

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB2306

By: Coody of the House and Halligan of the Senate

Title: Schools; modifying and deleting certain school review, reporting and recording requirements; effective date; emergency.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from Amendment No. 1.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

SENATE CONFEREES

Halligan _____

Ford _____

Barrington _____

Crain _____

Garrison _____

Paddack _____

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2306

By: Coody of the House

and

Halligan of the Senate

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7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 3-104, which relates to the powers and duties
9 of the State Board of Education; deleting authority
10 and requirement to review school construction and
11 alteration plans; amending 70 O.S. 2011, Section 3-
12 153, which relates to reporting plans to the State
13 Board of Education; amending 70 O.S. 2011, Section 3-
14 156, which relates to local school district
15 assessment; deleting references to the Comprehensive
16 Local Education Plan; amending 70 O.S. 2011, Section
17 5-117.4, which relates to the school improvement
18 plan; adding certain content to the plan; amending 70
19 O.S. 2011, Section 18-153, which relates to a four-
20 year capital improvement plan; deleting reference to
21 certain law; amending 70 O.S. 2011, Section 1210.508,
22 which relates to the development and administration
23 of criterion-referenced tests for third through
24 eighth grade; changing manner of recording certain
test results on a high school transcript; amending 70
O.S. 2011, Section 1210.508C, which relates to the
Reading Sufficiency Act; deleting reference to the
Comprehensive Local Education Plan; repealing 70 O.S.
2011, Section 3-104.2, which relates to the
Comprehensive Local Education Plan; providing an
effective date; and declaring an emergency.

AMENDMENT NO. 1. Page 1, strike the title to read

"[schools - references - capital improvement plan -
high school transcript - effective date -
emergency]"

1 Passed the Senate the 10th day of April, 2012.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2012.

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8 _____
9 Presiding Officer of the House
10 of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 2306

By: Coody of the House

3 and

4 Halligan of the Senate
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6

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 3-104, which relates to the powers and duties
9 of the State Board of Education; deleting authority
10 and requirement to review school construction and
11 alteration plans; amending 70 O.S. 2011, Section 3-
12 153, which relates to reporting plans to the State
13 Board of Education; amending 70 O.S. 2011, Section 3-
14 156, which relates to local school district
15 assessment; deleting references to the Comprehensive
16 Local Education Plan; amending 70 O.S. 2011, Section
17 5-117.4, which relates to the school improvement
18 plan; adding certain content to the plan; amending 70
19 O.S. 2011, Section 18-153, which relates to a four-
20 year capital improvement plan; deleting reference to
21 certain law; amending 70 O.S. 2011, Section 1210.508,
22 which relates to the development and administration
23 of criterion-referenced tests for third through
24 eighth grade; changing manner of recording certain
test results on a high school transcript; amending 70
O.S. 2011, Section 1210.508C, which relates to the
Reading Sufficiency Act; deleting reference to the
Comprehensive Local Education Plan; repealing 70 O.S.
2011, Section 3-104.2, which relates to the
Comprehensive Local Education Plan; providing an
effective date; and declaring an emergency.

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

23 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-104, is
24 amended to read as follows:

1 Section 3-104. The supervision of the public school system of
2 Oklahoma shall be vested in the State Board of Education and,
3 subject to limitations otherwise provided by law, the State Board of
4 Education shall:

5 1. Adopt policies and make rules for the operation of the
6 public school system of the state;

7 2. Appoint, prescribe the duties and fix the compensation of a
8 secretary, an attorney and all other personnel necessary for the
9 proper performance of the functions of the State Board of Education.
10 The secretary shall not be a member of the Board;

11 3. Submit to the Governor a departmental budget based upon
12 major functions of the Department as prepared by the State
13 Superintendent of Public Instruction and supported by detailed data
14 on needs and proposed operations as partially determined by the
15 budgetary needs of local school districts filed with the State Board
16 of Education for the ensuing fiscal year. Appropriations therefor
17 shall be made in lump-sum form for each major item in the budget as
18 follows:

19 a. State Aid to schools,

20 b. the supervision of all other functions of general and
21 special education including general control, free
22 textbooks, school lunch, Indian education and all
23 other functions of the Board and an amount sufficient
24 to adequately staff and administer these services, and

1 c. the Board shall determine the details by which the
2 budget and the appropriations are administered.
3 Annually, the Board shall make preparations to
4 consolidate all of the functions of the Department in
5 such a way that the budget can be based on two items,
6 administration and aid to schools. A maximum amount
7 for administration shall be designated as a part of
8 the total appropriation;

9 4. On the first day of December preceding each regular session
10 of the Legislature, prepare and deliver to the Governor and the
11 Legislature a report for the year ending June 30 immediately
12 preceding the regular session of the Legislature. The report shall
13 contain:

14 a. detailed statistics and other information concerning
15 enrollment, attendance, expenditures including State
16 Aid, and other pertinent data for all public schools
17 in this state,

18 b. reports from each and every division within the State
19 Department of Education as submitted by the State
20 Superintendent of Public Instruction and any other
21 division, department, institution or other agency
22 under the supervision of the Board,

23 c. recommendations for the improvement of the public
24 school system of the state,

- 1 d. a statement of the receipts and expenditures of the
2 State Board of Education for the past year, and
3 e. a statement of plans and recommendations for the
4 management and improvement of public schools and such
5 other information relating to the educational
6 interests of the state as may be deemed necessary and
7 desirable;

8 5. Provide for the formulation and adoption of curricula,
9 courses of study and other instructional aids necessary for the
10 adequate instruction of pupils in the public schools;

11 6. Have authority in matters pertaining to the licensure and
12 certification of persons for instructional, supervisory and
13 administrative positions and services in the public schools of the
14 state subject to the provisions of Section 6-184 of this title, and
15 shall formulate rules governing the issuance and revocation of
16 certificates for superintendents of schools, principals,
17 supervisors, librarians, clerical employees, school nurses, school
18 bus drivers, visiting teachers, classroom teachers and for other
19 personnel performing instructional, administrative and supervisory
20 services, but not including members of boards of education and other
21 employees who do not work directly with pupils, and may charge and
22 collect reasonable fees for the issuance of such certificates:

