

1 ENGROSSED HOUSE
2 BILL NO. 2088

By: Nelson of the House

and

Treat of the Senate

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7 [schools - directing the State Board of Education to
8 take steps to implement certain adopted standards
9 by a certain school year - effective date]
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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-103.6a,
14 as amended by Section 3, Chapter 430, O.S.L. 2014 (70 O.S. Supp.
15 2014, Section 11-103.6a), is amended to read as follows:

16 Section 11-103.6a A. Beginning with the 2014-15 school year,
17 each area of subject matter standards, except for standards for
18 career and technology education adopted pursuant to Section 14-103
19 of this title, shall be adopted by the State Board of Education and
20 shall be subject to legislative review and approval as provided for
21 in Section 4 11-103.6a-1 of this ~~act~~ title. The subject matter
22 standards shall be implemented statewide by every public school
23 district in this state. The subject matter standards shall be
24 thoroughly reviewed by the State Board every six (6) years according

1 to and in coordination with the existing subject area textbook
2 adoption cycle. After review, the State Board shall adopt any
3 revisions in such subject matter standards deemed necessary to
4 achieve further improvements in the quality of education for the
5 students of this state. Any revisions adopted by the State Board of
6 Education shall be subject to review and approval as provided for in
7 Section 4 11-103.6a-1 of this ~~act~~ title. The adoption of subject
8 matter standards or revisions to the standards by the State Board of
9 Education pursuant to this section shall not be promulgated as rules
10 and shall not be subject to Article I of the Administrative
11 Procedures Act.

12 B. 1. In addition to the requirements set forth in subsection
13 A of this section, ~~on or before August 1, 2016,~~ the State Board of
14 Education, in consultation with the State Regents for Higher
15 Education, the State Board of Career and Technology Education and
16 the Oklahoma Department of Commerce, shall adopt subject matter
17 standards for English Language Arts and Mathematics which are
18 college- and career-ready and will replace current standards. The
19 standards shall be adopted and submitted for legislative review as
20 set forth in Section 11-103.6a-1 of this title by such time as to
21 ensure full implementation of the standards during the 2016-2017
22 school year. To be considered college- and career-ready, the
23 standards shall be evaluated by the State Department of Education,
24 the State Regents for Higher Education, the State Board of Career

1 and Technology Education and the Oklahoma Department of Commerce and
2 be determined to be such that the standards will address the goals
3 of reducing the need for remedial coursework at the postsecondary
4 level and increasing successful completion of postsecondary
5 education. The subject matter standards and corresponding student
6 assessments for English Language Arts and Mathematics shall be
7 solely approved and controlled by the state through the State Board
8 of Education.

9 2. Upon the effective date of this act, the State Board of
10 Education shall begin the process of adopting the English Language
11 Arts and Mathematics standards and shall provide reasonable
12 opportunity, consistent with best practices, for public comment on
13 the revision of the standards, including but not limited to comments
14 from students, parents, educators, organizations representing
15 students with disabilities and English language learners, higher
16 education representatives, career technology education
17 representatives, subject matter experts, community-based
18 organizations, Native American tribal representatives and business
19 community representatives.

20 3. Until the statewide student assessments for English Language
21 Arts and Mathematics are implemented as provided for in paragraph 1
22 of subsection C of this section, the State Board of Education shall
23 implement the subject matter standards for English Language Arts and
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1 Mathematics which were in place prior to the revisions adopted by
2 the Board in June 2010.

3 4. Upon the effective date of this act, the State Board of
4 Education shall seek certification from the State Regents for Higher
5 Education that the subject matter standards for English Language
6 Arts and Mathematics which were in place prior to the revisions
7 adopted by the Board in June 2010 are college- and career-ready as
8 defined in the Federal Elementary and Secondary Education Act (ESEA)
9 Flexibility document issued by the United States Department of
10 Education and referenced in Option B of Principle 1: College and
11 Career-Ready Expectations for All Students. The State Regents shall
12 provide the Board a detailed description of the certification
13 process and results, including a list of deficiencies if the State
14 Regents conclude that the standards are not college- and career-
15 ready. The Board shall post all documents, materials, reports,
16 descriptions and correspondence produced by the State Regents or
17 used by the State Regents in the certification process on the
18 website for the State Department of Education.

19 C. 1. On or before the 2017-18 school year, the State Board of
20 Education, in consultation with the State Regents for Higher
21 Education, the State Board of Career and Technology Education and
22 the Oklahoma Department of Commerce, shall direct the process of the
23 development of annual high-quality statewide student assessments for
24 English Language Arts and Mathematics as provided for in Section

1 1210.508 of this title that align with the college- and career-ready
2 subject matter standards developed pursuant to subsection B of this
3 section.

