

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2762

By: Denney of the House

and

Jolley of the Senate

7  
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10                                   COMMITTEE SUBSTITUTE

11                   An Act relating to school; amending 70 O.S. 2011,  
12                   Section 3-116, which relates to the Education  
13                   Oversight Board; renaming the Board the Commission  
14                   for Education, Instruction Quality, and  
15                   Accountability; providing membership for Commission;  
16                   providing for terms of members; modifying quorum  
17                   requirement; deleting obsolete language; amending 70  
18                   O.S. 2011, Section 3-117, which relates to the Office  
19                   of Accountability; renaming the Office of Educational  
20                   Quality and Accountability; deleting obsolete  
21                   language; amending 70 O.S. 2011, Section 3-118, which  
22                   relates to duties of the Secretary of Education;  
23                   changing language; amending 70 O.S. 2011, Sections 6-  
24                   182, 6-185 and 6-200, which relate to the Oklahoma  
                  Teacher Preparation Act; changing definitions;  
                  changing references; providing certain authority to  
                  the Commission for Education, Instruction Quality,  
                  and Accountability; directing the Commission to  
                  implement certain provisions; allowing certain  
                  entities to propose rules for Commission; directing  
                  Commission to consider proposed rules in certain  
                  manner; directing the State Board of Education to  
                  take certain steps prior to adopting certain rules;  
                  providing for review of proposed rules; transferring  
                  certain duties to the State Department of Education;  
                  amending 70 O.S. 2011, Sections 1210.531 and

1 1210.541, which relate to the Oklahoma Education  
2 Indicators Program; updating certain references;  
3 deleting obsolete language; allowing the Commission  
4 to enter into certain contracts; directing the  
5 Commission to use certain entity to adopt performance  
6 levels; allowing for alternative; providing meaning  
7 of certain term; repealing 70 O.S. 2011, Section 3-  
8 118-1, which relates to performance reviews of school  
9 districts; repealing 70 O.S. 2011 Sections 6-199, 6-  
10 183, 6-201, 6-202 and 6-202.1, which relate to the  
11 Oklahoma Teacher Preparation Act; providing for  
12 codification; and providing an effective date.

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

14 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-116, is  
15 amended to read as follows:

16 Section 3-116. A. There is hereby created the ~~Education~~  
17 ~~Oversight Board~~ Commission for Education, Instruction Quality, and  
18 Accountability. The membership of the ~~Education Oversight Board~~  
19 Commission shall consist of:

20 1. ~~The Chairperson of the Education Committee of the Oklahoma~~  
21 ~~House of Representatives~~ Secretary of Education, who shall serve as  
22 the chair of the Commission;

23 2. ~~The Chairperson of the Education Committee of the Senate~~ Two  
24 Members appointed by the Governor, with the advice and consent of  
the Senate, representing business and industry from an Oklahoma  
employer with more than five hundred employees;

1       3. Two members, ~~who are not legislators,~~ appointed by the  
2 Governor, with the advice and consent of the Senate, representing  
3 business and industry from Oklahoma employers with less than five  
4 hundred employees; and

5       4. Two members, ~~who are not legislators,~~ appointed by the  
6 ~~Speaker of the Oklahoma House of Representatives;~~ Governor, with the  
7 advice and consent of the Senate, representing public schools or  
8 higher education institutions in Oklahoma.

9       5. ~~Two members, who are not legislators, appointed by the~~  
10 ~~President Pro Tempore of the Senate; and~~

11       6. ~~One member, who is not a legislator, appointed jointly by~~  
12 ~~the President Pro Tempore of the Senate and the Speaker of the House~~  
13 ~~of Representatives.~~

14       ~~The two Education Committee Chairpersons shall serve as~~  
15 ~~nonvoting members of the Board as long as each holds that position~~  
16 ~~in such chairperson's respective house. The terms of the appointed~~  
17 ~~members shall be staggered commence on July 1, 2013, and on July 1~~  
18 ~~of each year following the election of the Governor thereafter. The~~  
19 ~~terms of the seven appointed members shall begin on July 1 of the~~  
20 ~~year the preceding term expires. All terms shall be for five (5)~~  
21 ~~years. At least one appointed member must reside in each~~  
22 ~~congressional district. However, when congressional districts are~~  
23 ~~redrawn each member appointed prior to July 1 of the year in which~~

