

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 676

6 By: Paddack

7 COMMITTEE SUBSTITUTE

8 [schools - curricular standards for high school
9 graduation - Oklahoma School Testing Program Act -
10 effective date - emergency]

11
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 3, Chapter 173, O.S.L. 2007 (70 O.S. Supp.
15 2008, 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 -

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

10 B. Beginning with students entering the ninth grade in the
11 2006-07 school year and subject to the provisions of subsection C of
12 this section, in order to graduate from a public high school
13 accredited by the State Board of Education with a standard diploma,
14 students shall complete the following college preparatory/work ready
15 curriculum units or 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

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

5 4. Three units of history and citizenship skills, including one
6 unit of American History, 1/2 unit of Oklahoma History, 1/2 unit of
7 United States Government and one unit from the subjects of History,
8 Government, Geography, Economics, Civics, or Non-Western culture and
9 approved for college admission requirements;

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

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

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

21 C. Beginning with students entering the ninth grade in the
22 2006-07 school year, in lieu of the requirements of subsection B of
23 this section which requires a college preparatory/work ready
24 curriculum, a student may enroll in the core curriculum as provided

1 in subsection D of this section upon written approval of the parent
2 or legal guardian of the student. School districts may require a
3 parent or legal guardian of the student to meet with a designee of
4 the school prior to enrollment in the core curriculum. The State
5 Department of Education shall develop and distribute to school
6 districts a form suitable for this purpose, which shall include
7 information on the benefits to students of completing the college
8 preparatory/work ready curriculum as provided for in subsection B of
9 this section.

10 D. For students who entered the ninth grade prior to the 2006-
11 07 school year and for those students subject to the requirements of
12 subsection C of this section, in order to graduate from a public
13 high school accredited by the State Board of Education with a
14 standard diploma, students shall complete the following core
15 curriculum units or sets of competencies at the secondary level:

16 1. Language Arts - 4 units or sets of competencies, to consist
17 of 1 unit or set of competencies of grammar and composition, and 3
18 units or sets of competencies which may include, but are not limited
19 to, the following courses:

- 20 a. American Literature,
- 21 b. English Literature,
- 22 c. World Literature,
- 23 d. Advanced English Courses, or

24

1 e. other English courses with content and/or rigor equal
2 to or above grammar and composition;

3 2. Mathematics - 3 units or sets of competencies, to consist of
4 1 unit or set of competencies of Algebra I or Algebra I taught in a
5 contextual methodology, and 2 units or sets of competencies which
6 may include, but are not limited to, the following courses:

7 a. Algebra II,

8 b. Geometry or Geometry taught in a contextual
9 methodology,

10 c. Trigonometry,

11 d. Math Analysis or Precalculus,

12 e. Calculus,

13 f. Statistics and/or Probability,

14 g. Computer Science,

15 h. contextual mathematics courses which enhance
16 technology preparation whether taught at a:

17 (1) comprehensive high school, or

18 (2) technology center school when taken in the
19 eleventh or twelfth grade, taught by a certified
20 teacher, and approved by the State Board of
21 Education and the independent district board of
22 education,

23 i. mathematics courses taught at a technology center
24 school by a teacher certified in the secondary subject

1 area when taken in the eleventh or twelfth grade upon
2 approval of the State Board of Education and the
3 independent district board of education, or

4 j. equal to or above Algebra I;

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

- 10 a. Chemistry I,
- 11 b. Physics,
- 12 c. Biology II,
- 13 d. Chemistry II,
- 14 e. Physical Science,
- 15 f. Earth Science,
- 16 g. Botany,
- 17 h. Zoology,
- 18 i. Physiology,
- 19 j. Astronomy,
- 20 k. Applied Biology/Chemistry,
- 21 l. Applied Physics,
- 22 m. Principles of Technology,
- 23 n. qualified agricultural education courses,

- 1 o. contextual science courses which enhance technology
2 preparation whether taught at a:
3 (1) comprehensive high school, or
4 (2) technology center school when taken in the
5 eleventh or twelfth grade, taught by a certified
6 teacher, and approved by the State Board of
7 Education and the independent district board of
8 education,
- 9 p. science courses taught at a technology center school
10 by a teacher certified in the secondary subject area
11 when taken in the eleventh or twelfth grade upon
12 approval of the State Board of Education and the
13 independent district board of education, or
- 14 q. other science courses with content and/or rigor equal
15 to or above Biology I;

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

- 22 a. World History,
23 b. Geography,
24 c. Economics,

1 d. Anthropology, or

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

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

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

18 2. No student shall receive credit for high school graduation
19 more than once for completion of the same unit or set of
20 competencies to satisfy the curriculum requirements of this section.