- 23 a. the State Department of Education shall not issue a
24 certificate to and shall revoke the certificate of any

1 person who has been convicted, whether upon a verdict
2 or plea of guilty or upon a plea of nolo contendere,
3 or received a suspended sentence or any probationary
4 term for a crime or an attempt to commit a crime
5 provided for in Section 843.5 of Title 21 of the
6 Oklahoma Statutes if the offense involved sexual abuse
7 or sexual exploitation as those terms are defined in
8 Section 1-1-105 of Title 10A of the Oklahoma Statutes,
9 Sections 741, 843.1, if the offense included sexual
10 abuse or sexual exploitation, 865 et seq., 885, 888,
11 891, 1021, 1021.2, 1021.3, 1040.13a, 1087, 1088,
12 1111.1, 1114 or 1123 of Title 21 of the Oklahoma
13 Statutes or who enters this state and who has been
14 convicted, received a suspended sentence or received a
15 deferred judgment for a crime or attempted crime
16 which, if committed or attempted in this state, would
17 be a crime or an attempt to commit a crime provided
18 for in any of said laws,

- 19 b. all funds collected by the State Department of
20 Education for the issuance of certificates to
21 instructional, supervisory and administrative
22 personnel in the public schools of the state shall be
23 deposited in the "Teachers' Certificate Fund" in the
24 State Treasury and may be expended by the State Board

1 of Education to finance the activities of the State
2 Department of Education necessary to administer the
3 program, for consultative services, publication costs,
4 actual and necessary travel expenses as provided in
5 the State Travel Reimbursement Act incurred by persons
6 performing research work, and other expenses found
7 necessary by the State Board of Education for the
8 improvement of the preparation and certification of
9 teachers in Oklahoma. Provided, any unobligated
10 balance in the Teachers' Certificate Fund in excess of
11 Ten Thousand Dollars (\$10,000.00) on June 30 of any
12 fiscal year shall be transferred to the General
13 Revenue Fund of the State of Oklahoma. Until July 1,
14 1997, the State Board of Education shall have
15 authority for approval of teacher education programs.
16 The State Board of Education shall also have authority
17 for the administration of teacher residency and
18 professional development, subject to the provisions of
19 the Oklahoma Teacher Preparation Act;

20 7. Promulgate rules governing the classification, inspection,
21 supervision and accrediting of all public nursery, kindergarten,
22 elementary and secondary schools and on-site educational services
23 provided by public school districts or state-accredited private
24 schools in partial hospitalization programs, day treatment programs,

1 and day hospital programs as defined in this act for persons between
2 the ages of three (3) and twenty-one (21) years of age in the state.
3 However, no school shall be denied accreditation solely on the basis
4 of average daily attendance.

5 Any school district which maintains an elementary school and
6 faces the necessity of relocating its school facilities because of
7 construction of a lake, either by state or federal authority, which
8 will inundate the school facilities, shall be entitled to receive
9 probationary accreditation from the State Board of Education for a
10 period of five (5) years after the effective date of this act and
11 any school district, otherwise qualified, shall be entitled to
12 receive probationary accreditation from the State Board of Education
13 for a period of two (2) consecutive years to attain the minimum
14 average daily attendance. The Head Start and public nurseries or
15 kindergartens operated from Community Action Program funds shall not
16 be subjected to the accrediting rules of the State Board of
17 Education. Neither will the State Board of Education make rules
18 affecting the operation of the public nurseries and kindergartens
19 operated from federal funds secured through Community Action
20 Programs even though they may be operating in the public schools of
21 the state. However, any of the Head Start or public nurseries or
22 kindergartens operated under federal regulations may make
23 application for accrediting from the State Board of Education but
24 will be accredited only if application for the approval of the

1 programs is made. The status of no school district shall be changed
2 which will reduce it to a lower classification until due notice has
3 been given to the proper authorities thereof and an opportunity
4 given to correct the conditions which otherwise would be the cause
5 of such reduction.

6 Private and parochial schools may be accredited and classified
7 in like manner as public schools or, if an accrediting association
8 is approved by the State Board of Education, by procedures
9 established by the State Board of Education to accept accreditation
10 by such accrediting association, if application is made to the State
11 Board of Education for such accrediting;

12 8. Be the legal agent of the State of Oklahoma to accept, in
13 its discretion, the provisions of any Act of Congress appropriating
14 or apportioning funds which are now, or may hereafter be, provided
15 for use in connection with any phase of the system of public
16 education in Oklahoma. It shall prescribe such rules as it finds
17 necessary to provide for the proper distribution of such funds in
18 accordance with the state and federal laws;

19 9. Be and is specifically hereby designated as the agency of
20 this state to cooperate and deal with any officer, board or
21 authority of the United States Government under any law of the
22 United States which may require or recommend cooperation with any
23 state board having charge of the administration of public schools
24 unless otherwise provided by law;

1 10. Be and is hereby designated as the "State Educational
2 Agency" referred to in Public Law 396 of the 79th Congress of the
3 United States, which law states that said act may be cited as the
4 "National School Lunch Act", and said State Board of Education is
5 hereby authorized and directed to accept the terms and provisions of
6 said act and to enter into such agreements, not in conflict with the
7 Constitution of Oklahoma or the Constitution and Statutes of the
8 United States, as may be necessary or appropriate to secure for the
9 State of Oklahoma the benefits of the school lunch program
10 established and referred to in said act;

11 11. Have authority to secure and administer the benefits of the
12 National School Lunch Act, Public Law 396 of the 79th Congress of
13 the United States, in the State of Oklahoma and is hereby authorized
14 to employ or appoint and fix the compensation of such additional
15 officers or employees and to incur such expenses as may be necessary
16 for the accomplishment of the above purpose, administer the
17 distribution of any state funds appropriated by the Legislature
18 required as federal matching to reimburse on children's meals;

19 12. Accept and provide for the administration of any land,
20 money, buildings, gifts, donation or other things of value which may
21 be offered or bequeathed to the schools under the supervision or
22 control of said Board;

23 13. Have authority to require persons having administrative
24 control of all school districts in Oklahoma to make such regular and

