

1 **SENATE FLOOR VERSION**

2 March 1, 2012

3 As Amended

4 SENATE BILL NO. 1797

5 By: Jolley of the Senate

6 and

7 Denney of the House

8 **[schools - Commission for Education, Instruction
9 Quality and Accountability - roles- codification -
10 effective date]**

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

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

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

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

21 2. ~~The Chairperson of the Education Committee of the Senate~~ Two
22 Members appointed by the Governor, with the advice and consent of
23 the Senate, representing business and industry from an Oklahoma
24 employer with more than five hundred (500) employees;

1 3. ~~Two members, who are not legislators,~~ **One member** appointed
2 by the Governor, with the advice and consent of the Senate,
3 representing business and industry from Oklahoma employers with less
4 than five hundred (500) employees; and

5 4. ~~Two members, who are not legislators, appointed by the~~
6 ~~Speaker of the Oklahoma House of Representatives;~~

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

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

12 **4. One member appointed by the Governor, with the advice and**
13 **consent of the Senate, who shall be an active classroom teacher.**

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 of~~
18 ~~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~~
24 ~~such modification becomes effective shall complete the current term~~

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

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

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

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

20 2. Oversee implementation of the provisions of the Oklahoma
21 Teacher Preparation Act; and

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

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

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

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

11 Section 3-117. There is hereby created the ~~Office of~~
12 Accountability Office of Educational Quality and Accountability.
13 ~~The Oklahoma State Regents for Higher Education are hereby directed~~
14 ~~to support the Office of Accountability from the budget of the State~~
15 ~~Regents. The State Regents shall include the Office of~~
16 ~~Accountability in its budget work program to be submitted each~~
17 ~~fiscal year for the succeeding fiscal year to the Office of State~~
18 ~~Finance. Each year the Education Oversight Board shall submit a~~
19 ~~program budget for the Office of Accountability to the State~~
20 ~~Regents. Any amendments to the Office of Accountability program~~
21 ~~budget must first be approved by the Education Oversight Board. The~~
22 ~~Office of Accountability~~ Office of Educational Quality and
23 Accountability, its personnel, budget, and expenditure of funds
24

1 shall be solely under the direction of the ~~Education Oversight Board~~
2 Commission for Education, Instruction Quality and Accountability.

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

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

6 1. Oversee the ~~Office of Accountability~~ Office of Educational
7 Quality and Accountability;

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

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

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

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

22 6. Review and make periodic public comment on the progress and
23 effectiveness of the State Board and State Department of Education,
24 the Office of the State Superintendent of Public Instruction, other

1 bodies created by this act, and the public schools of this state
2 concerning the implementation of the provisions of this act and of
3 Enrolled Senate Bill No. 183 of the 1st Session of the 42nd Oklahoma
4 Legislature which relate to common education;

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

9 8. Make reports to the public concerning these matters whenever
10 appropriate; and

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

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

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

18 1. "Board" means the State Board of Education;

19 2. "Commission" means the ~~Oklahoma Commission for Teacher~~
20 ~~Preparation~~ Commission for Education, Instruction Quality and,
21 Accountability;

22 3. "State Regents" means the Oklahoma State Regents for Higher
23 Education;

24

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

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

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

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

13 8. "Residency committee" means a committee in a school district
14 for the purpose of reviewing the teaching performance of a resident
15 teacher and making recommendations to the Board and the preparing
16 institution of higher education regarding certification of the
17 resident teacher. A residency committee shall consist of a mentor
18 teacher, the principal or an assistant principal of the employing
19 school or an administrator designated by the district board and a
20 teacher educator in a college or school of education of an
21 institution of higher education, or an educator in a department or
22 school outside the institution's teacher education unit. Provided
23 that, if available, qualified mentor teachers shall have expertise
24 in the teaching field of the resident teacher and, if possible, the

1 higher education members of the residency committee shall have
2 expertise and experience in the teaching field of the resident
3 teacher. However, in all cases, at least one member of the
4 residency committee shall have expertise and experience in the
5 teaching field of the resident teacher;

6 9. "Teacher" means a person defined as a teacher in Section 1-
7 116 of this title;

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

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

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

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

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

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

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

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

- 10 1. Include the State Board of Education in the process;
- 11 2. Review and assess approved, accredited and, new program of
12 teacher education; and
- 13 3. Encourage studies and research designed to improve teacher
14 education.

