduate from a public high
9 school accredited by the State Board of Education students shall
10 complete any additional course requirements or recommended elective
11 courses as may be established by the State Board of Education and
12 the district school board. School districts shall strongly
13 encourage students to complete two units or sets of competencies of
14 foreign languages and two units or sets of competencies of physical
15 and health education.

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

20 ~~E.~~ 3. A school district shall not be required to offer every
21 course listed in ~~subsection~~ subsections B and D of this section, but
22 shall offer sufficient courses to allow a student to meet the

1 graduation requirements during the secondary grade years of the
2 student.

3 F. For purposes of this section:

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

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

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

20 4. "Sets of competencies" means those skills and competencies
21 that are specified in the Priority Academic Student Skills (PASS),
22 as adopted by the State Board of Education, subchapter 5, Chapter

1 15, Title 210 of the Oklahoma Administrative Code, and other skills
2 and competencies adopted by the Board; and

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

5 G. 1. The State Board of Education shall adopt a plan to
6 ensure that rigor is maintained in the content, teaching
7 methodology, level of expectations for student achievement, and
8 application of learning in all the courses taught to meet the
9 graduation requirements as specified in ~~subsection B~~ of this
10 section.

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

20 3. Technology center school districts may offer programs
21 designed in cooperation with institutions of higher education which
22 have an emphasis on a focused field of career study upon approval of
23 the State Board of Education and the independent district board of

1 education. Students in the tenth grade may be allowed to attend
2 these programs for up to one-half (1/2) of a school day and credit
3 for the units or sets of competencies required in paragraphs 2 and 3
4 of ~~subsection~~ subsections B or D of this section shall be given if
5 the courses are taught by a teacher certified in the secondary
6 subject area; provided, credit for units or sets of competencies
7 pursuant to subsection B of this section shall be approved for
8 college admission requirements.

9 4. If a student enrolls in a concurrent course, the school
10 district shall not be responsible for any costs incurred for that
11 course, unless the school district does not offer enough course
12 selection during the student's secondary grade years to allow the
13 student to receive the courses needed to meet the graduation
14 requirements of ~~subsection B~~ of this section. If the school
15 district does not offer the necessary course selection during the
16 student's secondary grade years, it shall be responsible for the
17 cost of resident tuition at an institution in The Oklahoma State
18 System of Higher Education, fees, and books for the concurrent
19 enrollment course, and providing for transportation to and from the
20 institution to the school site.

21 It is the intent of the Legislature that for students enrolled
22 in a concurrent enrollment course which is paid for by the school
23 district pursuant to this paragraph, the institution charge only the

1 supplementary and special service fees that are directly related to
2 the concurrent enrollment course and enrollment procedures for that
3 student. It is further the intent of the Legislature that fees for
4 student activities and student service facilities, including the
5 student health care and cultural and recreational service fees, not
6 be charged to such students.

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

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

1 H. As a condition of receiving accreditation from the State
2 Board of Education, all students in grades nine through twelve shall
3 enroll in a minimum of six periods, or the equivalent in block
4 scheduling, of rigorous academic and/or rigorous vocational courses
5 each day, which may include arts, vocal and instrumental music,
6 speech classes, and physical education classes.

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

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

21 3. Internet-based courses or vocational-technical courses
22 utilizing integrated or embedded skills for which no Priority
23 Academic Student Skills have been adopted by the State Board of

1 Education may be approved by the Board if such courses incorporate
2 standards of nationally recognized professional organizations and
3 are taught by certified teachers.

4 4. Courses offered by a supplemental education organization
5 that is accredited by a national accrediting body and that are
6 taught by a certified teacher and provide for the teaching and
7 learning of the appropriate skills and knowledge in the PASS may,
8 upon approval of the State Board of Education and the school
9 district board of education, be counted for academic credit and
10 toward meeting the graduation requirements of ~~subsection B~~ of this
11 section.