1 ~~such modification becomes effective shall complete the current term~~  
2 ~~of office and appointments made after July 1 of the year in which~~  
3 ~~such modification becomes effective shall be based on the redrawn~~  
4 ~~districts. Appointments made after July 1 of the year in which such~~  
5 ~~modification becomes effective shall be from any redrawn districts~~  
6 ~~which are not represented by a board member until such time as each~~  
7 ~~of the modified congressional districts are represented by a board~~  
8 ~~member. If a vacancy occurs, the vacancy shall be filled for the~~  
9 ~~unexpired term in the same manner as the office was previously~~  
10 ~~filled.~~

11 B. ~~A chairperson and vice chairperson shall be elected annually~~  
12 ~~from the membership of the Board.~~ A quorum which shall consist of  
13 four ~~voting~~ members who must be present for the transaction of any  
14 business. Members shall be reimbursed for travel in the performance  
15 of their official duties in accordance with the State Travel  
16 Reimbursement Act.

17 C. ~~The Education Oversight Board~~ Commission shall:

18 1. Oversee implementation of the provisions of Enrolled House  
19 Bill No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma  
20 Legislature;

21 2. Oversee implementation of the provisions of the Oklahoma  
22 Teacher Preparation Act; and  
23  
24

1 3. Make recommendations to the Governor and Legislature on  
2 methods to achieve an aligned, seamless system from preschool  
3 through postsecondary education.

4 D. The ~~Education Oversight Board~~ Commission shall govern the  
5 operation of the Office of ~~Accountability~~ Educational Quality and  
6 Accountability created in Section 3-117 of this title. The  
7 ~~Secretary of Education shall be the chief executive officer of the~~  
8 ~~Office of Accountability.~~

9 E. ~~Legislators and appointed members who serve on the Education~~  
10 ~~Oversight Board shall be exempt from the dual office holding~~  
11 ~~prohibitions of Section 6 of Title 51 of the Oklahoma Statutes.~~

12 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-117, is  
13 amended to read as follows:

14 Section 3-117. There is hereby created the Office of  
15 Educational Quality and Accountability. ~~The Oklahoma State Regents~~  
16 ~~for Higher Education are hereby directed to support the Office of~~  
17 ~~Accountability from the budget of the State Regents. The State~~  
18 ~~Regents shall include the Office of Accountability in its budget~~  
19 ~~work program to be submitted each fiscal year for the succeeding~~  
20 ~~fiscal year to the Office of State Finance. Each year the Education~~  
21 ~~Oversight Board shall submit a program budget for the Office of~~  
22 ~~Accountability to the State Regents. Any amendments to the Office~~  
23 ~~of Accountability program budget must first be approved by the~~

1 ~~Education Oversight Board.~~ The Office of Educational Quality and  
2 Accountability, its personnel, budget, and expenditure of funds  
3 shall be solely under the direction of the ~~Education Oversight Board~~  
4 Commission for Education, Instruction Quality, and Accountability.

5 SECTION 3. AMENDATORY 70 O.S. 2011, Section 3-118, is  
6 amended to read as follows:

7 Section 3-118. The Secretary of Education shall:

8 1. Oversee the Office of Educational Quality and  
9 Accountability;

10 2. Employ necessary personnel according to procedures  
11 established for the employment of personnel by the Office of  
12 Personnel Management;

13 3. Monitor the efforts of the public school districts to comply  
14 with the provisions of this act and of Senate Bill No. 183 of the  
15 1st Session of the 42nd Oklahoma Legislature which relate to common  
16 education;

17 4. Identify districts not making satisfactory progress toward  
18 compliance with said provisions and recommend appropriate corrective  
19 actions to the State Board of Education concerning each district so  
20 identified;

21 5. Have executive responsibility for the Oklahoma Educational  
22 Indicators Program and the annual report required pursuant to  
23 Section 1210.531 of this title;

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1           6. Review and make periodic public comment on the progress and  
2 effectiveness of the State Board and State Department of Education,  
3 the Office of the State Superintendent of Public Instruction, other  
4 bodies created by this act, and the public schools of this state  
5 concerning the implementation of the provisions of this act and of  
6 Enrolled Senate Bill No. 183 of the 1st Session of the 42nd Oklahoma  
7 Legislature which relate to common education;

8           7. Analyze the revenues for all systems of education and the  
9 expenditure of common education revenue, giving close attention to  
10 expenditures for administrative expenses relating to the common  
11 schools;

12           8. Make reports to the public concerning these matters whenever  
13 appropriate; and

14           9. Submit recommendations regarding funding for education or  
15 statutory changes to the Speaker of the House of Representatives,  
16 the President Pro Tempore of the Senate and the Governor whenever  
17 appropriate.