1 special reports regarding the activities of the schools in said
2 districts as the Board may deem needful for the proper exercise of
3 its duties and functions. Such authority shall include the right of
4 the State Board of Education to withhold all state funds under its
5 control, to withhold official recognition, including accrediting,
6 until such required reports have been filed and accepted in the
7 office of said Board and to revoke the certificates of persons
8 failing or refusing to make such reports;

9 14. Have general supervision of the school lunch program. The
10 State Board of Education may sponsor workshops for personnel and
11 participants in the school lunch program and may develop, print and
12 distribute free of charge or sell any materials, books and bulletins
13 to be used in such school lunch programs. There is hereby created
14 in the State Treasury a revolving fund for the Board, to be
15 designated the School Lunch Workshop Revolving Fund. The fund shall
16 consist of all fees derived from or on behalf of any participant in
17 any such workshop sponsored by the State Board of Education, or from
18 the sale of any materials, books and bulletins, and such funds shall
19 be disbursed for expenses of such workshops and for developing,
20 printing and distributing of such materials, books and bulletins
21 relating to the school lunch program. The fund shall be
22 administered in accordance with ~~the Revolving Fund Procedures Act~~
23 Section 155 of Title 62 of the Oklahoma Statutes;

1 15. Prescribe all forms for school district and county officers
2 to report to the State Board of Education where required. The State
3 Board of Education shall also prescribe a list of appropriation
4 accounts by which the funds of school districts shall be budgeted,
5 accounted for and expended; and it shall be the duty of the State
6 Auditor and Inspector in prescribing all budgeting, accounting and
7 reporting forms for school funds to conform to such lists;

8 16. Provide for the establishment of a uniform system of pupil
9 and personnel accounting, records and reports;

10 17. Have authority to provide for the health and safety of
11 school children and school personnel while under the jurisdiction of
12 school authorities;

13 18. Provide for the supervision of the transportation of
14 pupils;

15 19. Have authority, upon request of the local school board, to
16 act in behalf of the public schools of the state in the purchase of
17 transportation equipment;

18 20. Have authority and is hereby required to perform all duties
19 necessary to the administration of the public school system in
20 Oklahoma as specified in the Oklahoma School Code; and, in addition
21 thereto, those duties not specifically mentioned herein if not
22 delegated by law to any other agency or official;

23 21. Administer the State Public Common School Building
24 Equalization Fund established by Section 32 of Article X of the

1 Oklahoma Constitution. Any royalties, bonuses, rentals or other
2 monies derived from oil and gas and all other mineral leases on
3 lands that have been or may be granted by the United States to the
4 state for the use and benefit of the common schools, or lands that
5 are or may be held by the Commissioners of the Land Office for the
6 use and benefit of the common schools, the proceeds of the sale of
7 easements, improvements and sand and gravel on any such lands, any
8 monies as may be appropriated or designated by the Legislature,
9 other than ad valorem taxes, any other funds identified by the State
10 Department of Education, which may include, but not be limited to,
11 grants-in-aid from the federal government for building purposes, the
12 proceeds of all property that shall fall to the state by escheat,
13 penalties for unlawful holding of real estate by corporations, and
14 capital gains on assets of the permanent school funds, shall be
15 deposited in the State Public Common School Building Equalization
16 Fund. The fund shall be used to aid school districts in acquiring
17 buildings, subject to the limitations fixed by Section 32 of Article
18 X of the Oklahoma Constitution. It is hereby declared that the term
19 "acquiring buildings" as used in Section 32 of Article X of the
20 Oklahoma Constitution shall mean acquiring or improving school
21 sites, constructing, repairing, remodeling or equipping buildings,
22 or acquiring school furniture, fixtures, or equipment. If
23 sufficient monies are available in the fund, the Board shall solicit
24 proposals for grants from school districts and shall determine the

1 process for consideration of proposals. Grants shall be awarded
2 only to school districts which have a total assessed property
3 valuation per average daily membership that is less than the state
4 average total assessed property valuation per average daily
5 membership and, at the time of application, the district has voted
6 the five-mill building fund levy authorized in Section 10 of Article
7 X of the Oklahoma Constitution, and has voted indebtedness through
8 the issuance of new bonds for at least eighty-five percent (85%)
9 within the last three (3) years of the maximum allowable pursuant to
10 the provisions of Section 26 of Article X of the Oklahoma
11 Constitution as shown on the school district budget filed with the
12 State Board of Equalization for the current school year and
13 certifications by the Attorney General prior to April 1 of the
14 school year. The amount of each grant awarded by the Board each
15 year shall not exceed One Million Dollars (\$1,000,000.00). The
16 Board shall give priority consideration to school districts which
17 have a total assessed property valuation per average daily
18 membership that is equal to or less than twenty-five percent (25%)
19 of the state average total assessed property valuation per average
20 daily membership. The Board is authorized to prorate grants awarded
21 if monies are not sufficient in the fund to award grants to
22 qualified districts. The State Board of Education shall prescribe
23 rules for making grants of aid from, and for otherwise
24 administering, the fund pursuant to the provisions of this

1 paragraph, and may employ and fix the duties and compensation of
2 technicians, aides, clerks, stenographers, attorneys and other
3 personnel deemed necessary to carry out the provisions of this
4 paragraph. The cost of administering the fund shall be paid from
5 monies appropriated to the State Board of Education for the
6 operation of the State Department of Education;

7 22. Recognize that the Director of the Oklahoma Department of
8 Corrections shall be the administrative authority for the schools
9 which are maintained in the state reformatories and shall appoint
10 the principals and teachers in such schools. Provided, that rules
11 of the State Board of Education for the classification, inspection
12 and accreditation of public schools shall be applicable to such
13 schools; and such schools shall comply with standards set by the
14 State Board of Education; and

15 23. Have authority to administer a revolving fund which is
16 hereby created in the State Treasury, to be designated the
17 Statistical Services Revolving Fund. The fund shall consist of all
18 monies received from the various school districts of the state, the
19 United States Government, and other sources for the purpose of
20 furnishing or financing statistical services and for any other
21 purpose as designated by the Legislature. The State Board of
22 Education is hereby authorized to enter into agreements with school
23 districts, municipalities, the United States Government, foundations
24 and other agencies or individuals for services, programs or research