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

17 K. The State Board of Education shall prescribe, adopt and
18 approve a promotion system based on the attainment by students of
19 specified levels of competencies in each area of the core
20 curriculum.

21 L. Children who have individualized education programs pursuant
22 to the Individuals with Disabilities Education Act (IDEA), and who
23 satisfy the graduation requirements through the individualized

1 education program for that student shall be awarded a standard
2 diploma.

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

7 N. Any student who completes the curriculum requirements of the
8 International Baccalaureate Diploma Program shall be awarded a
9 standard diploma.

10 O. ~~Notwithstanding any other provision of law, any~~ Any student
11 who successfully completes an advanced mathematics or science course
12 offered pursuant to Section 1210.404 of this title shall be granted
13 academic credit toward meeting the graduation requirements pursuant
14 to paragraph 2 or 3, as appropriate, of subsection B or D of this
15 section.

16 P. For purposes of this section, the courses approved for
17 college admission requirements shall be courses which are approved
18 by the Oklahoma State Regents for Higher Education for admission to
19 an institution within The Oklahoma State System of Higher Education.

20 Q. The State Department of Education shall collect and report
21 data by school site and district on the number of students who
22 enroll in the core curriculum as provided in subsection D of this
23 section.

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

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

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

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

5 3. Contingent upon the availability of funds, each year the
6 Board shall continue to administer and improve, refine and align the
7 fifth-grade criterion-referenced test with the state academic
8 content standards in:

- 9 a. reading,
- 10 b. mathematics,
- 11 c. science,
- 12 d. social studies, which shall consist of the history,
13 Constitution and government of the United States, and
14 geography, and
- 15 e. writing of English.

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

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

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

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

- 14 a. reading, and
- 15 b. mathematics.

16 The tests shall be developed during the 2002-2003 school year,
17 field-tested during the 2003-2004 school year, implemented during
18 the 2004-2005 school year and administered each year thereafter.

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

- 22 a. reading, and
- 23 b. mathematics.

1 The tests shall be developed during the 2003-2004 school year,
2 field-tested during the 2004-2005 school year, implemented during
3 the 2005-2006 school year and administered each year thereafter. In
4 addition, the geography criterion-referenced test currently
5 administered in the eighth grade shall be modified to measure the
6 state academic content standards for geography for the seventh
7 grade. The test shall be field-tested if necessary during the 2003-
8 2004 school year, implemented during the 2004-2005 school year and
9 administered each year thereafter to students in the seventh grade.
10 Provided, the test shall be implemented during the 2003-2004 school
11 year if field-testing is determined not to be necessary.

12 7. Each student who graduates from high school prior to the
13 2011-2012 school year and completes the instruction for English II,
14 United States History, Biology I, and Algebra I at the secondary
15 level shall complete an end-of-instruction test to measure for
16 attainment in the appropriate state academic content standards in
17 order to graduate from high school. All students shall take the
18 tests prior to graduation, unless otherwise exempt by law. The
19 State Board of Education shall administer the criterion-referenced
20 tests.

21 The end-of-instruction tests shall serve the purpose of the
22 criterion-referenced tests as provided in paragraph 1 of this
23 subsection. The English II end-of-instruction test shall, at a

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

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

18 8. a. The State Board of Education shall convene a task
19 force composed of representatives of school districts,
20 teachers, faculty from higher education institutions,
21 and representatives of the Oklahoma Arts Council. By
22 December 31, 2003, the task force shall make
23 recommendations on appropriate fine arts assessment

1 strategies that are aligned with the state academic
2 arts standards by grade level as adopted by the State
3 Board of Education and known as the Priority Academic
4 Student Skills and the National Standards for Arts
5 Education. The recommendations shall be communicated
6 to school districts by the State Board of Education
7 for use in implementing the assessment strategies for
8 the district. The assessment strategies selected by
9 the school district may be in the form of grading,
10 portfolio, or performance assessment. The assessment
11 strategies shall measure achievement levels based on
12 the state and national academic art standards and
13 shall be labeled as "meets standard" or "does not meet
14 standard".