4 2. The statewide student assessments for English Language Arts
5 and Mathematics shall continue to assess standards and objectives
6 found in the subject matter standards for English Language Arts and
7 Mathematics which were in place prior to the revisions adopted by
8 the Board in June 2010 and the test blueprints shall continue to
9 align to the standards and objectives found in such subject matter
10 standards for English Language Arts and Mathematics until the new
11 assessments are implemented as provided for in paragraph 1 of this
12 subsection.

13 D. 1. The State Board of Education shall not enter into any
14 agreement, memorandum of understanding or contract with any federal
15 agency or private entity which in any way cedes or limits state
16 discretion or control over the process of development, adoption or
17 revision of subject matter standards and corresponding student
18 assessments in the public school system, including, but not limited
19 to, agreements, memoranda of understanding and contracts in exchange
20 for funding for public schools and programs. If the State Board of
21 Education is a party to such an agreement, memorandum of
22 understanding or contract on the effective date of this act, the
23 State Board of Education shall initiate necessary efforts to amend
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1 the agreement, memorandum of understanding or contract to comply
2 with the requirements of this subsection.

3 2. Nothing in this section shall be construed to prohibit the
4 State Board of Education from seeking and being granted a waiver
5 from federal law, provided that the conditions for the waiver do not
6 require the state to cede or limit its discretion or control over
7 the process of development, adoption or revision of subject matter
8 standards and corresponding statewide student assessments.

9 3. The State Department of Education may participate in a
10 multistate or multigovernmental cooperative pursuant to the
11 requirements of the Oklahoma Central Purchasing Act but shall not
12 bind the state, contractually or otherwise, to the authority of any
13 other state, organization or entity which may supersede the
14 authority of the State Board of Education.

15 E. The content of all subject matter standards and
16 corresponding student assessments shall be solely approved and
17 controlled by the state through the State Board of Education. The
18 State Board of Education shall maintain independence of all subject
19 matter standards referenced in Section 11-103.6 of this title and
20 corresponding statewide student assessments and shall not relinquish
21 authority over Oklahoma subject matter standards and corresponding
22 statewide student assessments. Nothing in this section shall
23 prohibit benchmarking the state subject matter standards and
24 corresponding student assessments with those of other states or

1 nations to allow comparison of Oklahoma subject matter standards and
2 corresponding student assessments with those of other states and
3 nations.

4 F. School districts shall exclusively determine the
5 instruction, curriculum, reading lists and instructional materials
6 and textbooks, subject to any applicable provisions or requirements
7 as set forth in law, to be used in meeting the subject matter
8 standards. School districts may, at their discretion, adopt
9 supplementary student assessments which are in addition to the
10 statewide student assessments.

11 G. 1. Upon completion of the adoption of English Language Arts
12 and Mathematics subject matter standards pursuant to subsection B of
13 this section, the State Board of Education shall compare such
14 English Language Arts and Mathematics standards with the English
15 Language Arts and Mathematics standards that were adopted by the
16 State Board of Education prior to implementation of this act. The
17 State Board of Education shall consider public comments, the use of
18 best practices, evidence and research in the evaluation of both sets
19 of standards. The State Board of Education shall compare the
20 standards in the areas of:

- 21 a. effective preparation for active citizenship and
22 postsecondary education or the workforce,
 - 23 b. subject matter content,
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- c. sequencing of subject matter content and relationship to measurement of student performance and the application of subject matter standards,
- d. developmental appropriateness of grade-level expectations, academic content and instructional rigor,
- e. clarity for educators and parents,
- f. exemplars tied to the standards,
- g. measurability of student proficiency in the subject matter,
- h. pedagogy,
- i. development of critical thinking skills, and
- j. demonstration of application of acquired knowledge and skills.

2. Upon completion of the comparison of the English Language Arts and Mathematics subject matter standards, the State Board of Education shall submit to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Minority Leader of the House of Representatives and the Minority Leader of the Senate a report outlining the results of the comparison of the standards.

H. All subject matter standards and corresponding statewide student assessments adopted by the State Board of Education shall be carefully circumscribed to reflect direct application to subject

1 matter proficiency and shall not include standards or assessment
2 questions that are designed to collect or measure noncognitive,
3 emotional or psychological characteristics, attributes or skills of
4 students.

5 I. Any rule, including but not limited to Rules 210:15-4-1
6 through 210:15-4-3 of the Oklahoma Administrative Code, which
7 conflicts with the requirements of this section, shall be amended or
8 repealed by the State Board of Education as necessary to comply with
9 the requirements of this section.

10 SECTION 2. This act shall become effective November 1, 2015.

11 Passed the House of Representatives the 5th day of March, 2015.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ____ day of _____, 2015.

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Presiding Officer of the Senate

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