STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

SENATE BILL 1797 By: Jolley

AS INTRODUCED

An Act relating to school; amending 70 O.S. 2011, Section 3-116, which relates to the Education Oversight Board; renaming the Board the Commission for Education, Instruction Quality and, Accountability; providing membership for Commission; providing for terms of members; modifying quorum requirement; deleting obsolete language; amending 70 O.S. 2011, Section 3-117, which relates to the Office of Accountability; renaming the Office of Educational Quality and Accountability; deleting obsolete language; amending 70 O.S. 2011, Section 3-118, which relates to duties of the Secretary of Education; updating language; amending 70 O.S. 2011, Sections 6-182, 6-185 and 6-200, which relate to the Oklahoma Teacher Preparation Act; updating definitions; updating 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 1210.541, which relate to the Oklahoma Education Indicators Program; updating certain references; deleting obsolete language; allowing the Commission to enter into certain contracts; directing the Commission to use certain entity to adopt performance levels; allowing for alternative; providing meaning of certain term; repealing 70 O.S. 2011, Sections 3-118-1, 6-199, 6-183, 6-201, 6-202 and 6-202.1, which relate to the Oklahoma Teacher Preparation Act;

providing for codification; and providing an effective date.

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

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

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

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

2. ~~The Chairperson of the Education Committee of the Senate~~ Two 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 (500) employees; and

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

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

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

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

~~The two Education Committee Chairpersons shall serve as nonvoting members of the Board as long as each holds that position in such chairperson's respective house.~~ The terms of the appointed members shall ~~be staggered~~ commence on July 1, 2013 and on July 1 of each year following the election of the Governor thereafter. ~~The terms of the seven appointed members shall begin on July 1 of the year the preceding term expires. All terms shall be for five (5) years. At least one appointed member must reside in each congressional district. However, when congressional districts are redrawn each member appointed prior to July 1 of the year in which such modification becomes effective shall complete the current term of office and appointments made after July 1 of the year in which such modification becomes effective shall be based on the redrawn districts. Appointments made after July 1 of the year in which such modification becomes effective shall be from any redrawn districts which are not represented by a board member until such time as each of the modified congressional districts are represented by a board member. If a vacancy occurs, the vacancy shall be filled for the~~

~~unexpired term in the same manner as the office was previously filled.~~

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

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

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

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

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

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

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

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

Section 3-117. There is hereby created the ~~Office of Accountability~~ Office of Educational Quality and Accountability. ~~The Oklahoma State Regents for Higher Education are hereby directed to support the Office of Accountability from the budget of the State Regents. The State Regents shall include the Office of Accountability in its budget work program to be submitted each fiscal year for the succeeding fiscal year to the Office of State Finance. Each year the Education Oversight Board shall submit a program budget for the Office of Accountability to the State Regents. Any amendments to the Office of Accountability program budget must first be approved by the Education Oversight Board.~~ The ~~Office of Accountability~~ Office of Educational Quality and Accountability, its personnel, budget, and expenditure of funds shall be solely under the direction of the ~~Education Oversight Board~~ Commission for Education, Instruction Quality and Accountability.

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

Section 3-118. The Secretary of Education shall:

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

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

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

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

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

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

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

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

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

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

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

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

2. "Commission" means the ~~Oklahoma Commission for Teacher Preparation~~ <u>Commission for Education, Instruction Quality and, Accountability</u>;

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

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

5. "Professional development program" means the program mandated by the Oklahoma Teacher Preparation Act for the continuous

improvement and enrichment of the certified and licensed teachers of this state;

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

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

8. "Residency committee" means a committee in a school district for the purpose of reviewing the teaching performance of a resident teacher and making recommendations to the Board and the preparing institution of higher education regarding certification of the resident teacher. A residency committee shall consist of a mentor teacher, the principal or an assistant principal of the employing school or an administrator designated by the district board and a teacher educator in a college or school of education of an institution of higher education, or an educator in a department or school outside the institution's teacher education unit. Provided that, if available, qualified mentor teachers shall have expertise in the teaching field of the resident teacher and, if possible, the higher education members of the residency committee shall have expertise and experience in the teaching field of the resident teacher. However, in all cases, at least one member of the residency committee shall have expertise and experience in the teaching field of the resident teacher;

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

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

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

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

A mentor teacher shall be selected by the principal from a list of qualified teacher volunteers who have submitted their names for that purpose. After compilation of the list, the principal shall provide opportunity for input from the bargaining agent, where one

exists. Membership or nonmembership in a professional teacher organization shall not be considered as a factor in selecting a mentor teacher. No teacher may serve as a mentor teacher for more than one resident teacher at a time. When possible, a mentor teacher shall have successfully completed a mentor teacher professional development institute and be assigned to the same school site and have similar certification as the resident teacher;

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

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

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

A. Beginning July 1, 2014, The Commission for Education, Instruction Quality and, Accountability shall have authority for approval and accreditation of teacher education programs, assessment of candidates for licensure and, certification according to

provisions of the Oklahoma Teacher Preparation Act. To implement the provisions of this subsection the Commission shall:

1. Include the State Board of Education in the process;

2. Review and assess approved, accredited and, new program of teacher education; and

3. Encourage studies and research designed to improve teacher education.

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

C. Before adopting any rule pertaining to teacher leadership and effectiveness or professional development, the State Board of Education shall solicit comments from the Commission for Education, Instruction Quality and, Accountability, the Oklahoma State Regents for Higher Education and the State Board of Career and Technology Education on the proposed rule. Within forty-five (45) days of the receipt of a proposed rule from the State Board of Education, the Commission for Education, Instruction Quality and, Accountability,

the State Regents and the State Board of Career and Technology Education shall separately review the proposed rule and return their recommendations to the Board on the proposed rule. Each recommendation shall include the rationale for the recommendation. The State Board of Education shall accord the recommendations due deliberation in its subsequent consideration of the adoption of each rule.

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

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

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

a. excellence in the arts and sciences,

b. an in-depth knowledge of the subject matter to be taught,

c. the ability to identify and cultivate talent and potential in students,

d. an understanding of child and human development,

e. teaching skills developed through a variety of learning experiences,

f. the ability to interact effectively with all students,

g. skills necessary for working with parents, guardians and custodians of students in the education process,

h. skills necessary to involve the community in education,

i. skills to foster teamwork within and among schools,

j. for administrators, skills necessary to be an effective leader of a school or school district, and

k. skills in effective classroom management and student discipline;

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

a. require teacher candidates to study arts and sciences at the undergraduate level,

b. require secondary and elementary/secondary teacher candidates to have undergraduate majors, or their equivalents, in a subject area, and require teacher candidates in early childhood, elementary, and special education to have subject area concentrations which allow qualification as a generalist,

c. require teacher candidates to study the individuality of students, the capacity of students to learn and the process of learning,

d. integrate curriculum from other disciplines with the education curriculum,

e. require teacher candidates to have training experiences and personal contact with parents, guardians or custodians of school-age children,

f. require teacher candidates to have community involvement experience,

g. structure courses so as to require teamwork activities, and

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

3. The ~~Oklahoma Commission for Teacher Preparation~~ Commission for Education, Instruction Quality and, Accountability shall not require more than a four-year program of one hundred twenty-four (124) semester hours to complete a teacher education degree. Provided, any program approved by the State Board of Education prior to July 1, 1995, which requires more hours may continue to require such hours. Any program approved prior to July 1, 1995, which

requires more than one hundred twenty-four (124) semester hours for a teacher education degree shall implement requirements for this program without additional hours.

B. It is the intent of the Legislature that institutions of higher education which offer teacher education programs hold such programs accountable for meeting the licensure and certification competencies approved by the ~~State Board of Education~~ Commission for Education, Instruction Quality and, Accountability. It is the intent of the Legislature that the teacher education programs incorporate a curriculum to achieve the competency-based system and include integration of the teacher preparation curricula with the arts and sciences departments curricula. Each institution of higher education which seeks accreditation or approval for its teacher education program shall develop an institution plan which follows the ~~State Board of Education~~ Commission for Education, Instruction Quality and, Accountability competencies for licensure and certification. In developing such institution plans, the higher education institution shall establish a process which seeks information and input from teacher preparation faculty, faculty from arts and sciences and other programs and disciplines which are appropriate, students within the teacher education program, teachers, administrators, parents, guardians or custodians of students and business and community leaders. Each institution shall report annually to the ~~Oklahoma Commission for Teacher Preparation~~

Commission for Education, Instruction Quality and, Accountability the procedures used to inform the public regarding the institution's teacher education program and the manner through which public input is solicited and received. The institution's plan shall be accessible to any interested party under the Oklahoma Open Records Act. No institution of higher education's teacher education program shall be approved by the Commission unless the institution plan has been approved by that institution's governing board. ~~Initial institution plans shall be filed with the Oklahoma Commission for Teacher Preparation by January 1, 1997, and as required by the Commission thereafter.~~ The Oklahoma State Regents for Higher Education may facilitate the development of institution plans to assist institutions of higher education.

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

Section 6-200. A. Subject to the availability of funds, the ~~Oklahoma Commission for Teacher Preparation~~ State Department of Education shall have authority to develop and administer training for residency committees and training for professional development through professional development institutes. Included in the professional development institutes training shall be technology training. Professional development institutes shall be ~~accepted by the State Board of Education for professional development purposes and shall be~~ defined as continuing education experiences which

consist of a minimum of thirty (30) clock hours. The institutes shall be competency-based, emphasize effective learning practices, require collaboration among participants, and require each participant to prepare a work product which can be utilized in the classroom by the participant. Any state professional development institutes administered by the ~~Commission~~ Department shall be chosen through a competitive bid process and if funds are available subject to peer review. The ~~Commission~~ Department, prior to offering any professional development institute, shall promulgate rules related to administering state professional development institutes.

