

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1617

By: Halligan

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2001,
8 Section 1210.541, as last amended by Section 12,
9 Chapter 456, O.S.L. 2009 (70 O.S. Supp. 2009, Section
10 1210.541), which relates to student performance
11 levels and accountability; requiring review of
12 performance of school principal in certain
13 circumstance; requiring report of findings to
14 Legislature; providing an effective date; and
15 declaring an emergency.

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

17 SECTION 1. AMENDATORY 70 O.S. 2001, Section 1210.541, as
18 last amended by Section 12, Chapter 456, O.S.L. 2009 (70 O.S. Supp.
19 2009, Section 1210.541), is amended to read as follows:

20 Section 1210.541 A. The State Board of Education shall
21 determine and adopt a series of student performance levels and the
22 corresponding cut scores pursuant to the Oklahoma School Testing
23 Program Act. Beginning July 1, 2009, and through June 30, 2011, the
24 State Board of Education shall carry out two separate rounds of cut
score setting for each school year, the first of which shall be non-
binding in efforts to determine the feasibility and practicality of

1 setting cut scores prior to administration of the tests. The first
2 round of scores shall be determined prior to the administration of
3 the tests and published after administration of the tests, and the
4 second round of scores shall be determined and published after
5 administration of the tests.

6 B. The State Board of Education shall ensure that the cut
7 scores are tied to the rigor of the tests and shall strive to
8 increase the cut scores by ten percent (10%) of the gap between
9 state and national assessments each year.

10 C. The performance levels shall be set by a method that
11 indicates students are ready for the next grade, course, or level of
12 education, as applicable. The State Board of Education shall
13 establish panels to review and revise the performance level
14 descriptors for each subject and grade level, which shall be set by
15 a method and panel composition similar to that used for the National
16 Assessment of Educational Progress performance setting process. The
17 State Board of Education shall ensure that the criterion-referenced
18 tests developed and administered pursuant to the Oklahoma School
19 Testing Program Act in grades three through eight and the end-of-
20 instruction tests administered at the secondary level are vertically
21 aligned by content across grade levels to ensure consistency,
22 continuity, alignment and clarity. Student performance levels shall
23 be labeled and defined as follows:

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1 1. Advanced, which shall indicate that students demonstrate
2 superior performance on challenging subject matter;

3 2. Proficient, which shall indicate that students demonstrate
4 mastery over appropriate grade-level subject matter and that
5 students are ready for the next grade, course, or level of
6 education, as applicable;

7 3. Limited knowledge, which shall indicate that students
8 demonstrate partial mastery of the essential knowledge and skills
9 appropriate to their grade level or course; and

10 4. Unsatisfactory, which shall indicate that students have not
11 performed at least at the limited knowledge level.

12 D. The State Board of Education shall develop and implement in
13 accordance with the Elementary and Secondary Education Act of 2001
14 (ESEA), P.L. No. 107-110, also known as the No Child Left Behind Act
15 of 2001, an accountability system as provided for in 20 U.S.C., 6311
16 and any related federal regulations. The accountability system
17 shall be implemented beginning with the 2002-2003 school year and
18 shall be based on the Academic Performance Index data as established
19 pursuant to Section 3-150 of this title and as modified to meet the
20 mandates of the ESEA. For the 2002-2003 school year and every year
21 thereafter the State Board of Education shall publish and ensure
22 that each local education agency is provided with Academic
23 Performance Index data annually by site and by district so that the
24 local education agency can make Adequate Yearly Progress

1 determinations to identify schools for rewards and sanctions. The
2 State Board of Education shall establish a system of recognition,
3 rewards, sanctions and technical assistance.

4 E. A school that does not make adequate yearly progress (AYP)
5 for two (2) consecutive years, as AYP is defined by the
6 accountability system developed by the State Board of Education
7 pursuant to this section, because of failure to meet either an
8 academic performance target or an attendance or graduation
9 performance target, or both, and is identified for school
10 improvement shall utilize the assistance of a school support team or
11 other similar team formed by the State Department of Education to
12 provide support for schools in need of improvement, subject to
13 school support team capacity. The school support team shall review
14 and analyze all facets of operation of the school including the
15 design and operation of the instructional program. The school
16 support team shall assist the school in:

17 1. Incorporating strategies based on scientifically based
18 research that will strengthen the core academic subjects in the
19 school and address the specific academic issues that caused the
20 school to be identified for school improvement;

21 2. Incorporating strategies to promote high quality
22 professional development; and

23 3. Training teachers to analyze classroom and school-level data
24 and use the data to inform instruction.

1 F. If a school district includes a school that is identified
2 for school improvement for four (4) consecutive years in which there
3 has been no substantial improvement in test scores, the State
4 Department of Education shall conduct a review of the performance of
5 the principal and submit a report to the Legislature concerning the
6 findings.

7 SECTION 2. This act shall become effective July 1, 2010.

8 SECTION 3. It being immediately necessary for the preservation
9 of the public peace, health and safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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