

OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

April 4, 2012

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB 264

By: Jolley of the Senate and Nelson of the House

Title: An act relating to school testing; modifying criteria for reviewing recommendations; eliminating certain assessments; providing for certain assessments; requiring steps to be taken to comply with no child left behind; providing for approval of certain assessments. Effective date. Emergency.

together with Engrossed House 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 House recede from all Amendments.
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,
SENATE CONFEREES

Jolley

Stanislawski

Ford

Rice

Halligan

Burrage

HOUSE CONFEREES:

Senate Action _____ Date _____ House Action _____ Date _____

SB264 CCR C

Conference Committee on Government Modernization and Rules

Senate Action _____ Date _____ House Action _____ Date _____

STATE OF OKLAHOMA

1st Session of the 53rd Legislature (2011)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED

SENATE BILL NO. 264

By: Jolley of the Senate

and

Nelson of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to education; creating the Allowing Local Administrators More Options Act; providing short title; stating purpose; providing procedure for exempting school districts from certain statutory requirements and rules; providing authority of the State Board of Education; granting school districts certain options; requiring school districts to comply with certain requirements; amending Section 4, Chapter 456, O.S.L. 2009, which relates to the Quality Assessment and Accountability Board; modifying certain deadlines; modifying criteria for reviewing and recommending assessments; requiring review of assessments that could be eliminated by adoption of new assessments; modifying appointment and composition of members to the Task Force; prohibiting travel reimbursement; modifying the reports which the Task Force may submit; amending 70 O.S. 2001, Section 1210.508, as last amended by Section 1 of Enrolled House Bill No. 1680 of the 1st Session of the 53rd Oklahoma Legislature, which relates to the School Testing Program Act; directing State Board of Education to take those steps required under No Child Left Behind to amend certain plan; specifying criteria; providing for implementation of certain assessments upon compliance with No Child Left Behind; requiring certain additional assessments; creating the Oklahoma School performance and Innovation Grant Program; authorizing the State Board of Education to award certain grants; providing proposals eligible for grant funding; requiring the State Department of Education to issue requests for

1 application by certain date; providing date by which
2 applications shall be submitted; requiring grant
3 applications to include certain evidence; providing
4 the requirements of a grant application; providing
5 for review of applications for conformance with
6 certain requirements; requiring the Board of
7 Education to award certain grants; providing that a
8 proposal be approved for no longer than three years;
9 requiring review of proposal after certain time
10 period; requiring submission of certain report;
11 repealing Section 5, Chapter 456, O.S.L. 2009 (70
12 O.S. Supp. 2010, Section 3-165), which relates to the
13 Quality Assessment and Accountability Board;
14 providing for codification; and declaring an
15 emergency.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 3-128.1 of Title 70, unless
19 there is created a duplication in numbering, reads as follows:

20 Section 2 of this act shall be known and may be cited as the
21 "Allowing Local Administrators More Options Act".

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 3-128.2 of Title 70, unless
24 there is created a duplication in numbering, reads as follows:

A. The purpose of the Allowing Local Administrators More
Options Act is to empower locally elected school board members to
govern school districts and make decisions based on the needs of
their students and circumstances.

B. 1. Subject to the provisions of this section, a school
district shall be allowed to submit a request to the State Board of

1 Education for an exemption from all statutory requirements and State
2 Board of Education rules from which charter schools are exempt as
3 provided for in the Oklahoma Charter Schools Act. Any request for
4 exemption shall include a plan for deregulation which outlines the
5 goals sought to be achieved by deregulation. A plan shall, at a
6 minimum, include the educational and fiscal benefits of deregulation
7 and the anticipated impacts or outcomes deregulation will have in
8 the requesting district.

9 2. Within sixty (60) days after receiving the request and plan
10 for deregulation, the State Board shall approve or disapprove the
11 request. If the State Board does not approve the request, it shall
12 provide to the school district a written explanation of the basis
13 for its decision. The school district may resubmit an amended
14 request at any time after denial. The request shall be approved by
15 the State Board before implementation by the school district. An
16 approved request and plan shall be for no longer than three (3)
17 years. Prior to the beginning of the third year, the school
18 district may apply for renewal of the approved request and plan.
19 The school district shall be required to submit an annual report and
20 the State Board shall annually assess the academic achievement and
21 fiscal status of the school district.