1 projects. The Statistical Services Revolving Fund shall be
2 administered in accordance with ~~the Revolving Fund Procedures Act,~~
3 Section 155 ~~et seq.~~ of Title 62 of the Oklahoma Statutes; ~~and~~
4 ~~24. Have authority to review preliminary plans for new~~
5 ~~construction and major alteration of public school buildings where~~
6 ~~structural changes are proposed. No bids shall be let for the~~
7 ~~construction or major alteration of any public school building until~~
8 ~~preliminary plans and specifications for such construction or~~
9 ~~alteration have been submitted to and reviewed by the State~~
10 ~~Department of Education. The period of time during which such~~
11 ~~review is conducted by the State Department of Education shall not~~
12 ~~exceed thirty (30) days. The State Department of Education shall~~
13 ~~advise each local school district regarding said review of~~
14 ~~preliminary plans and specifications. Provided, nothing in this~~
15 ~~subsection shall be construed as repealing any ordinance or building~~
16 ~~code of any city, town or county.~~

17 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-153, is
18 amended to read as follows:

19 Section 3-153. Except for school districts with one or more
20 school sites which are identified for school improvement as
21 determined by the State Board of Education pursuant to the
22 requirements of the No Child Left Behind Act of 2001, P.L. No. 107-
23 110, all school districts shall be exempt from reporting to the
24 Board the following plans:

1 1. ~~The Comprehensive Local Education Plan as required in~~
2 ~~Section 3-104.2 of this title;~~

3 ~~2.~~ The school improvement plan as required in Section 5-117.4
4 of this title;

5 ~~3.~~ 2. The capital improvement plan as required in Section 18-
6 153 of this title; and

7 ~~4.~~ 3. The reading sufficiency plan as required in Section
8 1210.508C of this title, subject to the requirements of paragraph 1
9 of subsection F of Section 1210.508C of this title; provided the
10 last reading sufficiency plan submitted by the school district was
11 approved by the State Department of Education and expenditures for
12 the program include only expenses relating to individual and small
13 group tutoring, purchase of and training in the use of screening and
14 assessment measures, summer school programs, and Saturday school
15 programs. Prior approval from the State Department of Education
16 shall be required for other types of expenditures.

17 SECTION 3. AMENDATORY 70 O.S. 2011, Section 3-156, is
18 amended to read as follows:

19 Section 3-156. Each local school district may study and assess
20 ways to eliminate, reduce, consolidate, and simplify the number,
21 type, and length of reports, data, statistics, and other information
22 required of any school district personnel by federal or state law.
23 In conducting research for the study, the school district shall
24

1 provide for the input and participation of school district
2 personnel.

3 Each local school district may also study and assess ways to
4 eliminate, reduce, consolidate, and simplify the number of tests
5 required by students enrolled in school.

6 Findings and recommendations of both studies shall be ~~included~~
7 ~~in the Comprehensive Local Education Plan of the school district and~~
8 ~~shall be~~ forwarded to the State Department of Education.

9 SECTION 4. AMENDATORY 70 O.S. 2011, Section 5-117.4, is
10 amended to read as follows:

11 Section 5-117.4 A. Each local board of education shall, after
12 convening an advisory council that includes teachers and parents,
13 and after holding at least one public hearing, adopt a six-year
14 school improvement plan for the district. Each school improvement
15 plan shall include stated goals that clearly delineate educational
16 expectations, and shall be annually monitored and updated as
17 necessary. The alternative education plan for the school district
18 as required in subsection B of Section 1210.566 of this title shall
19 be included in the school improvement plan. The plan shall also
20 include a specific program of improvement through academic skill
21 reinforcement and/or remediation pursuant to the provisions of the
22 Oklahoma School Testing Program Act. ~~Such~~ The plan shall include an
23 evaluation of the instructional program in the basic skills areas as
24 specified in paragraphs 1 and 2 of subsection A of Section 11-103 of

1 this title and specific plans whereby schools within the district
2 will initiate the planning process of meeting or exceeding the
3 accreditation requirements in Section 3-104.4 of this title. The
4 six-year school improvement plan shall include a consideration of
5 the feasibility of participation in any programs which consist of
6 state exemption from educational-related statutes or rules.

7 B. ~~The school improvement plan shall be submitted to~~ As set
8 forth in Section 1210.544 of this title, the State Board of
9 Education ~~as provided in Section 3-104.2 of this title~~ shall
10 establish a process to identify schools in the state that are
11 consistently listed as persistently low-achieving schools in
12 accordance with subsection (g)(6) of Section 1003 of Title I of the
13 Elementary and Secondary Education Act of 1965 (ESEA), as amended.
14 A school district board of education with a school identified as
15 being among the persistently lowest-achieving schools in the state
16 shall, in addition to the requirements set forth in Section 1210.544
17 of this title, submit an annual update to the school improvement
18 plan to the State Board of Education. The annual update to the
19 school improvement plan shall be submitted electronically.

20 C. The State Board of Education shall promulgate rules for
21 monitoring compliance with the provisions of this section by school
22 districts.
23
24

1 D. The State Department of Education shall provide training for
2 regional accreditation officers in alternative education program
3 compliance.

4 SECTION 5. AMENDATORY 70 O.S. 2011, Section 18-153, is
5 amended to read as follows:

6 Section 18-153. A. Each local school district shall develop
7 and adopt a four-year capital improvement plan for the public
8 schools in the district and shall submit such plan to the State
9 Board of Education ~~as provided for in Section 1 of this act.~~ Each
10 local school district shall review and update their plans annually.
11 Capital improvement plans shall be based upon guidelines developed
12 by the State Department of Education.

13 B. The State Department of Education shall develop and the
14 State Board of Education shall adopt a statewide four-year capital
15 improvement master plan for the public common schools of this state.
16 Such master plan shall be subject to the provisions of Section 308
17 of Title 75 of the Oklahoma Statutes. All plans specified in this
18 section shall be reviewed by the Common School Capital Improvement
19 Needs Assessment Committee as established by this act.