15 B. The State Board of Education, the Oklahoma State Regents for
16 Higher Education and the State Board of Career and Technology
17 Education shall have the authority to submit proposed rules
18 regarding teacher education program approval, accreditation and, for
19 teacher assessment to the Commission. All proposed rules shall be
20 considered by the Commission within sixty (60) days of receipt of
21 the proposed rule. The proposed rules shall be considered by the
22 Commission in the same process provided in subsection A of this
23 section for rules proposed by the Commission.

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

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

18 Section 6-185. A. The following competencies and methods shall
19 be incorporated into the programs approved by the ~~Oklahoma~~
20 ~~Commission for Teacher Preparation~~ Commission for Education,
21 Instruction Quality and, Accountability for the competency-based
22 teacher preparation system provided for the Oklahoma Teacher
23 Preparation Act:

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

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

21 2. The preservice program shall include the following methods
22 to achieve the competencies listed in paragraph 1 of this
23 subsection:
24

- 1 a. require teacher candidates to study arts and sciences
2 at the undergraduate level,
- 3 b. require secondary and elementary/secondary teacher
4 candidates to have undergraduate majors, or their
5 equivalents, in a subject area, and require teacher
6 candidates in early childhood, elementary, and special
7 education to have subject area concentrations which
8 allow qualification as a generalist,
- 9 c. require teacher candidates to study the individuality
10 of students, the capacity of students to learn and the
11 process of learning,
- 12 d. integrate curriculum from other disciplines with the
13 education curriculum,
- 14 e. require teacher candidates to have training
15 experiences and personal contact with parents,
16 guardians or custodians of school-age children,
- 17 f. require teacher candidates to have community
18 involvement experience,
- 19 g. structure courses so as to require teamwork
20 activities, and
- 21 h. require teacher candidates to study, in existing
22 coursework, substance abuse symptoms identification
23 and prevention, mental illness symptoms identification
24

1 and mental health issues, classroom management skills,
2 and classroom safety and discipline techniques;

3 3. ~~The Oklahoma Commission for Teacher Preparation~~ Commission
4 for Education, Instruction Quality and, Accountability shall not
5 require more than a four-year program of one hundred twenty-four
6 (124) semester hours to complete a teacher education degree.

7 Provided, any program approved by the State Board of Education prior
8 to July 1, 1995, which requires more hours may continue to require
9 such hours. Any program approved prior to July 1, 1995, which
10 requires more than one hundred twenty-four (124) semester hours for
11 a teacher education degree shall implement requirements for this
12 program without additional hours.

13 B. It is the intent of the Legislature that institutions of
14 higher education which offer teacher education programs hold such
15 programs accountable for meeting the licensure and certification
16 competencies approved by the ~~State Board of Education~~ Commission for
17 Education, Instruction Quality and, Accountability. It is the
18 intent of the Legislature that the teacher education programs
19 incorporate a curriculum to achieve the competency-based system and
20 include integration of the teacher preparation curricula with the
21 arts and sciences departments curricula. Each institution of higher
22 education which seeks accreditation or approval for its teacher
23 education program shall develop an institution plan which follows
24 the ~~State Board of Education~~ Commission for Education, Instruction

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

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

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

20 B. The ~~Oklahoma Commission for Teacher Preparation~~ State
21 Department of Education shall develop, offer and administer
22 professional development institutes to train elementary school
23 teachers in reading education and if funds are available, which may
24 include but not be limited to grant, foundation, or other funds, to

1 train middle school teachers in reading education. Funds
2 appropriated for this purpose shall be used for the cost of
3 developing, administering and contracting for the professional
4 development institutes. When possible, certified reading
5 specialists shall be included as consultants. All costs of the
6 institutes shall be included in the contract price and no tuition or
7 registration fee shall be collected from teachers attending the
8 institutes. The institutes shall be offered by or through the
9 Commission. Working in conjunction with the State Department of
10 Education, the Commission shall develop a state plan for
11 administration of such institutes and shall report on or before
12 November 1 of each year to the Governor and the Legislature on the
13 format of and participation in the institutes. The State Department
14 of Education shall cooperate with and provide any information
15 requested, including data available through the state student record
16 system, to the ~~Oklahoma Commission for Teacher Preparation~~ State
17 Department of Education as is necessary to carry out the provisions
18 of this section.