22 C. Nothing in this section shall prevent a school district
23 which has been granted approval by the State Board for the exemption
24 as set forth in subsection B of this section from choosing to follow

1 any or all state laws, rules, or regulations from which a charter
2 school is exempt. A school district which has been granted approval
3 for the exemption shall have the option to adopt policies to
4 implement any requirement for the school district that is consistent
5 with any statutory requirement or mandate or Board rule.

6 D. A school district which has been granted approval by the
7 State Board for the exemption as set forth in subsection B of this
8 section shall comply with all statutory requirements and State Board
9 rules which charter schools are required to comply with and the
10 following requirements:

11 1. Students who reside in the school district shall be entitled
12 to attend school in the district as set forth in Section 1-114 of
13 Title 70 of the Oklahoma Statutes;

14 2. The minimum salary schedule for teachers as set forth in
15 Section 18-114.12 of Title 70 of the Oklahoma Statutes;

16 3. Employees of school districts shall participate as members
17 of the Teachers' Retirement System of Oklahoma as set forth in
18 Section 17-101 et seq. of Title 70 of the Oklahoma Statutes;

19 4. Provide a health insurance plan for school district
20 employees as set forth in Section 5-117.5 of Title 70 of the
21 Oklahoma Statutes and to establish or make available to school
22 district employees a cafeteria plan as set forth in Section 26-104
23 of Title 70 of the Oklahoma Statutes;

1 5. Require any person employed by the school district to file
2 with the district board a current Oklahoma criminal history record
3 check from the Oklahoma State Bureau of Investigation as well as a
4 national criminal history record check as defined in Section 150.9
5 of Title 74 of the Oklahoma Statutes. Each district shall adopt a
6 policy regarding criminal history record checks as set forth in
7 Section 5-142 of Title 70 of the Oklahoma Statutes, as applicable;

8 6. Evaluate teachers and to train personnel designated to
9 conduct personnel evaluations as set forth in Sections 6-101.10 and
10 6-101.11 of Title 70 of the Oklahoma Statutes, comply with the
11 dismissal and due process procedures for administrators as set forth
12 in Sections 6-101.13 through 6-101.15 of Title 70 of the Oklahoma
13 Statutes, and comply with the due process procedures for teachers as
14 set forth in Sections 6-101.21 through 6-101.26 of Title 70 of the
15 Oklahoma Statutes;

16 7. Make payroll deductions for either or both professional
17 organization dues and political contributions upon the request of an
18 employee as set forth in Section 5-139 of Title 70 of the Oklahoma
19 Statutes;

20 8. Offer to students and require students enrolled in the
21 school district to complete the curriculum requirements as set forth
22 in Section 11-103.6 of Title 70 of the Oklahoma Statutes;
23
24

1 9. Require students enrolled in the school district to
2 demonstrate mastery of the state academic content standards as set
3 forth in Section 1210.523 of Title 70 of the Oklahoma Statutes;

4 10. School districts shall employ as teachers, counselors,
5 librarians, school nurses, superintendents, principals, supervisors,
6 or any other instructional, supervisory or administrative employee,
7 only those persons who are certified or licensed by the State Board
8 of Education in accordance with the Oklahoma Teacher Preparation
9 Act, except for persons exempt from the certification or licensure
10 requirements as otherwise provided by law;

11 11. Provide for negotiations between school employees and
12 school districts as set forth in Section 509.1 through 509.11 of
13 Title 70 of the Oklahoma Statutes;

14 12. Require schools within the school district to observe one
15 minute of silence each day as set forth in Section 11-101.2 of Title
16 70 of the Oklahoma Statutes; and

17 13. Require members of the school district board of education
18 to satisfy the instruction and continuing education requirements as
19 set forth in Sections 5-110, 5-110.1 and 5-110.2 of Title 70 of the
20 Oklahoma Statutes.

21 SECTION 3. AMENDATORY Section 4, Chapter 456, O.S.L.
22 2009, is amended to read as follows:

23 Section 4. A. There is hereby created until ~~December 31, 2010~~
24 June 30, 2012, the Quality Assessment and Accountability Task Force.

