

1 as defined by the State Board of Education in the Priority Academic
2 Student Skills Curriculum, which Oklahoma public school students are
3 expected to have attained have been achieved. The Board may develop
4 and administer any criterion-referenced test in any subject not
5 required by federal law, contingent upon the availability of
6 funding. Students who do not perform at least at the proficient
7 level on tests shall be remediated, subject to the availability of
8 funding.

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

- 12 a. reading, and
- 13 b. mathematics.

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

- 16 a. reading,
- 17 b. mathematics,
- 18 c. science,
- 19 d. social studies, which shall consist of the history,
20 Constitution and government of the United States, and
21 geography, and
- 22 e. writing of English.

23
24

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

- 4 a. reading, and
- 5 b. mathematics.

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

8 5. Contingent upon the availability of funds, the Board shall
9 administer criterion-referenced tests for grade eight in:

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

16 The Board shall administer the tests for grade eight in reading
17 and mathematics online with raw score test results reported
18 immediately and complete results reported in less than two (2) weeks
19 beginning in the 2007-08 school year.

20 6. Each student who completes the instruction for English II,
21 English III, United States History, Biology I, Algebra I, Geometry,
22 and Algebra II at the secondary level shall complete an end-of-
23 instruction test, when implemented, to measure for attainment in the

1 appropriate state academic content standards in order to graduate
2 from a public high school with a standard diploma. All students
3 shall take the tests prior to graduation, unless otherwise exempt by
4 law. The State Board of Education shall administer the criterion-
5 referenced tests. The Board shall develop and field test the end-
6 of-instruction tests in English III, Geometry, and Algebra II during
7 the 2006-07 school year, implement the tests during the 2007-08
8 school year, and administer them each year thereafter. The Board
9 shall administer the multiple choice portion of the end-of-
10 instruction tests online with raw score test results reported
11 immediately and complete results reported in less than two (2) weeks
12 beginning in the 2008-09 school year.

13 The end-of-instruction tests shall serve the purpose of the
14 criterion-referenced tests as provided in paragraph 1 of this
15 subsection. The English II and English III end-of-instruction tests
16 shall include a writing component. Students who do not score at
17 least at the proficient level shall be afforded the opportunity to
18 retake each test up to three (3) times each calendar year until at
19 least achieving at the proficient level. In order to provide an
20 indication of the levels of competency attained by the student in a
21 permanent record for potential future employers and institutions of
22 higher education, for students who enter the ninth grade in or prior
23 to the 2007-08 school year, school districts shall report the

24

1 highest achieved state test performance level on the end-of-
2 instruction tests on the student's high school transcript.
3 Beginning with students who enter the ninth grade in the 2008-09
4 school year, school districts shall report the student's performance
5 levels ~~of proficient and above~~ on the end-of-instruction tests and
6 any business and industry-recognized endorsements attained on the
7 student's high school transcript. Any student at the middle school
8 level who completes the instruction in a secondary course specified
9 in this paragraph shall be administered the appropriate end-of-
10 instruction test.

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

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

22 B. 1. All criterion-referenced tests required by this section
23 shall measure academic competencies in correlation with the state

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

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

23
24

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

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

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

1 reliability and validity of the end-of-instruction tests
2 administered pursuant to this section. Validity studies shall
3 include studies of decision validity, concurrent validity and the
4 validity of performance level cut scores.

5 C. 1. The State Board of Education shall set the testing
6 window dates for each criterion-referenced test required in
7 paragraphs 1 through 5 of subsection A of this section for grades
8 three through eight so that, with the exception of the writing
9 assessments, the tests are administered to students no earlier than
10 April 10 each year and so that the test results are reported back to
11 school districts in a timely manner. Each criterion-referenced test
12 required in paragraph 6 of subsection A of this section may be
13 administered to students at a time set by the State Board of
14 Education as near as possible to the end of the course; provided, if
15 a school district is unable to administer the tests online to all
16 students taking the test for the first time and all students
17 retaking the test during the testing window time set by the Board,
18 the school district may elect to administer any of the tests to
19 students retaking the test at any time not more than two (2) weeks
20 prior to the start of the testing window time set by the Board. All
21 results and reports of the criterion-referenced test series required
22 in paragraphs 1 through 5 of subsection A of this section for grades
23 three through eight shall be returned to each school district prior

1 to the beginning of the next school year. The vendor shall provide
2 a final electronic data file of all school site, school district,
3 and state results to the State Department of Education and the
4 Office of Accountability prior to September 1 of each year. The
5 Department shall forward the final data files for each school
6 district and each school site in that district to the school
7 district. The Board shall ensure the contract with the testing
8 vendor includes a provision that the vendor report test results
9 directly to the Office of Accountability at the same time it is
10 reported to the Board.

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

23
24

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

9 E. The State Board of Education shall develop, administer, and
10 incorporate as a part of the Oklahoma School Testing Program, other
11 testing programs or procedures, including appropriate accommodations
12 for the testing of students with disabilities as required by the
13 Individuals with Disabilities Education Act (IDEA), 20 USC, Section
14 1400 et seq.

15 SECTION 2. This act shall become effective November 1, 2011.

16

17 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02-23-2011
18 - DO PASS, As Coauthored.

19

20

21

22

23

24

25