

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1332 \_\_\_\_\_ Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
\_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Charles Key

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 PROPOSED COMMITTEE  
SUBSTITUTE  
4 FOR  
HOUSE BILL NO. 1332

5 By: Key

6

7 PROPOSED COMMITTEE SUBSTITUTE

8

9 An Act relating to schools; creating the Bill of  
10 Rights Education Act of 2011; requiring State Board  
11 of Education to adopt social studies core curriculum  
12 with courses of instruction that include certain  
13 subjects; requiring State Textbook Committee to adopt  
14 certain textbook by certain date; requiring State  
15 Textbook Committee to adopt textbooks incorporating  
16 certain subjects; amending 70 O.S. 2001, Section  
1210.508, as last amended by Section 1, Chapter 251,  
O.S.L. 2010 (70 O.S. Supp. 2010, Section 1210.508),  
which relates to certain criterion-referenced tests;  
including certain subjects in end-of-instruction test  
for United States history; providing for  
codification; providing for noncodification;  
providing an effective date; and declaring an  
emergency.

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

20 SECTION 1. NEW LAW A new section of law not to be  
21 codified in the Oklahoma Statutes reads as follows:

22 Section 2 and Section 3 of this act shall be known and may be  
23 cited as the "Bill of Rights Education Act of 2011".

1 SECTION 2. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 11-103.6j of Title 70, unless  
3 there is created a duplication in numbering, reads as follows:

4 A. The State Board of Education shall adopt a social studies  
5 core curriculum with instruction for all students enrolled in the  
6 public schools that includes the following subjects:

7 1. The Declaration of Independence;  
8 2. The United States Constitution, including the Bill of  
9 Rights;  
10 3. Substantive selections from the Federalist Papers;  
11 4. The Emancipation Proclamation;  
12 5. The Articles of Confederation;  
13 6. The Gettysburg Address; and  
14 7. George Washington's Farewell Address.

15 B. The State Textbook Committee shall adopt "A Guide for  
16 Learning and Teaching the Declaration of Independence and the United  
17 States Constitution" by Joseph Andrews, no later than August 1,  
18 2011. The State Textbook Committee, when adopting other textbooks,  
19 shall incorporate the provisions of subsection A of this section  
20 into the criteria used to evaluate United States government, United  
21 States history, and Oklahoma history textbooks.

22 SECTION 3. AMENDATORY 70 O.S. 2001, Section 1210.508, as  
23 last amended by Section 1, Chapter 251, O.S.L. 2010 (70 O.S. Supp.  
24 2010, Section 1210.508), is amended to read as follows:

1       Section 1210.508 A. 1. The State Board of Education shall  
2 develop and administer a series of criterion-referenced tests  
3 designed to indicate whether the state academic content standards,  
4 as defined by the State Board of Education in the Priority Academic  
5 Student Skills Curriculum, which Oklahoma public school students are  
6 expected to have attained have been achieved. The Board may develop  
7 and administer any criterion-referenced test in any subject not  
8 required by federal law, contingent upon the availability of  
9 funding. Students who do not perform at least at the proficient  
10 level on tests shall be remediated, subject to the availability of  
11 funding.

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

15                   a. reading, and  
16                   b. mathematics.

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

e. writing of English.

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

a. reading, and

b. mathematics.

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

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

a. reading,

b. mathematics,

c. science,

d. social studies, which shall consist of the history,

Constitution, and government of the United States, and

e. writing of English.

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

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

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

13 The end-of-instruction tests shall serve the purpose of the  
14 criterion-referenced tests as provided in paragraph 1 of this  
15 subsection. The English II and English III end-of-instruction tests  
16 shall include a writing component. The United States History end-  
17 of-instruction test shall include multiple questions containing  
18 fundamental principles in each of the following subjects: the  
19 Declaration of Independence, the United States Constitution,  
20 including the Bill of Rights, substantive selections from the  
21 Federalist Papers, the Emancipation Proclamation, the Articles of  
22 Confederation, the Gettysburg Address, and George Washington's  
23 Farewell Address. Students who do not score at least at the  
24 proficient level shall be afforded the opportunity to retake each

1 test up to three (3) times each calendar year until at least  
2 achieving at the proficient level. In order to provide an  
3 indication of the levels of competency attained by the student in a  
4 permanent record for potential future employers and institutions of  
5 higher education, for students who enter the ninth grade in or prior  
6 to the 2007-08 school year, school districts shall report the  
7 highest achieved state test performance level on the end-of-  
8 instruction tests on the student's high school transcript.  
9 Beginning with students who enter the ninth grade in the 2008-09  
10 school year, school districts shall report the student's performance  
11 levels of proficient and above on the end-of-instruction tests and  
12 any business and industry-recognized endorsements attained on the  
13 student's high school transcript. Any student at the middle school  
14 level who completes the instruction in a secondary course specified  
15 in this paragraph shall be administered the appropriate end-of-  
16 instruction test.

17 7. a. Each school district shall administer to each student  
18 in the school district in grades three through eight  
19 an assessment designed to assess the student in the  
20 fine arts area in which the student has received  
21 instruction.

22 b. Each school district shall prepare an annual report  
23 for approval by the State Board of Education outlining  
24 the fine arts assessment strategies used by the

district, when the assessments were administered, how many students were assessed during the previous year, and the results of the assessments.

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

17       2. The State Department of Education shall annually evaluate  
18 the results of the criterion-referenced tests. The State Board of  
19 Education shall ensure that test results are reported to districts  
20 in a manner that yields detailed, diagnostic information for the  
21 purpose of guiding instruction and student remediation. As  
22 improvements are made to the criterion-referenced tests required by  
23 this section, the Board shall seek to increase the depth of  
24 knowledge assessed for each subject. The State Board of Education

1 shall seek to ensure that data yielded from the tests required in  
2 this section are utilized at the school district level to prescribe  
3 reinforcement and/or remediation by requiring school districts to  
4 develop and implement a specific program of improvement based on the  
5 test results.

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

18       4. The State Board of Education, for the purposes of conducting  
19 reliability and validity studies, monitoring contractor adherence to  
20 professionally accepted testing standards, and providing  
21 recommendations for testing program improvement, shall retain the  
22 services of an established, independent agency or organization that  
23 is nationally recognized for its technical expertise in educational  
24 testing but is not engaged in the development of aptitude or

1 achievement tests for elementary or secondary level grades. These  
2 national assessment experts shall annually conduct studies of the  
3 reliability and validity of the end-of-instruction tests  
4 administered pursuant to this section. Validity studies shall  
5 include studies of decision validity, concurrent validity and the  
6 validity of performance level cut scores.

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

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

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

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

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

15       SECTION 4. This act shall become effective July 1, 2011.

16       SECTION 5. It being immediately necessary for the preservation  
17 of the public peace, health and safety, an emergency is hereby  
18 declared to exist, by reason whereof this act shall take effect and  
19 be in full force from and after its passage and approval.

20                   53-1-6907           AM           02/25/11

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