1 B. The Task Force shall study the student testing system of
2 this state including, but not ~~be~~ limited to, the following:

3 1. The Task Force shall ~~conduct a crosswalk of curricular and~~
4 ~~performance standards developed by the State Department of Education~~
5 ~~with those of other states with high achievement as recommended by~~
6 ~~the Achieving Classroom Excellence II Task Force~~ review and
7 recommend those formative assessments which:

8 a. improve instruction through providing regular and
9 timely diagnostic data to parents, teachers,
10 principals and superintendents;

11 b. expect high standards of achievement from students as
12 compared to those expected from Common Core Standards
13 and other standards adopted in Oklahoma not yet
14 effected by the adoption of the Common Core Standards;

15 c. are able to be fully integrated with a statewide
16 longitudinal Student Data System for portability of
17 data inter-district; and

18 d. would be the most cost effective for adoption and
19 effectiveness;

20 2. The Task Force shall review the ~~results of the crosswalk~~
21 ~~conducted pursuant to paragraph 1 of this subsection and conduct a~~
22 ~~thorough review of the state student testing system and report~~
23 ~~findings on reforming and improving the system~~ number of student
24 assessments currently required which could be eliminated by the

1 adoption of those formative tests as identified in paragraph 1 of
2 this subsection; and

3 3. The Task Force shall recommend a plan to achieve the
4 identified reforms, along with any statutory, regulatory, or
5 deregulatory changes necessary to improve the system, as well as any
6 savings that could be realized or additional costs that may be
7 incurred by the recommendations.

8 C. The Task Force shall consist of twelve (12) members as
9 follows:

10 1. The Chair of the Senate Committee on Education, appointed by
11 the President Pro Tempore of the ~~Oklahoma~~ Senate;

12 2. ~~The Vice Chair~~ A member of the Senate Committee on
13 Education, appointed by the President Pro Tempore of the ~~Oklahoma~~
14 Senate;

15 3. A member of the ~~Oklahoma~~ Senate, appointed by the Minority
16 Leader of the ~~Oklahoma~~ Senate;

17 4. The Chair of the House Committee on Common Education,
18 appointed by the Speaker of the House of Representatives;

19 5. ~~The Vice Chair~~ A member of the House Committee on Common
20 Education, appointed by the Speaker of the House of Representatives;

21 6. A member of the House of Representatives, appointed by the
22 Minority Leader of the House of Representatives;

23 7. A Superintendent of a public school district, appointed by
24 the Governor;

1 8. A Principal from a school in which over fifty percent (50%)
2 of the student population qualifies for the free-and-reduced lunch
3 program, appointed by the Governor;

4 9. A ~~representative of a statewide teacher's organization~~
5 classroom teacher, appointed by the Governor;

6 10. ~~State Superintendent of Public Instruction~~ The Secretary of
7 Education or designee;

8 11. ~~Director of the Oklahoma Department of Career and~~
9 ~~Technology Education~~ The State Superintendent of Public Instruction
10 or designee; and

11 12. A representative of a statewide organization representing
12 business, appointed by the Governor.

13 D. ~~The Chair of the Educational Quality and Accountability~~
14 ~~Board shall convene the first meeting of the Task Force. The~~
15 ~~members of the Task Force shall elect a chair and vice-chair from~~
16 ~~among the members at the first meeting~~ State Superintendent of
17 Public Instruction shall serve as Chair of the Task Force.

18 Appointments to the Task Force shall be made by ~~September 1, 2009~~
19 July 1, 2011. Meetings of the Task Force shall be held at the call
20 of the chair of the Task Force. Members shall serve at the pleasure
21 of their appointing authorities. A majority of the members of the
22 Task Force shall constitute a quorum to transact business, but no
23 vacancy shall impair the right of the remaining members to exercise
24 all of the powers of the Task Force. A vacancy on the Task Force

1 shall be filled by the original appointing authority. Staff support
2 for the Task Force shall be provided by the staff of the Senate,
3 House of Representatives, and Office of State Finance. The Office
4 of Accountability, State Department of Education, Oklahoma
5 Department of Career and Technology Education, and the Oklahoma
6 State Regents for Higher Education shall provide support and
7 information as requested by the Task Force.

8 E. Members of the Task Force shall receive no compensation or
9 travel reimbursement for serving on the Task Force, ~~but shall~~
10 ~~receive travel reimbursement as follows:~~

11 ~~1. Legislative members shall be reimbursed in accordance with~~
12 ~~Section 456 of Title 74 of the Oklahoma Statutes;~~

13 ~~2. State employees who are members of the Task Force shall be~~
14 ~~reimbursed for travel expenses incurred in the performance of their~~
15 ~~duties by their respective agencies in accordance with the State~~
16 ~~Travel Reimbursement Act; and~~

17 ~~3. All other Task Force members shall be reimbursed by the~~
18 ~~Legislative Service Bureau for travel expenses incurred in the~~
19 ~~performance of their duties in accordance with the State Travel~~
20 ~~Reimbursement Act.~~

21 F. The Task Force may seek the assistance of the Legislative
22 Service Bureau to contract with an independent consultant as
23 necessary to fulfill the duties specified in this section contingent
24 on the availability of funds.