19 C. Subject to the availability of funds, the ~~Oklahoma~~
20 ~~Commission for Teacher Preparation~~ State Department of Education
21 shall:

22 1. Contract for an independent evaluation of the reading
23 professional development institutes. The evaluation shall determine
24 adherence to program requirements as provided in this section and

1 the program's effectiveness in increasing teacher knowledge and
2 student achievement; and

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

8 D. 1. For the purpose of implementing comprehensive reading
9 reform and systemic change, the ~~Oklahoma Commission for Teacher~~
10 ~~Preparation~~ State Department of Education shall award one-year
11 grants renewable for up to two (2) additional years to public
12 schools that serve students in kindergarten through third grade.

13 The grants will provide for:

14 a. a five-day initial professional development institute
15 in elementary school reading for teachers of
16 kindergarten through third grade, instructional
17 leaders, and principals,

18 b. a three-day follow-up professional development
19 institute in elementary school reading for teachers of
20 kindergarten through third grade and instructional
21 leaders, and

22 c. continued support through ongoing teacher development
23 at school sites, including four (4) days of
24 professional development for principals and literacy

1 resource specialists, and six (6) days of on-site
2 visits by a program consultant.

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

5 a. at least eighty percent (80%) of the teachers of
6 kindergarten through third grade at the school shall
7 have demonstrated support for the training program
8 provided pursuant to this subsection,

9 b. the principal shall ensure that all members of the
10 leadership team and all teachers of kindergarten
11 through third grade will participate in all phases of
12 the training program,

13 c. the school district shall ensure that any new teacher
14 of kindergarten through third grade or principal at
15 the school will participate in all phases of the
16 training program, and

17 d. the school district shall employ a literacy resource
18 specialist for at least two (2) years after completion
19 of the training provided in this subsection. One or
20 more districts may share a literacy resource
21 specialist upon approval of the Commission.

22 3. Any school which has been determined by the State Board of
23 Education to be a school in need of improvement or a school that has
24 not made adequate yearly progress in reading shall be given priority

1 for receipt of a grant. Grants to local school districts ~~shall~~ may
2 be awarded based on the amount of funds allocated to the ~~Commission~~
3 ~~for Teacher Preparation~~ State Department of Education for the
4 purposes of this section. Funds may be used for payment for
5 substitute teachers, program consultants, on-site facilitation, and
6 literacy resource specialists.

7 4. For program evaluation purposes, each school awarded a grant
8 pursuant to this subsection shall provide to the Commission student-
9 level data and results of the reading assessments administered
10 pursuant to the Oklahoma School Testing Program Act for the year
11 prior to the grant award, for each year a grant is received by the
12 school, and for three (3) years after completion of the program. If
13 funds are not sufficient to award grants to all eligible applicants,
14 schools may be placed on a waiting list for priority consideration
15 for the following year's round of grant awards which shall be
16 superior to the priority given to schools as provided in paragraph 3
17 of this subsection, if the school provides student data for the
18 current year to the Commission as provided in this paragraph.

19 5. The professional development institutes in elementary
20 reading provided pursuant to this section shall incorporate the
21 requirements of the Reading Sufficiency Act.

22 E. As additional funds become available for such purpose, the
23 Commission shall develop and offer professional development
24 institutes in:

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

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

9 Section 1210.531. A. The ~~Education Oversight Board~~ Commission
10 for Education, Instruction Quality and, Accountability shall
11 establish an Oklahoma Educational Indicators Program. The purpose
12 of the Program shall be to develop and implement a system of
13 measures whereby the performance of public schools and school
14 districts is assessed and reported without undue reliance upon any
15 single type of indicator, and whereby the public, including students
16 and parents, may be made aware of the proper meaning and use of any
17 tests administered under the Oklahoma School Testing Program Act,
18 relative accomplishments of the public schools, and of progress
19 being achieved. The ~~Board~~ Commission shall involve representatives
20 ~~of various organizations~~ of school teachers and of school
21 administrators in the development of the Program. The Program shall
22 be so designed that use of standardized definitions and measures and
23 opportunities for coordination with national reports, including

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1 those of the National Assessment of Educational Progress, are
2 maximized.