15 b. During the 2003-2004 school year, the State Department
16 of Education shall work with school districts in
17 planning implementation of fine arts assessments as
18 required in this paragraph and shall provide technical
19 assistance to school districts in developing pilot
20 assessments. Each school district shall determine the
21 structure of the assessment strategies to be
22 administered to students.

- 1 c. Beginning with the 2004-2005 school year, each school
2 district shall administer to each student in the
3 school district in grades three through eight an
4 assessment designed to assess the student in the fine
5 arts area in which the student has received
6 instruction.
- 7 d. Each school district shall prepare an annual report
8 for approval by the State Board of Education outlining
9 the fine arts assessment strategies used by the
10 district, when the assessments were administered, how
11 many students were assessed during the previous year,
12 and the results of the assessments.
- 13 e. The criterion-referenced tests in the arts shall be
14 discontinued after the 2002-2003 school year and
15 replaced with the school district assessments as
16 provided for in this paragraph.

17 B. All criterion-referenced tests required by this section
18 shall measure academic competencies in correlation with the state
19 academic content standards adopted by the Board pursuant to Section
20 11-103.6 of this title and known as the Priority Academic Student
21 Skills Curriculum. The State Board of Education shall evaluate the
22 academic content standards to ensure the competencies reflect high
23 standards, are specific, well-defined, measurable, challenging, and

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

19 C. 1. The State Board of Education shall set the testing
20 window dates for each criterion-referenced test required in
21 paragraphs 1 through 6 of subsection A of this section for grades
22 three through eight so that, with the exception of the writing
23 assessments, the tests are administered to students no earlier than

1 April 10 each year and so that the test results are reported back to
2 school districts in a timely manner. Each criterion-referenced test
3 required in paragraph 7 of subsection A of this section may be
4 administered to students at a time set by the State Board of
5 Education as near as possible to the end of the course. All results
6 and reports of the criterion-referenced test series required in
7 paragraphs 1 through 6 of subsection A of this section for grades
8 three through eight shall be returned to each school district prior
9 to the beginning of the next school year. The vendor shall provide
10 a final electronic data file of all school site, school district,
11 and state results to the Department and the Office of Accountability
12 prior to July 1 of each year. The Department shall forward the
13 final data files for each school district and each school site in
14 that district to the school district. The Board shall ensure the
15 contract with the testing vendor includes a provision that the
16 vendor report test results directly to the Office of Accountability
17 at the same time it is reported to the Board.

18 2. State, district, and site level results of all tests
19 required in this section shall be disaggregated by gender, race
20 ethnicity, disability status, migrant status, English proficiency,
21 and status as economically disadvantaged, except that such
22 disaggregation shall not be required in a case in which the number
23 of students in a category is insufficient to yield statistically

1 reliable information or the results would reveal personally
2 identifiable information about an individual student. Each school
3 site shall notify the student's parents of the school's performance
4 levels in the Oklahoma School Testing Program as reported in the
5 Oklahoma Educational Indicators Program at the end of each school
6 year.

7 D. The State Board of Education shall be responsible for the
8 development, field-testing, and validation of the criterion-
9 referenced test series required in subsection A of this section. In
10 the interest of economy the Board shall adapt criterion-referenced
11 tests that have been developed by other states or are otherwise
12 commercially available, or portions of such tests, to the extent
13 that such tests are appropriate for use in the testing program to be
14 administered to Oklahoma students.