1 G. The Task Force ~~shall~~ may submit ~~a report by December 31,~~
2 ~~2010~~ any report(s) on any findings and recommendations for
3 improvement and reform of the student curriculum, testing, and other
4 related matters, to the Governor, the President Pro Tempore of the
5 Senate, and the Speaker of the House of Representatives. ~~The report~~
6 ~~shall include findings and recommendations for improvement and~~
7 ~~reform of the student curriculum, testing, and other related~~
8 ~~matters.~~

9 SECTION 4. AMENDATORY 70 O.S. 2001, Section 1210.508, as
10 last amended by Section 1 of Enrolled House Bill No. 1680 of the 1st
11 Session of the 53rd Oklahoma Legislature, is amended to read as
12 follows:

13 Section 1210.508 A. 1. The State Board of Education shall
14 develop and administer a series of criterion-referenced tests
15 designed to indicate whether the state academic content standards,
16 as defined by the State Board of Education in the Priority Academic
17 Student Skills Curriculum, which Oklahoma public school students are
18 expected to have attained have been achieved. The Board may develop
19 and administer any criterion-referenced test in any subject not
20 required by federal law, contingent upon the availability of
21 funding. Students who do not perform at least at the proficient
22 level on tests shall be remediated, subject to the availability of
23 funding.

1 2. 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 three and four in:

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

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

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

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

- 18 a. reading, and
- 19 b. mathematics.

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

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

- 24 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 and mathematics online with raw score test results reported immediately and complete results reported in less than two (2) weeks beginning 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, and Algebra II at the secondary level shall complete an end-of-instruction test, when implemented, to measure for attainment in the appropriate state academic content standards in order to graduate from a public high school with a standard diploma. All students shall take the tests prior to graduation, unless otherwise exempt by law. The State Board of Education shall administer the criterion-referenced tests. The Board shall develop and field test the end-of-instruction tests in English III, Geometry, and Algebra II during the 2006-07 school year, implement the tests during the 2007-08 school year, and administer them each year thereafter. The Board shall administer the multiple choice portion of the end-of-instruction tests online with raw score test results reported

1 immediately and complete results reported in less than two (2) weeks
2 beginning in the 2008-09 school year.

3 The end-of-instruction tests shall serve the purpose of the
4 criterion-referenced tests as provided in paragraph 1 of this
5 subsection. The English II and English III end-of-instruction tests
6 shall include a writing component. Students who do not score at
7 least at the proficient level shall be afforded the opportunity to
8 retake each test up to three (3) times each calendar year until at
9 least achieving at the proficient level. In order to provide an
10 indication of the levels of competency attained by the student in a
11 permanent record for potential future employers and institutions of
12 higher education, for students who enter the ninth grade in or prior
13 to the 2007-08 school year, school districts shall report the
14 highest achieved state test performance level on the end-of-
15 instruction tests on the student's high school transcript.
16 Beginning with students who enter the ninth grade in the 2008-09
17 school year, school districts shall report the student's performance
18 levels on the end-of-instruction tests and any business and
19 industry-recognized endorsements attained on the student's high
20 school transcript. Any student at the middle school level who
21 completes the instruction in a secondary course specified in this
22 paragraph shall be administered the appropriate end-of-instruction
23 test.

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

6 b. Each school district shall prepare an annual report
7 for approval by the State Board of Education outlining
8 the fine arts assessment strategies used by the
9 district, when the assessments were administered, how
10 many students were assessed during the previous year,
11 and the results of the assessments.

12 B. 1. By April 1, 2012, the State Board of Education shall
13 take those steps required under No Child Left Behind to amend the
14 state accountability plan to replace the criterion-referenced tests
15 required pursuant to paragraphs 1 through 5 of subsection A of this
16 section with an assessment system that:

- 17 a. serves the dual purposes of accountability and
18 instructional improvement,
19 b. is aligned to the Priority Academic Student Skills and
20 the K-12 Common Core State Standards,
21 c. provides components of the longitudinal data system
22 needed to track student growth over multiple years,
23 d. contributes to Oklahoma's compliance with the America
24 COMPETES Act,

- 1 e. provides data to enable measurement of student growth
2 over multiple years and over the course of the school
3 year through multiple test administrations, and
4 f. utilizes a dynamic, computer-based test format, which
5 may be adaptive in design.