18           SECTION 4.           AMENDATORY           70 O.S. 2011, Section 6-182, is  
19 amended to read as follows:

20           Section 6-182. As used in the Oklahoma Teacher Preparation Act:

- 21           1. "Board" means the State Board of Education;
- 22           2. "Commission" means the ~~Oklahoma~~ Commission for Teacher  
23 ~~Preparation~~ Education, Instruction Quality, and Accountability;

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

1           3. "State Regents" means the Oklahoma State Regents for Higher  
2 Education;

3           4. "Licensed teacher" means any person who holds a valid  
4 license to teach, issued by the Board in accordance with the  
5 Oklahoma Teacher Preparation Act and the rules of the Board;

6           5. "Professional development program" means the program  
7 mandated by the Oklahoma Teacher Preparation Act for the continuous  
8 improvement and enrichment of the certified and licensed teachers of  
9 this state;

10          6. "Teacher education professional development committee" means  
11 the committee created in Section 6-186 of this title for the  
12 continuous improvement and enrichment of higher education faculty in  
13 teacher education programs in institutions of higher education;

14          7. "Department" means the State Department of Education;

15          8. "Residency committee" means a committee in a school district  
16 for the purpose of reviewing the teaching performance of a resident  
17 teacher and making recommendations to the Board and the preparing  
18 institution of higher education regarding certification of the  
19 resident teacher. A residency committee shall consist of a mentor  
20 teacher, the principal or an assistant principal of the employing  
21 school or an administrator designated by the district board and a  
22 teacher educator in a college or school of education of an  
23 institution of higher education, or an educator in a department or

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1 school outside the institution's teacher education unit. Provided  
2 that, if available, qualified mentor teachers shall have expertise  
3 in the teaching field of the resident teacher and, if possible, the  
4 higher education members of the residency committee shall have  
5 expertise and experience in the teaching field of the resident  
6 teacher. However, in all cases, at least one member of the  
7 residency committee shall have expertise and experience in the  
8 teaching field of the resident teacher;

9 9. "Teacher" means a person defined as a teacher in Section 1-  
10 116 of this title;

11 10. "Resident teacher" means any licensed teacher who is  
12 employed in an accredited school to serve as a teacher under the  
13 guidance and assistance of a mentor teacher and residency committee.  
14 The resident teacher shall have completed the program of the college  
15 or school of education of the accredited institution of higher  
16 education from which the person has been graduated, and shall have  
17 successfully completed the competency examination in areas of  
18 approval in which the resident teacher seeks certification;

19 11. "Certified teacher" means any teacher who has been issued a  
20 certificate by the Board in accordance with the Oklahoma Teacher  
21 Preparation Act and the rules of the Board;

22 12. "Mentor teacher" means any teacher holding a standard  
23 certificate who is employed in a school district to serve as a  
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1 teacher and who has been appointed to provide guidance and  
2 assistance to a resident teacher employed by the school district. A  
3 mentor teacher shall be a classroom teacher and have a minimum of  
4 two (2) years of classroom teaching experience as a certified  
5 teacher.

6 A mentor teacher shall be selected by the principal from a list  
7 of qualified teacher volunteers who have submitted their names for  
8 that purpose. After compilation of the list, the principal shall  
9 provide opportunity for input from the bargaining agent, where one  
10 exists. Membership or nonmembership in a professional teacher  
11 organization shall not be considered as a factor in selecting a  
12 mentor teacher. No teacher may serve as a mentor teacher for more  
13 than one resident teacher at a time. When possible, a mentor  
14 teacher shall have successfully completed a mentor teacher  
15 professional development institute and be assigned to the same  
16 school site and have similar certification as the resident teacher;

17 13. "Higher education faculty" means any individual who is  
18 employed in a teaching capacity in an institution of higher  
19 education, approved or accredited by the Commission for the  
20 preparation of education personnel; and

21 14. "Competency examination" means the assessment required in  
22 the Oklahoma Teacher Preparation Act for licensure and certification  
23 as a teacher and shall consist of tests over general education,  
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1 professional education and subject areas as defined by the ~~Oklahoma~~  
2 Commission for ~~Teacher Preparation~~ Education, Instruction Quality,  
3 and Accountability.