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

20 SECTION 3. AMENDATORY Section 5, Chapter 432, O.S.L.
21 2005 (70 O.S. Supp. 2005, Section 1210.522), is amended to read as
22 follows:

1 Section 1210.522 A. Except as provided in subsection B of this
2 section, every public school student shall demonstrate mastery of
3 the state academic content standards in reading and mathematics by
4 the end of the student's eighth-grade year, beginning in the 2009-
5 2010 school year. To demonstrate mastery of reading and
6 mathematics, a student shall attain a satisfactory or advanced score
7 on the eighth-grade criterion-referenced tests in reading and
8 mathematics administered pursuant to Section 1210.508 of ~~Title 70 of~~
9 ~~the Oklahoma Statutes~~ this title. Students who do not score
10 satisfactory or advanced shall be provided remediation by means
11 which may include, but are not limited to, a summer academy,
12 tutoring, on-line coursework, or other supplementary services.

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

17 C. Pursuant to the appropriation of funds by the Legislature
18 for this purpose, beginning with the 2007-2008 school year, school
19 districts shall provide intervention and remediation to students
20 entering the sixth grade who may be at risk of failing to
21 demonstrate mastery on the eighth-grade criterion-referenced tests
22 in reading and mathematics.

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.~~

1 ~~B. Determination of the two additional end-of-instruction tests~~
2 ~~to be developed shall be made by the Legislature upon receipt of~~
3 ~~recommendations of the Achieving Classroom Excellence Task Force~~
4 ~~created pursuant to Section 4 of this act. One of the two~~
5 ~~additional end-of-instruction tests developed shall be a mathematics~~
6 ~~test with rigor which is equal to or greater than the core~~
7 ~~curriculum courses listed in paragraph 2 of subsection B of Section~~
8 ~~11-103.6 of Title 70 of the Oklahoma Statutes. The second of the~~
9 ~~two additional end-of-instruction tests developed shall assess one~~
10 ~~of the core curriculum subjects or units listed in paragraph 1, 3,~~
11 ~~or 4 of subsection B of Section 11-103.6 of Title 70 of the Oklahoma~~
12 ~~Statutes.~~

13 1. Students who graduate from high school prior to the 2011-
14 2012 school year shall be required to take the following end-of-
15 instruction tests upon completion of instruction for that course as
16 provided for in Section 1210.508 of this title:

- 17 a. English II,
- 18 b. Algebra I,
- 19 c. Biology I, and
- 20 d. United States History.

21 2. Students who graduate from high school by the end of the
22 2011-2012 school year and each year thereafter shall be required to
23 demonstrate mastery on the following end-of-instruction tests upon

1 completion of instruction for that course in order to graduate from
2 high school:

3 a. English II,

4 b. Algebra I, and

5 c. two of the following five end-of-instruction tests:

6 (1) Biology I,

7 (2) United States History,

8 (3) English III with a writing component,

9 (4) Algebra II, and

10 (5) Geometry.

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

18 D. Students who do not meet the requirements of subsection A of
19 this section may receive a high school diploma by demonstrating
20 mastery of state academic content standards by alternative methods
21 as recommended by the Achieving Classroom Excellence Task Force
22 created pursuant to Section 4 of this act. The State Board of
23 Education shall evaluate and adopt one or more alternative tests

1 which may be taken and passed by students in order to receive a high
2 school diploma. The American College Test (ACT), an Advanced
3 Placement (AP) test, the Scholastic Aptitude Test (SAT), the
4 International Baccalaureate (IB) Program assessments, the Test of
5 English as a Foreign Language (TOEFL), or any other test may be used
6 as an alternative test as determined by the Board. The Board shall
7 also establish the minimum score or level of mastery needed to pass
8 each test. Any alternative test adopted by the Board shall be
9 standardized, independently graded, knowledge-based, and
10 administered on a multistate or international level.

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

1 State Board of Education shall establish guidelines on the
2 administration of retests and alternative tests.

3 F. 1. Students who have individualized education programs
4 pursuant to the Individuals with Disabilities Education Act (IDEA)
5 shall be exempt from the requirements of subsection A of this
6 section unless ~~provided for in~~ the student's individualized
7 education program provides for the administration of a modified
8 version of the tests or the administration of the tests as required
9 in subsection B of this section.