21 3. A school district shall not be required to offer every
22 course listed in subsections B and D of this section, but shall
23 offer sufficient courses to allow a student to meet the graduation
24 requirements during the secondary grade years of the student.

1 F. For purposes of this section:

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

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

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

18 4. "Sets of competencies" means those skills and competencies
19 that are specified in the Priority Academic Student Skills (PASS),
20 as adopted by the State Board of Education, subchapter 5, Chapter
21 15, Title 210 of the Oklahoma Administrative Code, and other skills
22 and competencies adopted by the Board; and

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

1 G. 1. The State Board of Education shall adopt a plan to
2 ensure that rigor is maintained in the content, teaching
3 methodology, level of expectations for student achievement, and
4 application of learning in all the courses taught to meet the
5 graduation requirements as specified in this section.

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

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

1 subsection B of this section shall be approved for college admission
2 requirements.

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

14 It is the intent of the Legislature that for students enrolled
15 in a concurrent enrollment course which is paid for by the school
16 district pursuant to this paragraph, the institution charge only the
17 supplementary and special service fees that are directly related to
18 the concurrent enrollment course and enrollment procedures for that
19 student. It is further the intent of the Legislature that fees for
20 student activities and student service facilities, including the
21 student health care and cultural and recreational service fees, not
22 be charged to such students.

23 5. Credit for the units or sets of competencies required in
24 subsection B or D of this section shall be given when such units or

1 sets of competencies are taken in the seventh or eighth grades if
2 the teachers are certified or authorized to teach the subjects for
3 high school credit and the required rigor is maintained.

4 6. Beginning with ninth-grade students enrolled in the 2008-
5 2009 school year, the three units or sets of competencies in
6 mathematics required in subsection B or D of this section shall be
7 completed in the ninth through twelfth grades; provided, if a
8 student completes any required courses in mathematics prior to ninth
9 grade, the student may take any other mathematics courses to fulfill
10 the requirement to complete three units in grades nine through
11 twelve after the student has satisfied the requirements of
12 subsection B or D of this section.

13 7. All units or sets of competencies required for graduation
14 may be taken in any sequence recommended by the school district.

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

21 I. 1. Academic and vocational-technical courses designed to
22 offer sets of competencies integrated or embedded within the course
23 that provide for the teaching and learning of the appropriate skills
24 and knowledge in the Priority Academic Student Skills (PASS), as

1 adopted by the State Board of Education, may upon approval of the
2 Board be counted for academic credit and toward meeting the
3 graduation requirements of this section.

4 2. Internet-based courses offered by a technology center school
5 that are taught by a certified teacher and provide for the teaching
6 and learning of the appropriate skills and knowledge in the PASS
7 may, upon approval of the State Board of Education and the
8 independent district board of education, be counted for academic
9 credit and toward meeting the graduation requirements of this
10 section.

11 3. Internet-based courses or vocational-technical courses
12 utilizing integrated or embedded skills for which no Priority
13 Academic Student Skills have been adopted by the State Board of
14 Education may be approved by the Board if such courses incorporate
15 standards of nationally recognized professional organizations and
16 are taught by certified teachers.

17 4. Courses offered by a supplemental education organization
18 that is accredited by a national accrediting body and that are
19 taught by a certified teacher and provide for the teaching and
20 learning of the appropriate skills and knowledge in the PASS may,
21 upon approval of the State Board of Education and the school
22 district board of education, be counted for academic credit and
23 toward meeting the graduation requirements of this section.