4 SECTION 5. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 6-184.1 of Title 70, unless  
6 there is created a duplication in numbering, reads as follows:

7 A. Beginning July 1, 2014, the Commission for Education,  
8 Instruction Quality, and Accountability shall have authority for  
9 approval and accreditation of teacher education programs, assessment  
10 of candidates for licensure and, certification according to  
11 provisions of the Oklahoma Teacher Preparation Act. To implement  
12 the provisions of this subsection the Commission shall:

- 13 1. Include the State Board of Education in the process;
- 14 2. Review and assess approved, accredited and, new programs of  
15 teacher education; and
- 16 3. Encourage studies and research designed to improve teacher  
17 education.

18 B. The State Board of Education, the Oklahoma State Regents for  
19 Higher Education and the State Board of Career and Technology  
20 Education shall have the authority to submit proposed rules  
21 regarding teacher education program approval and accreditation and  
22 for teacher assessment to the Commission. All proposed rules shall  
23 be considered by the Commission within sixty (60) days of receipt of  
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UNDERLINED language denotes Amendments to present Statutes.  
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~~Strike thru~~ language denotes deletion from present Statutes.

1 the proposed rule. The proposed rules shall be considered by the  
2 Commission in the same process provided in subsection A of this  
3 section for rules proposed by the Commission.

4 C. Before adopting any rule pertaining to teacher leadership  
5 and effectiveness or professional development, the State Board of  
6 Education shall solicit comments from the Commission for Education,  
7 Instruction Quality and, Accountability, the Oklahoma State Regents  
8 for Higher Education and the State Board of Career and Technology  
9 Education on the proposed rule. Within forty-five (45) days of the  
10 receipt of a proposed rule from the State Board of Education, the  
11 Commission for Education, Instruction Quality, and Accountability,  
12 the State Regents and the State Board of Career and Technology  
13 Education shall separately review the proposed rule and return their  
14 recommendations to the Board on the proposed rule. Each  
15 recommendation shall include the rationale for the recommendation.  
16 The State Board of Education shall accord the recommendations due  
17 deliberation in its subsequent consideration of the adoption of each  
18 rule.

19 SECTION 6. AMENDATORY 70 O.S. 2011, Section 6-185, is  
20 amended to read as follows:

21 Section 6-185. A. The following competencies and methods shall  
22 be incorporated into the programs approved by the ~~Oklahoma~~  
23 ~~Commission for Teacher Preparation~~ Commission for Education,

1 Instruction Quality, and Accountability for the competency-based  
2 teacher preparation system provided for the Oklahoma Teacher  
3 Preparation Act:

4 1. The teacher preparation system shall include, but not be  
5 limited to, the following competencies:

- 6 a. excellence in the arts and sciences,
- 7 b. an in-depth knowledge of the subject matter to be  
8 taught,
- 9 c. the ability to identify and cultivate talent and  
10 potential in students,
- 11 d. an understanding of child and human development,
- 12 e. teaching skills developed through a variety of  
13 learning experiences,
- 14 f. the ability to interact effectively with all students,
- 15 g. skills necessary for working with parents, guardians  
16 and custodians of students in the education process,
- 17 h. skills necessary to involve the community in  
18 education,
- 19 i. skills to foster teamwork within and among schools,
- 20 j. for administrators, skills necessary to be an  
21 effective leader of a school or school district, and
- 22 k. skills in effective classroom management and student  
23 discipline;

1           2. The preservice program shall include the following methods  
2 to achieve the competencies listed in paragraph 1 of this  
3 subsection:

- 4           a. require teacher candidates to study arts and sciences  
5                 at the undergraduate level,
- 6           b. require secondary and elementary/secondary teacher  
7                 candidates to have undergraduate majors, or their  
8                 equivalents, in a subject area, and require teacher  
9                 candidates in early childhood, elementary, and special  
10                education to have subject area concentrations which  
11                allow qualification as a generalist,
- 12          c. require teacher candidates to study the individuality  
13                of students, the capacity of students to learn and the  
14                process of learning,
- 15          d. integrate curriculum from other disciplines with the  
16                education curriculum,
- 17          e. require teacher candidates to have training  
18                experiences and personal contact with parents,  
19                guardians or custodians of school-age children,
- 20          f. require teacher candidates to have community  
21                involvement experience,
- 22          g. structure courses so as to require teamwork  
23                activities, and

1           h.     require teacher candidates to study, in existing  
2                     coursework, substance abuse symptoms identification  
3                     and prevention, mental illness symptoms identification  
4                     and mental health issues, classroom management skills,  
5                     and classroom safety and discipline techniques;

6           3.     The ~~Oklahoma~~ Commission for ~~Teacher Preparation~~ Education,  
7 Instruction Quality, and Accountability shall not require more than  
8 a four-year program of one hundred twenty-four (124) semester hours  
9 to complete a teacher education degree. Provided, any program  
10 approved by the State Board of Education prior to July 1, 1995,  
11 which requires more hours may continue to require such hours. Any  
12 program approved prior to July 1, 1995, which requires more than one  
13 hundred twenty-four (124) semester hours for a teacher education  
14 degree shall implement requirements for this program without  
15 additional hours.

16           B.     It is the intent of the Legislature that institutions of  
17 higher education which offer teacher education programs hold such  
18 programs accountable for meeting the licensure and certification  
19 competencies approved by the ~~State Board of Education~~ Commission for  
20 Education, Instruction Quality, and Accountability. It is the  
21 intent of the Legislature that the teacher education programs  
22 incorporate a curriculum to achieve the competency-based system and  
23 include integration of the teacher preparation curricula with the

1 arts and sciences departments curricula. Each institution of higher  
2 education which seeks accreditation or approval for its teacher  
3 education program shall develop an institution plan which follows  
4 the ~~State Board of Education~~ Commission for Education, Instruction  
5 Quality, and Accountability competencies for licensure and  
6 certification. In developing such institution plans, the higher  
7 education institution shall establish a process which seeks  
8 information and input from teacher preparation faculty, faculty from  
9 arts and sciences and other programs and disciplines which are  
10 appropriate, students within the teacher education program,  
11 teachers, administrators, parents, guardians or custodians of  
12 students and business and community leaders. Each institution shall  
13 report annually to the ~~Oklahoma Commission for Teacher Preparation~~  
14 Education, Instruction Quality, and Accountability the procedures  
15 used to inform the public regarding the institution's teacher  
16 education program and the manner through which public input is  
17 solicited and received. The institution's plan shall be accessible  
18 to any interested party under the Oklahoma Open Records Act. No  
19 institution of higher education's teacher education program shall be  
20 approved by the Commission unless the institution plan has been  
21 approved by that institution's governing board. ~~Initial institution~~  
22 ~~plans shall be filed with the Oklahoma Commission for Teacher~~  
23 ~~Preparation by January 1, 1997, and as required by the Commission~~

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1 ~~thereafter.~~ The Oklahoma State Regents for Higher Education may  
2 facilitate the development of institution plans to assist  
3 institutions of higher education.

4 SECTION 7. AMENDATORY 70 O.S. 2011, Section 6-200, is  
5 amended to read as follows:

6 Section 6-200. A. Subject to the availability of funds, the  
7 ~~Oklahoma Commission for Teacher Preparation~~ State Department of  
8 Education shall have authority to develop and administer training  
9 for residency committees and training for professional development  
10 through professional development institutes. Included in the  
11 professional development institutes training shall be technology  
12 training. Professional development institutes shall be ~~accepted by~~  
13 ~~the State Board of Education for professional development purposes~~  
14 ~~and shall be~~ defined as continuing education experiences which  
15 consist of a minimum of thirty (30) clock hours. The institutes  
16 shall be competency-based, emphasize effective learning practices,  
17 require collaboration among participants, and require each  
18 participant to prepare a work product which can be utilized in the  
19 classroom by the participant. Any state professional development  
20 institutes administered by the ~~Commission~~ Department shall be chosen  
21 through a competitive bid process and if funds are available subject  
22 to peer review. The ~~Commission~~ Department, prior to offering any

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1 professional development institute, shall promulgate rules related  
2 to administering state professional development institutes.