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

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

18 H. The State Board of Education shall establish an Achieving
19 Classroom Excellence Steering Committee. The Committee shall assist
20 the Board in the development, alteration, and monitoring of the end-
21 of-instruction tests and will participate in the alignment of the
22 curriculum for grades eight through twelve with national standards.
23 The Board shall select individuals to serve on the Steering

1 Committee who are or represent, in an equal manner, educational
2 leaders, higher education leaders, business leaders, and
3 governmental leaders.

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

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

13 1. A student enrolled in a public school shall successfully
14 complete the reading and mathematics portion of the state criterion-
15 referenced test offered in the eighth grade. Following the
16 administration of this test in the eighth grade, any student not
17 successfully completing the reading or mathematics portion shall be
18 assigned a plan of remedial reading or mathematics or both if the
19 student was not successful in both portions of the test. Any
20 student not successful in completing the reading or mathematics
21 portion of the state criterion-referenced test may take a comparable
22 alternative reading or mathematics proficiency test in order to
23 satisfy the criteria for a driver license or permit. Alternative

1 reading or mathematics proficiency tests shall be approved by the
2 State Department of Education. Subsequent successful completion of
3 an alternative reading or mathematics proficiency test shall serve
4 to satisfy any test retaking requirement which may be required for
5 the reading or mathematics portion of the state criterion-referenced
6 test in the eighth grade in the Oklahoma School Testing Program.
7 School districts shall notify, in writing, each student who takes
8 the reading or mathematics portion of the state criterion-referenced
9 test for the eighth grade or who takes an alternative reading or
10 mathematics proficiency test and the student's parent or legal
11 guardian of the test results. If the student fails to perform
12 satisfactorily on the test, the notice shall inform the student of
13 the reading and mathematics proficiency driver license requirement
14 and the school's remediation plan for the student. Upon the
15 student's successful completion of the test, the school shall
16 furnish the student with the documentation needed for the driver
17 license application in Oklahoma;

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

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

1 program. Parents of disabled students educated pursuant to the
2 provisions of Section 4 of Article XIII of the Oklahoma Constitution
3 may satisfy the requirement of paragraph 2 of subsection A of
4 Section 6-107.3 of Title 47 of the Oklahoma Statutes by signing an
5 affidavit that, based upon their best information and belief, their
6 child would qualify for an individualized education program that, at
7 a minimum, is in an area related to reading or mathematics if
8 enrolled in public school, and that in their judgment their child is
9 performing satisfactorily in reading or mathematics and is therefore
10 academically qualified to satisfy the requirement of paragraph 2 of
11 subsection A of Section 6-107.3 of Title 47 of the Oklahoma
12 Statutes.

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

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

20 1. a. is a student enrolled in a public or private secondary
21 school, including any technology center school, of
22 this state or any other state,

- 1 b. has received a diploma or certificate of completion
2 issued to the person from a secondary school of this
3 state or any other state,
4 c. is enrolled and making satisfactory progress in a
5 program leading to a Certificate of High School
6 Equivalency issued by the State Department of
7 Education, or has obtained such certificate,
8 d. is excused from such requirement pursuant to a lawful
9 excuse as defined in subsection G of this section or
10 due to circumstances beyond the control of the person,
11 or
12 e. is excused from such requirement pursuant to
13 subsection C of this section; and

14 2. Has successfully passed the criterion-referenced reading and
15 mathematics test required for all eighth grade students or an
16 alternative reading and mathematics proficiency test approved by the
17 State Department of Education pursuant to the provisions of Section
18 ~~3~~ 1210.515 of ~~this act~~ Title 70 of the Oklahoma Statutes
19 demonstrating reading and mathematics proficiency at the eighth-
20 grade reading level, unless such student is excused from such
21 requirement pursuant to the provisions of Section ~~3~~ 1210.515 of ~~this~~
22 ~~act~~ Title 70 of the Oklahoma Statutes.