24

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. For students who enter the ninth grade in or prior to the
16 2007-08 school year who are enrolled in an alternative education
17 program and meet the requirements of their plans leading to high
18 school graduation developed pursuant to Section 1210.568 of this
19 title shall be awarded a standard diploma.

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

23 O. Any student who successfully completes an advanced
24 mathematics or science course offered pursuant to Section 1210.404

1 of this title shall be granted academic credit toward meeting the
2 graduation requirements pursuant to paragraph 2 or 3, as
3 appropriate, of subsection B or D of this section.

4 P. For purposes of this section, the courses approved for
5 college admission requirements shall be courses which are approved
6 by the Oklahoma State Regents for Higher Education for admission to
7 an institution within The Oklahoma State System of Higher Education.

8 Q. The State Department of Education shall collect and report
9 data by school site and district on the number of students who
10 enroll in the core curriculum as provided in subsection D of this
11 section. The Department shall issue a deficiency on the
12 accreditation report for any district with a percentage of ninth-
13 grade students who opt out of the college preparatory/work ready
14 curriculum that exceeds twenty percent (20%) of the total enrollment
15 of ninth-grade students.

16 SECTION 2. AMENDATORY 70 O.S. 2001, Section 1210.508, as
17 last amended by Section 4, Chapter 289, O.S.L. 2006 (70 O.S. Supp.
18 2008, Section 1210.508), is amended to read as follows:

19 Section 1210.508 A. 1. The State Board of Education shall
20 develop and administer a series of criterion-referenced tests
21 designed to indicate whether the state academic content standards,
22 as defined by the State Board of Education in the Priority Academic
23 Student Skills Curriculum, which Oklahoma public school students are
24 expected to have attained have been achieved. The Board may develop

1 and administer any criterion-referenced test in any subject not
2 required by federal law, contingent upon the availability of
3 funding. Students who do not perform satisfactorily on tests shall
4 be remediated, subject to the availability of funding.

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

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

10 3. Contingent upon the availability of funds, the Board shall
11 administer criterion-referenced tests for grade five in:

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

19 4. 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.

24

1 In addition, the Board shall administer a criterion-referenced
2 test in geography in grade seven.

3 5. Contingent upon the availability of funds, the Board shall
4 administer criterion-referenced tests for grade eight 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 The Board shall administer the tests for grade eight in reading
12 and mathematics online with raw score test results reported
13 immediately and complete results reported in less than two (2) weeks
14 beginning in the 2007-08 school year.

15 6. a. Each student who completes the instruction for English
16 II, English III, United States History, Biology I,
17 Algebra I, Geometry, and Algebra II at the secondary
18 level shall complete an end-of-instruction test, when
19 implemented, to measure for attainment in the
20 appropriate state academic content standards in order
21 to graduate from a public high school with a standard
22 diploma. All students shall take the tests prior to
23 graduation, unless otherwise exempt by law.

24

1 education, for students who enter the ninth grade in
2 or prior to the 2007-08 school year, school districts
3 shall report the highest achieved state test
4 performance level on the end-of-instruction tests on
5 the student's high school transcript. Beginning with
6 students who enter the ninth grade in the 2008-09
7 school year, school districts shall report the
8 student's performance levels of satisfactory and above
9 on the end-of-instruction tests on the student's high
10 school transcript. Any student at the middle school
11 level who completes the instruction in a secondary
12 course specified in this paragraph shall be
13 administered the appropriate end-of-instruction test.

14 7. a. Each school district shall administer to each student
15 in the school district in grades three through eight
16 an assessment designed to assess the student in the
17 fine arts area in which the student has received
18 instruction.

19 b. 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.

1 B. 1. All criterion-referenced tests required by this section
2 shall measure academic competencies in correlation with the state
3 academic content standards adopted by the Board pursuant to Section
4 11-103.6 of this title and known as the Priority Academic Student
5 Skills Curriculum. The State Board of Education shall evaluate the
6 academic content standards to ensure the competencies reflect high
7 standards, are specific, well-defined, measurable, challenging, and
8 will prepare elementary students for next-grade-level course work
9 and secondary students for postsecondary studies at institutions of
10 higher education or technology center schools without the need for
11 remediation in core curriculum areas. All state academic content
12 standards shall reflect the benchmarks of the American Diploma
13 Project and the goal of improving the state average ACT score.