3 B. ~~The Oklahoma Commission for Teacher Preparation~~ State  
4 Department of Education shall develop, offer and administer  
5 professional development institutes to train elementary school  
6 teachers in reading education and if funds are available, which may  
7 include but not be limited to grant, foundation, or other funds, to  
8 train middle school teachers in reading education. Funds  
9 appropriated for this purpose shall be used for the cost of  
10 developing, administering and contracting for the professional  
11 development institutes. When possible, certified reading  
12 specialists shall be included as consultants. All costs of the  
13 institutes shall be included in the contract price and no tuition or  
14 registration fee shall be collected from teachers attending the  
15 institutes. The institutes shall be offered by or through the  
16 Commission. Working in conjunction with the State Department of  
17 Education, the Commission shall develop a state plan for  
18 administration of such institutes and shall report on or before  
19 November 1 of each year to the Governor and the Legislature on the  
20 format of and participation in the institutes. The State Department  
21 of Education shall cooperate with and provide any information  
22 requested, including data available through the state student record  
23 system, to the ~~Oklahoma Commission for Teacher Preparation~~ State

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1 Department of Education as is necessary to carry out the provisions  
2 of this section.

3 C. Subject to the availability of funds, the ~~Oklahoma~~  
4 ~~Commission for Teacher Preparation~~ State Department of Education  
5 shall:

6 1. Contract for an independent evaluation of the reading  
7 professional development institutes. The evaluation shall determine  
8 adherence to program requirements as provided in this section and  
9 the program's effectiveness in increasing teacher knowledge and  
10 student achievement; and

11 2. Provide continued support of the reading professional  
12 development institutes through ongoing teacher development at  
13 individual school sites. Funds may be used for the cost of mentor  
14 training, payment for substitute teachers, on-site facilitation, and  
15 any other costs necessary to ensure improved reading by students.

16 D. 1. For the purpose of implementing comprehensive reading  
17 reform and systemic change, the ~~Oklahoma Commission for Teacher~~  
18 ~~Preparation~~ State Department of Education shall award one-year  
19 grants renewable for up to two (2) additional years to public  
20 schools that serve students in kindergarten through third grade.  
21 The grants will provide for:

22 a. a five-day initial professional development institute  
23 in elementary school reading for teachers of  
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1 kindergarten through third grade, instructional  
2 leaders, and principals,

3 b. a three-day follow-up professional development  
4 institute in elementary school reading for teachers of  
5 kindergarten through third grade and instructional  
6 leaders, and

7 c. continued support through ongoing teacher development  
8 at school sites, including four (4) days of  
9 professional development for principals and literacy  
10 resource specialists, and six (6) days of on-site  
11 visits by a program consultant.

12 2. In order to qualify for a grant pursuant to this subsection,  
13 the following requirements shall be met:

14 a. at least eighty percent (80%) of the teachers of  
15 kindergarten through third grade at the school shall  
16 have demonstrated support for the training program  
17 provided pursuant to this subsection,

18 b. the principal shall ensure that all members of the  
19 leadership team and all teachers of kindergarten  
20 through third grade will participate in all phases of  
21 the training program,

22 c. the school district shall ensure that any new teacher  
23 of kindergarten through third grade or principal at  
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1 the school will participate in all phases of the  
2 training program, and

3 d. the school district shall employ a literacy resource  
4 specialist for at least two (2) years after completion  
5 of the training provided in this subsection. One or  
6 more districts may share a literacy resource  
7 specialist upon approval of the Commission.

8 3. Any school which has been determined by the State Board of  
9 Education to be a school in need of improvement or a school that has  
10 not made adequate yearly progress in reading shall be given priority  
11 for receipt of a grant. Grants to local school districts ~~shall~~ may  
12 be awarded based on the amount of funds allocated to the ~~Commission~~  
13 ~~for Teacher Preparation~~ State Department of Education for the  
14 purposes of this section. Funds may be used for payment for  
15 substitute teachers, program consultants, on-site facilitation, and  
16 literacy resource specialists.