20 SECTION 6. AMENDATORY 70 O.S. 2011, Section 1210.508, is
21 amended to read as follows:

22 Section 1210.508 A. 1. The State Board of Education shall
23 develop and administer a series of criterion-referenced tests
24 designed to indicate whether the state academic content standards,

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

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

- 12 a. reading, and
- 13 b. mathematics.

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

- 16 a. reading,
- 17 b. mathematics,
- 18 c. science,
- 19 d. social studies, which shall consist of the history,
20 Constitution and government of the United States, and
21 geography, and
- 22 e. writing of English.

23

24

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

- 4 a. reading, and
- 5 b. mathematics.

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

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

- 10 a. reading,
- 11 b. mathematics,
- 12 c. science,
- 13 d. social studies, which shall consist of the history,
14 Constitution, and government of the United States, and
- 15 e. writing of English.

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

20 6. Each student who completes the instruction for English II,
21 English III, United States History, Biology I, Algebra I, Geometry,
22 and Algebra II at the secondary level shall complete an end-of-
23 instruction test, when implemented, to measure for attainment in the
24 appropriate state academic content standards in order to graduate

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

12 The end-of-instruction tests shall serve the purpose of the
13 criterion-referenced tests as provided in paragraph 1 of this
14 subsection. The English II and English III end-of-instruction tests
15 shall include a writing component. Students who do not score at
16 least at the proficient level shall be afforded the opportunity to
17 retake each test up to three (3) times each calendar year until at
18 least achieving at the proficient level. In order to provide an
19 indication of the levels of competency attained by the student in a
20 permanent record for potential future employers and institutions of
21 higher education, for students who enter the ninth grade in or prior
22 to the 2007-08 school year, school districts shall report the
23 highest achieved state test performance level on the end-of-
24 instruction tests on the student's high school transcript.

Beginning with students who enter the ninth grade in the 2008-09 school year, school districts shall report the ~~student's performance levels~~ highest achieved state test performance level on the end-of-instruction tests and any business and industry-recognized endorsements attained on the student's high school transcript. Any student at the middle school level who completes the instruction in a secondary course specified in this paragraph shall be administered the appropriate end-of-instruction test.

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

b. Each school district shall prepare an annual report for approval by the State Board of Education outlining 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.

B. 1. All criterion-referenced tests required by this section shall measure academic competencies in correlation with the state academic content standards adopted by the Board pursuant to Section 11-103.6 of this title and known as the Priority Academic Student Skills Curriculum. The State Board of Education shall evaluate the

1 academic content standards to ensure the competencies reflect high
2 standards, are specific, well-defined, measurable, challenging, and
3 will prepare elementary students for next-grade-level course work
4 and secondary students for postsecondary studies at institutions of
5 higher education or technology center schools without the need for
6 remediation in core curriculum areas. All state academic content
7 standards shall reflect the benchmarks of the American Diploma
8 Project and the goal of improving the state average ACT score.

9 2. The State Department of Education shall annually evaluate
10 the results of the criterion-referenced tests. The State Board of
11 Education shall ensure that test results are reported to districts
12 in a manner that yields detailed, diagnostic information for the
13 purpose of guiding instruction and student remediation. As
14 improvements are made to the criterion-referenced tests required by
15 this section, the Board shall seek to increase the depth of
16 knowledge assessed for each subject. The State Board of Education
17 shall seek to ensure that data yielded from the tests required in
18 this section are utilized at the school district level to prescribe
19 reinforcement and/or remediation by requiring school districts to
20 develop and implement a specific program of improvement based on the
21 test results.

22 3. The State Board of Education in coordination with the
23 Educational Quality and Accountability Board shall review, realign,
24 and recalibrate, as necessary, the tests in reading and mathematics

1 in third through eighth grade and the end-of-instruction tests. The
2 State Board of Education shall determine the cut scores for the
3 performance levels on the end-of-instruction tests developed
4 pursuant to paragraph 6 of subsection A of this section, which shall
5 be phased in over a multi-year period. The State Board of Education
6 shall conduct an ongoing review to compare the end-of-instruction
7 test content and performance descriptors with those of other states.
8 Upon receipt of the review, the State Board of Education may adjust
9 the cut scores as necessary.

10 4. The State Board of Education, for the purposes of conducting
11 reliability and validity studies, monitoring contractor adherence to
12 professionally accepted testing standards, and providing
13 recommendations for testing program improvement, shall retain the
14 services of an established, independent agency or organization that
15 is nationally recognized for its technical expertise in educational
16 testing but is not engaged in the development of aptitude or
17 achievement tests for elementary or secondary level grades. These
18 national assessment experts shall annually conduct studies of the
19 reliability and validity of the end-of-instruction tests
20 administered pursuant to this section. Validity studies shall
21 include studies of decision validity, concurrent validity and the
22 validity of performance level cut scores.

23 C. 1. The State Board of Education shall set the testing
24 window dates for each criterion-referenced test required in

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

1 vendor includes a provision that the vendor report test results
2 directly to the Office of Accountability at the same time it is
3 reported to the Board.

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

16 D. The State Board of Education shall be responsible for the
17 development, field-testing, and validation of the criterion-
18 referenced test series required in subsection A of this section. In
19 the interest of economy the Board shall adapt criterion-referenced
20 tests that have been developed by or in collaboration with other
21 states or are otherwise commercially available, or portions of such
22 tests, to the extent that such tests are appropriate for use in the
23 testing program to be administered to Oklahoma students.

1 E. The State Board of Education shall develop, administer, and
2 incorporate as a part of the Oklahoma School Testing Program, other
3 testing programs or procedures, including appropriate accommodations
4 for the testing of students with disabilities as required by the
5 Individuals with Disabilities Education Act (IDEA), 20 USC, Section
6 1400 et seq.

7 SECTION 7. AMENDATORY 70 O.S. 2011, Section 1210.508C,
8 is amended to read as follows:

9 Section 1210.508C A. 1. Each student enrolled in kindergarten
10 in a public school in this state shall be screened for reading
11 skills including, but not limited to, phonological awareness, letter
12 recognition, and oral language skills as identified in the Priority
13 Academic Student Skills (PASS) adopted by the State Board of
14 Education. A screening instrument approved by the State Board shall
15 be utilized for the purposes of this section.