14 2. The State Department of Education shall annually evaluate
15 the results of the criterion-referenced tests. The State Board of
16 Education shall ensure that test results are reported to districts
17 in a manner that yields detailed, diagnostic information for the
18 purpose of guiding instruction and student remediation. As
19 improvements are made to the criterion-referenced tests required by
20 this section, the Board shall seek to increase the depth of
21 knowledge assessed for each subject. The State Board of Education
22 shall seek to ensure that data yielded from the tests required in
23 this section are utilized at the school district level to prescribe
24 reinforcement and/or remediation by requiring school districts to

1 develop and implement a specific program of improvement based on the
2 test results.

3 3. The State Board of Education shall review, realign, and
4 recalibrate, as necessary, the tests in reading and mathematics in
5 third through eighth grade and the end-of-instruction tests. The
6 Board shall determine the cut scores for the performance levels on
7 the end-of-instruction tests developed pursuant to paragraph 6 of
8 subsection A of this section, which shall be phased in over a multi-
9 year period. The Board shall conduct an ongoing review to compare
10 the end-of-instruction test content and performance descriptors with
11 those of other states. Upon receipt of the review, the Board may
12 adjust the cut scores as necessary.

13 4. The State Board of Education, for the purposes of conducting
14 reliability and validity studies, monitoring contractor adherence to
15 professionally accepted testing standards, and providing
16 recommendations for testing program improvement, shall retain the
17 services of an established, independent agency or organization that
18 is nationally recognized for its technical expertise in educational
19 testing but is not engaged in the development of aptitude or
20 achievement tests for elementary or secondary level grades. These
21 national assessment experts shall annually conduct studies of the
22 reliability and validity of the end-of-instruction tests
23 administered pursuant to this section. Validity studies shall

24

1 include studies of decision validity, concurrent validity and the
2 validity of performance level cut scores.

3 C. 1. The State Board of Education shall set the testing
4 window dates for each criterion-referenced test required in
5 paragraphs 1 through 5 of subsection A of this section for grades
6 three through eight so that, with the exception of the writing
7 assessments, the tests are administered to students no earlier than
8 April 10 each year and so that the test results are reported back to
9 school districts in a timely manner. Each criterion-referenced test
10 required in paragraph 6 of subsection A of this section may be
11 administered to students at a time set by the State Board of
12 Education as near as possible to the end of the course. All results
13 and reports of the criterion-referenced test series required in
14 paragraphs 1 through 5 of subsection A of this section for grades
15 three through eight shall be returned to each school district prior
16 to the beginning of the next school year. The vendor shall provide
17 a final electronic data file of all school site, school district,
18 and state results to the Department and the Office of Accountability
19 prior to September 1 of each year. The Department shall forward the
20 final data files for each school district and each school site in
21 that district to the school district. The Board shall ensure the
22 contract with the testing vendor includes a provision that the
23 vendor report test results directly to the Office of Accountability
24 at the same time it is reported to the Board.

1 2. State, district, and site level results of all tests
2 required in this section shall be disaggregated by gender, race
3 ethnicity, disability status, migrant status, English proficiency,
4 and status as economically disadvantaged, except that such
5 disaggregation shall not be required in a case in which the number
6 of students in a category is insufficient to yield statistically
7 reliable information or the results would reveal personally
8 identifiable information about an individual student. Each school
9 site shall notify the student's parents of the school's performance
10 levels in the Oklahoma School Testing Program as reported in the
11 Oklahoma Educational Indicators Program at the end of each school
12 year.

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

21 E. The Board shall develop, administer, and incorporate as a
22 part of the Oklahoma School Testing Program, other testing programs
23 or procedures, including appropriate accommodations for the testing
24

1 of students with disabilities as required by the Individuals with
2 Disabilities Education Act (IDEA), 20 USC, Section 1400 et seq.

3 SECTION 3. This act shall become effective July 1, 2009.

4 SECTION 4. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8

9 52-1-1720 KM 3/4/2009 2:09:31 PM

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24