17 4. For program evaluation purposes, each school awarded a grant  
18 pursuant to this subsection shall provide to the Commission student-  
19 level data and results of the reading assessments administered  
20 pursuant to the Oklahoma School Testing Program Act for the year  
21 prior to the grant award, for each year a grant is received by the  
22 school, and for three (3) years after completion of the program. If  
23 funds are not sufficient to award grants to all eligible applicants,

1 schools may be placed on a waiting list for priority consideration  
2 for the following year's round of grant awards which shall be  
3 superior to the priority given to schools as provided in paragraph 3  
4 of this subsection, if the school provides student data for the  
5 current year to the Commission as provided in this paragraph.

6 5. The professional development institutes in elementary  
7 reading provided pursuant to this section shall incorporate the  
8 requirements of the Reading Sufficiency Act.

9 E. As additional funds become available for such purpose, the  
10 Commission shall develop and offer professional development  
11 institutes in:

- 12 1. Mathematics for teachers in grades kindergarten through  
13 nine;
- 14 2. The use of technology in the classroom;
- 15 3. Training of residency committee members in teacher  
16 mentoring; and
- 17 4. Hands-on inquiry-based science for elementary teachers.

18 SECTION 8. AMENDATORY 70 O.S. 2011, Section 1210.531, is  
19 amended to read as follows:

20 Section 1210.531. A. The ~~Education Oversight Board~~ Commission  
21 for Education, Instruction Quality, and Accountability shall  
22 establish an Oklahoma Educational Indicators Program. The purpose  
23 of the Program shall be to develop and implement a system of

1 measures whereby the performance of public schools and school  
2 districts is assessed and reported without undue reliance upon any  
3 single type of indicator, and whereby the public, including students  
4 and parents, may be made aware of the proper meaning and use of any  
5 tests administered under the Oklahoma School Testing Program Act,  
6 relative accomplishments of the public schools, and of progress  
7 being achieved. The ~~Board~~ Commission shall involve representatives  
8 ~~of various organizations~~ of school teachers and of school  
9 administrators in the development of the Program. The Program shall  
10 be so designed that use of standardized definitions and measures and  
11 opportunities for coordination with national reports, including  
12 those of the National Assessment of Educational Progress, are  
13 maximized.

14 B. The Oklahoma Educational Indicators Program shall present  
15 information for comparisons of graduation rates, dropout rates,  
16 pupil-teacher ratios, student enrollment gain and loss rates, and  
17 test results in the contexts of socioeconomic status and the  
18 finances of school districts. Information shall be provided  
19 individually for all public school sites and school districts in a  
20 format that facilitates comparisons. As necessary data become  
21 available, comparisons shall also be provided individually for all  
22 schools and school districts on a historical basis. Reports of all  
23 tests administered pursuant to the Oklahoma School Testing Program

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1 Act, Section 1210.505 et seq. of this title, shall be a part of the  
2 Oklahoma Educational Indicators Program and shall be provided for  
3 each grade and each test subject or set of competencies. Test  
4 results for students enrolled in Internet-based courses, including  
5 regularly enrolled and alternative education students, shall be  
6 disaggregated and reported. The ~~Education Oversight Board~~  
7 Commission for Education, Instruction Quality, and Accountability  
8 shall seek to develop and incorporate additional indicators of  
9 comparative standing and accomplishment.

10 C. Additionally, the ~~Education Oversight Board~~ Commission for  
11 Education, Instruction Quality, and Accountability, with the  
12 cooperation of the State Department of Education, the Oklahoma State  
13 Regents for Higher Education, and the State Board of Career and  
14 Technology Education, shall develop procedures for obtaining and  
15 reporting data to the high schools and to the general public  
16 regarding the performance of each high school's graduates in  
17 Oklahoma's institutions of higher education and in postsecondary  
18 vocational-technical education. The ~~Education Oversight Board~~  
19 Commission for Education, Instruction Quality, and Accountability  
20 shall include such data in the report of the Oklahoma Educational  
21 Indicators Program.

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1 D. By February 1 of each year the ~~Education Oversight Board~~  
2 Commission for Education, Instruction Quality, and Accountability  
3 shall publish:

4 1. A summary report to the people and Legislature of Oklahoma  
5 of the information provided by the Oklahoma Educational Indicators  
6 Program; and

7 2. State, district, and site level reports which shall include  
8 the percentage of students who perform at the various levels on the  
9 tests required by the Oklahoma State Testing Program.