16 2. For those kindergarten children at risk for reading
17 difficulties, teachers shall emphasize reading skills as identified
18 in the PASS, monitor progress throughout the year and measure year-
19 end reading progress.

20 3. Classroom assistants, which may include parents,
21 grandparents, or other volunteers, shall be provided in kindergarten
22 classes to assist with the screening of students if a teacher aide
23 is not already employed to assist in a kindergarten classroom.
24

1 B. 1. Each student enrolled in first, second and third grade
2 of the public schools of this state shall be assessed at the
3 beginning of each school year using a screening instrument approved
4 by the State Board of Education for the acquisition of reading
5 skills including, but not limited to, phonological awareness,
6 phonics, spelling, reading fluency, vocabulary, and comprehension.

7 2. Any student who is assessed and found not to be reading at
8 the appropriate grade level shall be provided a program of reading
9 instruction designed to enable the student to acquire the
10 appropriate grade level reading skills. Beginning with students
11 entering the first grade in the 2011-2012 school year, the program
12 of reading instruction shall include provisions of the READ
13 Initiative adopted by the school district as provided for in
14 subsection N of this section. If a student is found not to be
15 reading at the appropriate grade level and teachers, in
16 collaboration with others, are concerned that undiagnosed health
17 problems may affect the ability of the student to read, the school
18 district may make a recommendation to the parents or legal guardians
19 for medical evaluation without being liable for cost of the
20 evaluation or any associated costs.

21 3. Throughout the year progress monitoring shall continue, and
22 diagnostic assessment, if determined appropriate, shall be provided.
23 Year-end reading skills shall be measured to determine reading
24 success.

1 C. The State Board of Education shall approve no more than
2 three screening instruments for use at the beginning of the school
3 year, for monitoring of progress, and for measurement of reading
4 skills at the end of the school year as required in subsections A
5 and B of this section; provided, one of the screening instruments
6 shall be recommended by the Oklahoma Commission for Teacher
7 Preparation. The State Board shall also determine other comparable
8 reading assessments for diagnostic purposes and for periodic and
9 post assessments to be used for students at risk of reading failure.
10 The State Board shall ensure that any assessments approved are in
11 alignment with the PASS.

12 D. The program of reading instruction required in subsection B
13 of this section shall align with the PASS, shall include provisions
14 of the READ Initiative adopted by the school district as provided
15 for in subsection N of this section beginning with students entering
16 the first grade in the 2011-2012 school year and may include, but is
17 not limited to:

18 1. Sufficient additional in-school instructional time for the
19 acquisition of phonological awareness, phonics, spelling, reading
20 fluency, vocabulary, and comprehension;

21 2. If necessary, tutorial instruction after regular school
22 hours, on Saturdays and during summer; however, such instruction may
23 not be counted toward the one-hundred-eighty-day school year
24 required in Section 1-109 of this title; and

1 3. Assessments identified for diagnostic purposes and periodic
2 monitoring to measure the acquisition of reading skills including,
3 but not limited to, phonological awareness, phonics, spelling,
4 reading fluency, vocabulary, and comprehension, as identified in the
5 student's program of reading instruction.

6 E. The program of reading instruction shall continue until the
7 student is determined by the results of approved reading assessments
8 to be reading on grade level.

9 F. 1. Every school district shall adopt, implement, and
10 annually update a district reading sufficiency plan which has had
11 input from school administrators, teachers, and parents and if
12 possible a reading specialist, and which shall be submitted to and
13 approved by the State Board of Education ~~as a part of each~~
14 ~~district's Comprehensive Local Education Plan~~. The district reading
15 sufficiency plan shall include a plan for each site which includes
16 an analysis of the data provided by the Oklahoma School Testing
17 Program and other reading assessments utilized as required in this
18 section, and which outlines how each school site will comply with
19 the provisions of the Reading Sufficiency Act.

20 2. Each school site shall establish a committee, composed of
21 educators, which if possible shall include a certified reading
22 specialist, to develop the required programs of reading instruction.
23 A parent or guardian of the student shall be included in the
24 development of the program of reading instruction for that student.

1 3. The State Board of Education shall adopt rules for the
2 implementation and evaluation of the provisions of the Reading
3 Sufficiency Act. The evaluation shall include, but not be limited
4 to, an analysis of the data required in subsection R of this
5 section.

6 G. For any third-grade student found not to be reading at grade
7 level as determined by reading assessments administered pursuant to
8 this section, a new program of reading instruction, including
9 provisions of the READ Initiative adopted by the school district as
10 provided for in subsection N of this section, shall be developed and
11 implemented as specified in this section. If possible, a fourth-
12 grade teacher shall be involved in the development of the program of
13 reading instruction. In addition to other requirements of the
14 Reading Sufficiency Act, the plan may include specialized tutoring.

15 H. Beginning with students entering the first grade in the
16 2011-2012 school year, if the reading deficiency of a student, as
17 identified based on assessments administered as provided for in
18 subsection B of this section, is not remedied by the end of third
19 grade, as demonstrated by scoring at the unsatisfactory level on the
20 reading portion of the third-grade criterion-referenced test
21 administered pursuant to Section 1210.508 of this title, the student
22 shall be retained in the third grade.

23 I. The parent of any student who is found to have a reading
24 deficiency and is not reading at the appropriate grade level and has

1 been provided a program of reading instruction as provided for in
2 subsection B of this section shall be notified in writing of the
3 following:

4 1. That the student has been identified as having a substantial
5 deficiency in reading;

6 2. A description of the current services that are provided to
7 the student;

8 3. A description of the proposed supplemental instructional
9 services and supports that will be provided to the student that are
10 designed to remediate the identified area of reading deficiency;

11 4. That the student will not be promoted to the fourth grade if
12 the reading deficiency is not remediated by the end of the third
13 grade, unless the student is exempt for good cause as set forth in
14 subsection K of this section;

15 5. Strategies for parents to use in helping their child succeed
16 in reading proficiency;

17 6. That while the results of the criterion-referenced test
18 administered pursuant to Section 1210.508 of this title are the
19 initial determinant, it is not the sole determiner of promotion and
20 that portfolio reviews and assessments are available; and

21 7. The specific criteria and policies of the school district
22 for midyear promotion implemented as provided for in paragraph 4 of
23 subsection M of this section.
24

1 J. No student may be assigned to a grade level based solely on
2 age or other factors that constitute social promotion.