1 Provided, during the summer months when school is not in regular
2 session, as established by the school district pursuant to Section
3 1-109 of Title 70 of the Oklahoma Statutes, persons under eighteen
4 (18) years of age may satisfy the documentation requirement of this
5 subsection by providing a notarized written statement from the
6 parent, custodial parent or legal guardian of the child to the
7 Department of Public Safety that the child completed the immediately
8 previous school year and is enrolled or intends to enroll for the
9 immediately subsequent school year. The documentation shall be
10 signed by the parent, custodial parent or legal guardian.

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

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

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

5 a. the student is employed at least twenty-four (24)
6 hours per week, and

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

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

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

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

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

6 3. Within fifteen (15) working days of the receipt of such
7 notice, the Department of Public Safety shall provide written notice
8 to the student, by first class, postage prepaid mail, that the
9 student's license will be canceled, or the driver license
10 application of the student will be denied thirty (30) days following
11 the date the notice to the student was sent, unless documentation of
12 compliance with the provisions of this section is received by the
13 Department of Public Safety before such time. After the thirty-day
14 period, the Department of Public Safety shall cancel the driving
15 privileges of the student.

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

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

18 2. Pursuant to any lawful excuse; or

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

1 no notice as required by subsection D of this section shall be sent
2 to the Department of Public Safety, or, if sent, such notice shall
3 be disregarded by the Department of Public Safety. If the student
4 is applying for a license, restricted license, or instruction
5 permit, the attendance officer shall provide the student with
6 documentation to present to the Department of Public Safety to
7 excuse the student from the requirements of this section.

8 F. Every school district shall, upon request, provide
9 documentation of reading and mathematics proficiency for any student
10 enrolled in such school district by certifying passage of a reading
11 and mathematics examination pursuant to the provisions of Section ~~3~~
12 1210.515 of this act Title 70 of the Oklahoma Statutes.

13 G. As used in this section:

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

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

22 3. "Circumstances beyond the control of the person" shall not
23 include marriage, suspension or expulsion from school, or

1 imprisonment in a jail, penitentiary or other correctional
2 institution;

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

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

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

5 I. The Department of Public Safety shall establish and approve
6 documentation forms and certificates required by this section for
7 use by school districts to comply with the provisions of this
8 section. Upon establishment and approval of such forms and
9 certificates, the Department of Public Safety shall notify each
10 school district and the State Board of Education of the content
11 thereof.

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

14 Section 6-107.4 A. Whenever a license or instruction permit
15 for the operation of a motor vehicle is canceled or denied pursuant
16 to Section 6-107.3 of this title, the license or privilege to
17 operate a motor vehicle shall remain canceled or denied for a
18 minimum period of sixty (60) days or until the person whose license
19 or permit has been canceled or denied reaches eighteen (18) years of
20 age, whichever period is the shortest; ~~provided, however, a.~~ A
21 denial pursuant to paragraph 2 of subsection A of Section 6-107.3 of
22 this title shall remain in effect only until such time as a student
23 presents to the Department of Public Safety sufficient documentation

1 of attainment of an eighth grade level of reading and mathematics
2 proficiency pursuant to the provisions of Section 1210.515 of Title
3 70 of the Oklahoma Statutes.

4 B. After the minimum period, the licensee or applicant may at
5 any time apply for driving privileges by presenting sufficient
6 documentation to the Department of Public Safety pursuant to Section
7 6-107.3 of this title and paying the fee required for issuance or
8 renewal of a Class D license. Upon reinstatement after cancellation
9 and upon issuance after denial, the Department shall remove the
10 record of cancellation or denial from the person's driving record.

11 SECTION 8. REPEALER Section 8, Chapter 432, O.S.L. 2005
12 (70 O.S. Supp. 2005, Section 11-111), is hereby repealed.

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

14 SECTION 10. It being immediately necessary for the preservation
15 of the public peace, health and safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

18 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 4-3-06 - DO PASS,
19 As Amended.