6 2. Once requirements under No Child Left Behind have been
7 satisfied pursuant to paragraph 1 of this subsection, the State
8 Board of Education shall implement the assessment system as provided
9 in paragraph 1 of this subsection for grades three through eight in
10 the same subjects as provided in paragraphs 1 through 5 of
11 subsection A of this section. In addition, the Board shall include
12 assessments in reading and mathematics in kindergarten through grade
13 two.

14 C. 1. All criterion-referenced tests required by this section
15 shall measure academic competencies in correlation with the state
16 academic content standards adopted by the Board pursuant to Section
17 11-103.6 of this title and known as the Priority Academic Student
18 Skills Curriculum. The State Board of Education shall evaluate the
19 academic content standards to ensure the competencies reflect high
20 standards, are specific, well-defined, measurable, challenging, and
21 will prepare elementary students for next-grade-level course work
22 and secondary students for postsecondary studies at institutions of
23 higher education or technology center schools without the need for
24 remediation in core curriculum areas. All state academic content

standards shall reflect the benchmarks of the American Diploma Project and the goal of improving the state average ACT score.

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

3. The State Board of Education in coordination with the Educational Quality and Accountability Board shall review, realign, and recalibrate, as necessary, the tests in reading and mathematics in third through eighth grade and the end-of-instruction tests. The State Board of Education shall determine the cut scores for the performance levels on the end-of-instruction tests developed pursuant to paragraph 6 of subsection A of this section, which shall be phased in over a multi-year period. The State Board of Education shall conduct an ongoing review to compare the end-of-instruction

1 test content and performance descriptors with those of other states.
2 Upon receipt of the review, the State Board of Education may adjust
3 the cut scores as necessary.

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

17 ~~C.~~ D. 1. The State Board of Education shall set the testing
18 window dates for each criterion-referenced test required in
19 paragraphs 1 through 5 of subsection A of this section for grades
20 three through eight so that, with the exception of the writing
21 assessments, the tests are administered to students no earlier than
22 April 10 each year and so that the test results are reported back to
23 school districts in a timely manner. Each criterion-referenced test
24 required in paragraph 6 of subsection A of this section may be

1 administered to students at a time set by the State Board of
2 Education as near as possible to the end of the course; provided, if
3 a school district is unable to administer the tests online to all
4 students taking the test for the first time and all students
5 retaking the test during the testing window time set by the Board,
6 the school district may elect to administer any of the tests to
7 students retaking the test at any time not more than two (2) weeks
8 prior to the start of the testing window time set by the Board. All
9 results and reports of the criterion-referenced test series required
10 in paragraphs 1 through 5 of subsection A of this section for grades
11 three through eight shall be returned to each school district prior
12 to the beginning of the next school year. The vendor shall provide
13 a final electronic data file of all school site, school district,
14 and state results to the State Department of Education and the
15 Office of Accountability prior to September 1 of each year. The
16 Department shall forward the final data files for each school
17 district and each school site in that district to the school
18 district. The Board shall ensure the contract with the testing
19 vendor includes a provision that the vendor report test results
20 directly to the Office of Accountability at the same time it is
21 reported to the Board.

22 2. State, district, and site level results of all tests
23 required in this section shall be disaggregated by gender, race
24 ethnicity, disability status, migrant status, English proficiency,

1 and status as economically disadvantaged, except that such
2 disaggregation shall not be required in a case in which the number
3 of students in a category is insufficient to yield statistically
4 reliable information or the results would reveal personally
5 identifiable information about an individual student. Each school
6 site shall notify the student's parents of the school's performance
7 levels in the Oklahoma School Testing Program as reported in the
8 Oklahoma Educational Indicators Program at the end of each school
9 year.

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

18 ~~E.~~ F. The State Board of Education shall develop, administer,
19 and incorporate as a part of the Oklahoma School Testing Program,
20 other testing programs or procedures, including appropriate
21 accommodations for the testing of students with disabilities as
22 required by the Individuals with Disabilities Education Act (IDEA),
23 20 USC, Section 1400 et seq.