B. The ~~Oklahoma Commission for Teacher Preparation~~ State Department of Education shall develop, offer and administer professional development institutes to train elementary school teachers in reading education and if funds are available, which may include but not be limited to grant, foundation, or other funds, to train middle school teachers in reading education. Funds appropriated for this purpose shall be used for the cost of developing, administering and contracting for the professional development institutes. When possible, certified reading specialists shall be included as consultants. All costs of the institutes shall be included in the contract price and no tuition or registration fee shall be collected from teachers attending the institutes. The institutes shall be offered by or through the Commission. Working in conjunction with the State Department of

Education, the Commission shall develop a state plan for administration of such institutes and shall report on or before November 1 of each year to the Governor and the Legislature on the format of and participation in the institutes. The State Department of Education shall cooperate with and provide any information requested, including data available through the state student record system, to the ~~Oklahoma Commission for Teacher Preparation~~ State Department of Education as is necessary to carry out the provisions of this section.

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

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

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

D. 1. For the purpose of implementing comprehensive reading reform and systemic change, the ~~Oklahoma Commission for Teacher~~

~~Preparation~~ State Department of Education shall award one-year grants renewable for up to two (2) additional years to public schools that serve students in kindergarten through third grade. The grants will provide for:

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

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

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

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

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

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

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

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

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

4. For program evaluation purposes, each school awarded a grant pursuant to this subsection shall provide to the Commission student-

level data and results of the reading assessments administered pursuant to the Oklahoma School Testing Program Act for the year prior to the grant award, for each year a grant is received by the school, and for three (3) years after completion of the program. If funds are not sufficient to award grants to all eligible applicants, schools may be placed on a waiting list for priority consideration for the following year's round of grant awards which shall be superior to the priority given to schools as provided in paragraph 3 of this subsection, if the school provides student data for the current year to the Commission as provided in this paragraph.

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

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

1. Mathematics for teachers in grades kindergarten through nine;

2. The use of technology in the classroom;

3. Training of residency committee members in teacher mentoring; and

4. Hands-on inquiry-based science for elementary teachers.

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

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

B. The Oklahoma Educational Indicators Program shall present information for comparisons of graduation rates, dropout rates, pupil-teacher ratios, student enrollment gain and loss rates, and test results in the contexts of socioeconomic status and the finances of school districts. Information shall be provided individually for all public school sites and school districts in a format that facilitates comparisons. As necessary data become

available, comparisons shall also be provided individually for all schools and school districts on a historical basis. Reports of all tests administered pursuant to the Oklahoma School Testing Program Act, Section 1210.505 et seq. of this title, shall be a part of the Oklahoma Educational Indicators Program and shall be provided for each grade and each test subject or set of competencies. Test results for students enrolled in Internet-based courses, including regularly enrolled and alternative education students, shall be disaggregated and reported. The ~~Education Oversight Board~~ Commission for Education, Instruction Quality and, Accountability shall seek to develop and incorporate additional indicators of comparative standing and accomplishment.

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

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

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

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

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

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

Section 1210.541. A. The ~~State Board of Education~~ Commission for Education, Instruction Quality and, Accountability shall determine and adopt a series of student performance levels and the corresponding cut scores pursuant to the Oklahoma School Testing Program Act. ~~Beginning July 1, 2009, and through June 30, 2011, the~~

~~State Board of Education shall carry out two separate rounds of cut score setting for each school year, the first of which shall be non-binding in efforts to determine the feasibility and practicality of setting cut scores prior to administration of the tests. The first round of scores shall be determined prior to the administration of the tests and published after administration of the tests, and the second round of scores shall be determined and published after administration of the tests.~~

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

C. The performance levels shall be set by a method that indicates students are ready for the next grade, course, or level of education, as applicable. The ~~State Board of Education~~ Commission shall establish panels to review and revise the performance level descriptors for each subject and grade level, which shall be set by a method and panel composition similar to that used for the ~~National Assessment of Educational Progress~~ Partnership for Assessment of Readiness for College and Careers performance setting process. The

~~State Board of Education~~ Commission shall ensure that the criterion-referenced tests developed and administered by the State Board of Education pursuant to the Oklahoma School Testing Program Act in grades three through eight and the end-of-instruction tests administered at the secondary level are vertically aligned by content across grade levels to ensure consistency, continuity, alignment and clarity. ~~Student~~ Should the Partnership for Assessment of Readiness for College and Careers adopt standard performance level descriptors, those performance levels shall be adopted for those performance level descriptors set by the Commission. If, however, the Partnership for Assessment of Readiness for College and Careers not provide descriptors of performance levels, the Commission shall ensure performance levels ~~shall be~~ are labeled and defined as follows:

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

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

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

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

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

E. A school that does not make adequate yearly progress (AYP) for two (2) consecutive years, as AYP is defined by the accountability system developed by the State Board of Education pursuant to this section, because of failure to meet either an academic performance target or an attendance or graduation performance target, or both, and is identified for school

improvement shall utilize the assistance of a school support team or other similar team formed by the State Department of Education to provide support for schools in need of improvement, subject to school support team capacity. The school support team shall review and analyze all facets of operation of the school including the design and operation of the instructional program. The school support team shall assist the school in:

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

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

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

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

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

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

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

53-2-1978 ALM 1/19/2012 6:51:58 PM