10 Immediately following the publication of the reports required in  
11 this subsection each year, all data gathered pursuant to the  
12 Oklahoma Educational Indicators Program shall be made available for  
13 public inspection at the offices of the ~~Education Oversight Board~~  
14 Commission for Education, Instruction Quality, and Accountability or  
15 the ~~Office of Accountability~~ Office of Educational Quality and  
16 Accountability; provided, confidentiality of individual student  
17 records shall be preserved as required by law.

18 SECTION 9. AMENDATORY 70 O.S. 2011, Section 1210.541, is  
19 amended to read as follows:

20 Section 1210.541. A. The ~~State Board of Education~~ Commission  
21 for Education, Instruction Quality, and Accountability shall  
22 determine and adopt a series of student performance levels and the  
23 corresponding cut scores pursuant to the Oklahoma School Testing  
24

1 Program Act. ~~Beginning July 1, 2009, and through June 30, 2011, the~~  
2 ~~State Board of Education shall carry out two separate rounds of cut~~  
3 ~~score setting for each school year, the first of which shall be non-~~  
4 ~~binding in efforts to determine the feasibility and practicality of~~  
5 ~~setting cut scores prior to administration of the tests. The first~~  
6 ~~round of scores shall be determined prior to the administration of~~  
7 ~~the tests and published after administration of the tests, and the~~  
8 ~~second round of scores shall be determined and published after~~  
9 ~~administration of the tests.~~

10 B. ~~The State Board of Education shall ensure that the cut~~  
11 ~~scores are tied to the rigor of the tests and shall strive to~~  
12 ~~increase the cut scores by ten percent (10%) of the gap between~~  
13 ~~state and national assessments each year~~ The Commission is  
14 authorized to enter into a contract with a private vendor who has  
15 expertise in the setting of performance level descriptors and cut  
16 scores in accomplishing the goals and purposes set forth in this  
17 act.

18 C. The performance levels shall be set by a method that  
19 indicates students are ready for the next grade, course, or level of  
20 education, as applicable. ~~The State Board of Education~~ Commission  
21 shall establish panels to review and revise the performance level  
22 descriptors for each subject and grade level, which shall be set by  
23 a method and panel composition similar to that used for the ~~National~~

1 ~~Assessment of Educational Progress~~ Partnership for Assessment of  
2 Readiness for College and Careers performance setting process. The  
3 ~~State Board of Education~~ Commission shall ensure that the criterion-  
4 referenced tests developed and administered by the State Board of  
5 Education pursuant to the Oklahoma School Testing Program Act in  
6 grades three through eight and the end-of-instruction tests  
7 administered at the secondary level are vertically aligned by  
8 content across grade levels to ensure consistency, continuity,  
9 alignment and clarity. ~~Student~~ Should the Partnership for  
10 Assessment of Readiness for College and Careers adopt standard  
11 performance level descriptors, those performance levels shall be  
12 adopted for those performance level descriptors set by the  
13 Commission. If, however, the Partnership for Assessment of  
14 Readiness for College and Careers does not provide descriptors of  
15 performance levels, the Commission shall ensure performance levels  
16 ~~shall be~~ are labeled and defined as follows:

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

19 2. Proficient, which shall indicate that students demonstrate  
20 mastery over appropriate grade-level subject matter and that  
21 students are ready for the next grade, course, or level of  
22 education, as applicable;

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

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

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

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

12 1. Incorporating strategies based on scientifically based  
13 research that will strengthen the core academic subjects in the  
14 school and address the specific academic issues that caused the  
15 school to be identified for school improvement;

16 2. Incorporating strategies to promote high quality  
17 professional development; and

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

20 SECTION 10. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 6-180.1 of Title 70, unless  
22 there is created a duplication in numbering, reads as follows:  
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1 As of the effective date of this act, all references to the  
2 Oklahoma Commission for Teacher Preparation shall mean the  
3 Commission for Education and Instruction Quality and Assessment.

4 SECTION 11. REPEALER 70 O.S. 2011, Sections 3-118-1, 6-  
5 199, 6-183, 6-201, 6-202 and 6-202.1, are hereby repealed.

6 SECTION 12. This act shall become effective January 1, 2013.  
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8 COMMITTEE REPORT BY: COMMITTEE ON HIGHER EDUCATION AND CAREER TECH,  
9 dated 02/16/2012 - DO PASS, As Amended and Coauthored.  
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