3 B. The Oklahoma Educational Indicators Program shall present
4 information for comparisons of graduation rates, dropout rates,
5 pupil-teacher ratios, student enrollment gain and loss rates, and
6 test results in the contexts of socioeconomic status and the
7 finances of school districts. Information shall be provided
8 individually for all public school sites and school districts in a
9 format that facilitates comparisons. As necessary data become
10 available, comparisons shall also be provided individually for all
11 schools and school districts on a historical basis. Reports of all
12 tests administered pursuant to the Oklahoma School Testing Program
13 Act, Section 1210.505 et seq. of this title, shall be a part of the
14 Oklahoma Educational Indicators Program and shall be provided for
15 each grade and each test subject or set of competencies. Test
16 results for students enrolled in Internet-based courses, including
17 regularly enrolled and alternative education students, shall be
18 disaggregated and reported. The ~~Education Oversight Board~~
19 Commission for Education, Instruction Quality and, Accountability
20 shall seek to develop and incorporate additional indicators of
21 comparative standing and accomplishment.

22 C. Additionally, the ~~Education Oversight Board~~ Commission for
23 Education, Instruction Quality and, Accountability, with the
24 cooperation of the State Department of Education, the Oklahoma State

1 Regents for Higher Education, and the State Board of Career and
2 Technology Education, shall develop procedures for obtaining and
3 reporting data to the high schools and to the general public
4 regarding the performance of each high school's graduates in
5 Oklahoma's institutions of higher education and in postsecondary
6 vocational-technical education. The ~~Education Oversight Board~~
7 Commission for Education, Instruction Quality and, Accountability
8 shall include such data in the report of the Oklahoma Educational
9 Indicators Program.

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

13 1. A summary report to the people and Legislature of Oklahoma
14 of the information provided by the Oklahoma Educational Indicators
15 Program; and

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

19 Immediately following the publication of the reports required in
20 this subsection each year, all data gathered pursuant to the
21 Oklahoma Educational Indicators Program shall be made available for
22 public inspection at the offices of the ~~Education Oversight Board~~
23 Commission for Education, Instruction Quality and, Accountability or
24 the ~~Office of Accountability~~ Office of Educational Quality and

1 Accountability; provided, confidentiality of individual student
2 records shall be preserved as required by law.

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

5 Section 1210.541. A. ~~The State Board of Education~~ Commission
6 for Education, Instruction Quality and, Accountability shall
7 determine and adopt a series of student performance levels and the
8 corresponding cut scores pursuant to the Oklahoma School Testing
9 Program Act. ~~Beginning July 1, 2009, and through June 30, 2011, the~~
10 ~~State Board of Education shall carry out two separate rounds of cut~~
11 ~~score setting for each school year, the first of which shall be non-~~
12 ~~binding in efforts to determine the feasibility and practicality of~~
13 ~~setting cut scores prior to administration of the tests. The first~~
14 ~~round of scores shall be determined prior to the administration of~~
15 ~~the tests and published after administration of the tests, and the~~
16 ~~second round of scores shall be determined and published after~~
17 ~~administration of the tests.~~

18 B. ~~The State Board of Education shall ensure that the cut~~
19 ~~scores are tied to the rigor of the tests and shall strive to~~
20 ~~increase the cut scores by ten percent (10%) of the gap between~~
21 ~~state and national assessments each year~~ The Commission is
22 authorized to enter into a contract with a private vendor who has
23 expertise in the setting of performance level descriptors and cut
24

1 scores in accomplishing the goals and purposes set forth in this
2 act.

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

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

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

24

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
24 accountability system developed by the State Board of Education

1 pursuant to this section, because of failure to meet either an
2 academic performance target or an attendance or graduation
3 performance target, or both, and is identified for school
4 improvement shall utilize the assistance of a school support team or
5 other similar team formed by the State Department of Education to
6 provide support for schools in need of improvement, subject to
7 school support team capacity. The school support team shall review
8 and analyze all facets of operation of the school including the
9 design and operation of the instructional program. The school
10 support team shall assist the school in:

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

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

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

19 SECTION 10. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 180.1 of Title 70, unless there
21 is created a duplication in numbering, reads as follows:

22 As of the effective date of this act, all references to the
23 Oklahoma Commission for Teacher Preparation shall mean the
24 Commission for Education and Instruction Quality and Assessment.

1 SECTION 11. REPEALER 70 O.S. 2011, Sections 3-118-1, 6-
2 199, 6-183, 6-201, 6-202 and 6-202.1, are hereby repealed.

3 SECTION 12. This act shall become effective January 1, 2013.

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-29-12 - DO
5 PASS, As Amended and Coauthored.

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