3 K. For those students who do not meet the academic requirements
4 for promotion, a school district may promote the student for good
5 cause only. Good-cause exemptions for promotion shall be limited to
6 the following:

7 1. Limited-English-proficient students who have had less than
8 two (2) years of instruction in an English language learner program;

9 2. Students with disabilities whose individualized education
10 ~~plan~~ program (IEP), consistent with state law, indicates that
11 participation in the statewide criterion-referenced tests
12 administered pursuant to Section 1210.508 of this title is not
13 appropriate;

14 3. Students who demonstrate an acceptable level of performance
15 on an alternative standardized reading assessment approved by the
16 State Board of Education;

17 4. Students who demonstrate, through a student portfolio, that
18 the student is reading on grade level as evidenced by demonstration
19 of mastery of the state standards beyond the retention level;

20 5. Students with disabilities who participate in the statewide
21 criterion-referenced tests and who have an individualized education
22 plan that reflects that the student has received intensive
23 remediation in reading for more than two (2) years but still
24

1 demonstrates a deficiency in reading and was previously retained in
2 kindergarten, first grade, second grade, or third grade; and

3 6. Students who have received intensive remediation in reading
4 through a program of reading instruction for two (2) or more years
5 but still demonstrate a deficiency in reading and who were
6 previously retained in kindergarten, first grade, second grade, or
7 third grade for a total of two (2) years. A student who is
8 promoted as provided for in this paragraph shall be provided
9 intensive reading instruction during an altered instructional day
10 that includes specialized diagnostic information and specific
11 reading strategies for each student. The school district shall
12 assist schools and teachers to implement reading strategies for the
13 promoted students that research has shown to be successful in
14 improving reading among low-performing readers.

15 L. In addition to the good-cause exemptions as set forth in
16 subsection K of this section, requests to exempt students from the
17 academic requirements for promotion to the next grade shall only be
18 made upon documentation submitted from the teacher of the student to
19 the school principal that indicates that the promotion of the
20 student is appropriate and is based upon the record of the student.
21 In order to minimize paperwork requirements, documentation shall
22 consist only of a student portfolio.

23 M. Beginning with the 2011-2012 school year, each school
24 district shall:

1 1. Conduct a review of the program of reading instruction for
2 all students who score at the unsatisfactory level on the reading
3 portion of the criterion-referenced test administered pursuant to
4 Section 1210.508 of this title and did not meet the criteria for one
5 of the good-cause exemptions as set forth in subsection K of this
6 section. The review shall address additional supports and services,
7 as described in this subsection, needed to remediate the identified
8 areas of reading deficiency. The school district shall require a
9 student portfolio to be completed for each retained student;

10 2. Provide to students who have been retained as set forth in
11 subsection H of this section with intensive interventions in
12 reading, intensive instructional services and supports to remediate
13 the identified areas of reading deficiency, including a minimum of
14 ninety (90) minutes of daily, uninterrupted, scientific-research-
15 based reading instruction. Retained students shall be provided
16 other strategies prescribed by the school district, which may
17 include, but are not limited to:

- 18 a. small group instruction,
- 19 b. reduced teacher-student ratios,
- 20 c. more frequent progress monitoring,
- 21 d. tutoring or mentoring,
- 22 e. transition classes containing third- and fourth-grade
23 students,
- 24 f. extended school day, week, or year, and

g. summer reading academies as provided for in Section 1210.508E of this title, if available;

3. Provide written notification to the parent or guardian of any student who is to be retained as set forth in subsection H of this section that the student has not met the proficiency level required for promotion and the reasons the student is not eligible for a good-cause exemption. The notification shall include a description of proposed interventions and intensive instructional supports that will be provided to the student to remediate the identified areas of reading deficiency;

4. Implement a policy for the midyear promotion of a retained student who can demonstrate that the student is a successful and independent reader, is reading at or above grade level, and is ready to be promoted to the fourth grade. Tools that school districts may use in reevaluating any retained student may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Retained students may only be promoted midyear prior to November 1 and only upon demonstrating a level of proficiency required to score above the unsatisfactory level on the third-grade statewide criterion-referenced test and upon showing progress sufficient to master appropriate fourth-grade-level skills, as determined by the school. A midyear promotion shall be made only upon agreement of the parent or guardian of the student and the school principal;

1 5. Provide students who are retained with a high-performing
2 teacher who can address the needs of the student, based on student
3 performance data and above-satisfactory performance appraisals; and

4 6. In addition to required reading enhancement and acceleration
5 strategies, provide students who are retained with at least one of
6 the following instructional options:

7 a. supplemental tutoring in scientific-research-based
8 reading services in addition to the regular reading
9 block, including tutoring before or after school,

10 b. a parent-guided "Read at Home" assistance plan, as
11 developed by the State Department of Education, the
12 purpose of which is to encourage regular parent-guided
13 home reading, or

14 c. a mentor or tutor with specialized reading training.

15 N. Beginning with the 2011-2012 school year, each school
16 district shall establish a Reading Enhancement and Acceleration
17 Development (READ) Initiative. The focus of the READ Initiative
18 shall be to prevent the retention of third-grade students by
19 offering intensive accelerated reading instruction to third-grade
20 students who failed to meet standards for promotion to fourth grade
21 and to kindergarten through third-grade students who are exhibiting
22 a reading deficiency. The READ Initiative shall:

23 1. Be provided to all kindergarten through third-grade students
24 at risk of retention as identified by the assessments administered

1 pursuant to the Reading Sufficiency Act. The assessment used shall
2 measure phonemic awareness, phonics, fluency, vocabulary, and
3 comprehension;

4 2. Be provided during regular school hours in addition to the
5 regular reading instruction; and

6 3. Provide a state-approved reading curriculum that, at a
7 minimum, meets the following specifications:

- 8 a. assists students assessed as exhibiting a reading
9 deficiency in developing the ability to read at grade
10 level,
- 11 b. provides skill development in phonemic awareness,
12 phonics, fluency, vocabulary, and comprehension,
- 13 c. provides scientifically based and reliable assessment,
- 14 d. provides initial and ongoing analysis of the reading
15 progress of each student,
- 16 e. is implemented during regular school hours,
- 17 f. provides a curriculum in core academic subjects to
18 assist the student in maintaining or meeting
19 proficiency levels for the appropriate grade in all
20 academic subjects,
- 21 g. establishes at each school, where applicable, an
22 Intensive Acceleration Class for retained third-grade
23 students who subsequently score at the unsatisfactory
24 level on the reading portion of the statewide

1 criterion-referenced tests. The focus of the
2 Intensive Acceleration Class shall be to increase the
3 reading level of a child at least two grade levels in
4 one (1) school year. The Intensive Acceleration Class
5 shall:

- 6 (1) be provided to any student in the third grade who
7 scores at the unsatisfactory level on the reading
8 portion of the statewide criterion-referenced
9 tests and who was retained in the third grade the
10 prior year because of scoring at the
11 unsatisfactory level on the reading portion of
12 the statewide criterion-referenced tests,
- 13 (2) have a reduced teacher-student ratio,
- 14 (3) provide uninterrupted reading instruction for the
15 majority of student contact time each day and
16 incorporate opportunities to master the fourth-
17 grade state standards in other core subject
18 areas,
- 19 (4) use a reading program that is scientific-
20 research-based and has proven results in
21 accelerating student reading achievement within
22 the same school year,
- 23 (5) provide intensive language and vocabulary
24 instruction using a scientific-research-based

1 program, including use of a speech-language
2 therapist,

3 (6) include weekly progress monitoring measures to
4 ensure progress is being made, and

5 (7) provide reports to the State Department of
6 Education, in the manner described by the
7 Department, outlining the progress of students in
8 the class at the end of the first semester,

9 h. provide reports to the State Board of Education, upon
10 request, on the specific intensive reading
11 interventions and supports implemented by the school
12 district. The State Superintendent of Public
13 Instruction shall annually prescribe the required
14 components of the reports, and

15 i. provide to a student who has been retained in the
16 third grade and has received intensive instructional
17 services but is still not ready for grade promotion,
18 as determined by the school district, the option of
19 being placed in a transitional instructional setting.
20 A transitional setting shall specifically be designed
21 to produce learning gains sufficient to meet fourth-
22 grade performance standards while continuing to
23 remediate the areas of reading deficiency.

1 O. In addition to the requirements set forth in this section,
2 each school district board of education shall annually report to the
3 parent or guardian of each student in the district the progress of
4 the student toward achieving state and district expectations for
5 proficiency in reading, writing, science, and mathematics. The
6 school district board of education shall report to the parent or
7 guardian of each student the results on each statewide criterion-
8 referenced test. The evaluation of the progress of each student
9 shall be based upon classroom work, observations, tests, district
10 and state assessments, and other relevant information. Progress
11 reporting shall be provided to the parent or guardian in writing.

12 P. 1. Each school district board of education shall annually
13 publish on the school website, and report in writing to the State
14 Board of Education by September 1 of each year, the following
15 information on the prior school year:

- 16 a. the provisions of this section relating to public
17 school student progression and the policies and
18 procedures of the school district on student retention
19 and promotion,
- 20 b. by grade, the number and percentage of all students in
21 grades three through ten performing at the
22 unsatisfactory level on the reading portion of the
23 statewide criterion-referenced tests,

- c. by grade, the number and percentage of all students retained in grades three through ten,
- d. information on the total number and percentage of students who were promoted for good cause, by each category of good cause as specified above, and
- e. any revisions to the policies of the school district on student retention and promotion from the prior year.

2. The State Department of Education shall establish a uniform format for school districts to report the information required in this subsection. The format shall be developed with input from school districts and shall be provided not later than ninety (90) days prior to the annual due date. The Department shall annually compile the information required along with state-level summary information, and report the information to the public, the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

Q. The State Department of Education shall provide technical assistance as needed to aid school districts in administering the provision of the Reading Sufficiency Act.

R. On or before December 1 of each year, the State Department of Education shall issue to the Governor and members of the Senate and House of Representatives Education Committees a Reading Report Card for the state and each school district and elementary site

1 which shall include, but is not limited to, trend data detailing
2 three (3) years of data, disaggregated by student subgroups to
3 include economically disadvantaged, major racial or ethnic groups,
4 students with disabilities, and English language learners, as
5 appropriate for the following:

6 1. The number and percentage of students in kindergarten
7 through third grade determined to be at risk for reading
8 difficulties compared to the total number of students enrolled in
9 each grade;

10 2. The number and percentage of students in kindergarten who
11 continue to be at risk for reading difficulties as determined by the
12 year-end measurement of reading progress;

13 3. The number and percentage of students in first through third
14 grade who have successfully completed their program of reading
15 instruction and are reading on grade level as determined by the
16 results of approved reading assessments;

17 4. The number and percentage of students scoring at each
18 performance level on the third-grade criterion-referenced test in
19 reading;

20 5. The amount of funds for reading remediation received by each
21 district;

22 6. An evaluation and narrative interpretation of the report
23 data analyzing the impact of the Reading Sufficiency Act on
24 students' ability to read at grade level; and

1 7. Any recommendations for improvements or amendments to the
2 Reading Sufficiency Act.

3 The State Department of Education may contract with an
4 independent entity for the reporting and analysis requirements of
5 this subsection.

6 S. Copies of the results of the assessments administered shall
7 be made a part of the permanent record of each student.

8 SECTION 8. REPEALER 70 O.S. 2011, Section 3-104.2, is
9 hereby repealed.

10 SECTION 9. This act shall become effective July 1, 2012.

11 SECTION 10. It being immediately necessary for the preservation
12 of the public peace, health and safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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1 Passed the House of Representatives the 21st day of February,
2 2012.

3
4
5 Presiding Officer of the House of
6 Representatives

7 Passed the Senate the ____ day of _____, 2012.

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10 Presiding Officer of the Senate