1 SECTION 5. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 3-175 of Title 70, unless there
3 is created a duplication in numbering, reads as follows:

4 A. There is hereby established the Oklahoma School Performance
5 and Innovation Grant Program. The purpose of the Program shall be
6 to encourage rigorous performance management by public school
7 districts and to spur investment in innovative and cost-effective
8 initiatives and strategies that support and improve student
9 learning.

10 B. Contingent upon the provision of funds designated for
11 Performance and Innovation grants, the State Board of Education is
12 authorized to award one or more competitive grants to public school
13 districts. Grants shall be used by school districts to implement
14 proposals that will serve as models for other school districts.
15 Proposals eligible for grant funding shall include:

16 1. Early implementation of the Oklahoma Teacher and Leader
17 Effectiveness Evaluation System (TLE) as set forth in Section 6-
18 101.16 of Title 70 of the Oklahoma Statutes;

19 2. Development of objective measurements for assessing teacher
20 effectiveness in grades and subjects for which there is not a state-
21 mandated testing measure;

22 3. Implementation of differentiated staffing patterns which
23 makes better use of education personnel and goes beyond traditional
24

1 staffing allocations based on subject matter distinctions and grade
2 level arrangements;

3 4. Implementation of incentive pay plans as set forth in
4 Section 5-141.4 of Title 70 of the Oklahoma Statutes;

5 5. Development of a school leadership evaluation system;

6 6. Development of a teacher training and coaching program;

7 7. Implementation of a continuous learning calendar for a
8 school site or school district;

9 8. Implementation of a dual enrollment option for students
10 which would allow certain students to enroll in college credit
11 courses and to receive academic credit at both a school district and
12 a higher education institution;

13 9. Development and implementation of a deregulation plan for a
14 school site or school district;

15 10. Development of new measures of student growth, competencies
16 and outcomes which moves away from quantitative assessments and seat
17 time requirements;

18 11. Implementation of school site or school district data-
19 driven academic instructional models;

20 12. Implementation of programs which align student academic
21 pursuits with career choices; or

22 13. Implementation of programs which emphasize the subject
23 areas of Science, Technology, Engineering and Mathematics (STEM) or
24 advanced placement courses.

1 C. The State Department of Education shall issue a request for
2 applications for Performance and Innovation grants on or before
3 September 1, 2011. Applications shall be submitted to the
4 Department on or before October 1, 2011.

5 D. Each grant application submitted by a school district shall
6 include evidence of collaboration with teachers, administrators,
7 students, parents, and the community and shall demonstrate support
8 by each group for the proposal or proposals for which funding is
9 requested in the application. Evidence of community support may
10 include a guarantee of local public or private funds to match the
11 grant funds.

12 E. Each grant application shall include:

13 1. A description of the educational benefits to be derived from
14 the proposal or proposals;

15 2. A definition of the objectives, goals or work products of
16 the proposal or proposals;

17 3. Establishment of baseline data, standards or measures which
18 will be used to evaluate the success of the proposal or proposals;
19 and

20 4. A description of an assessment mechanism which will be used
21 to determine progress in meeting the objectives, goals or work
22 products of the proposal or proposals.

23 F. The State Department of Education shall review the
24 applications for compliance with the requirements and purposes of

1 this section. The State Superintendent of Public Instruction shall
2 forward applications to the State Board of Education which the
3 Department has determined meet the requirements of this section and
4 shall make recommendations to the Board on the amount of grant
5 funding to be allocated for each proposal. On or before December
6 31, 2011, the Board shall award one or more Performance and
7 Innovation grants for proposals which have been approved by the
8 Department. The grant awards shall be made to school districts
9 which are geographically distributed throughout the state.

10 G. Each proposal shall be approved for no longer than three (3)
11 years. Each school district shall be required to submit a report to
12 the Department at the end of the three-year period. The Department
13 shall determine the form and contents of the report.

14 H. At the end of the three-year period, the State Department of
15 Education shall evaluate each proposal funded pursuant to this
16 section and shall submit a report summarizing the results of the
17 Oklahoma School Performance and Innovation Grant Program to the
18 Governor, President Pro Tempore of the Senate and Speaker of the
19 House of Representatives.

20 SECTION 6. REPEALER Section 5, Chapter 456, O.S.L. 2009
21 (70 O.S. Supp. 2010, Section 3-165), is hereby repealed.

22 SECTION 7. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby
24

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
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