

HB2625 SA INSTR(Nelson)
Submitted: 5/10/2014 10:10:41 AM

INSTRUCTIONS

HOUSE OF REPRESENTATIVES
State of Oklahoma

MR. SPEAKER: I move that the Senate Amendments for House Bill
2625 be rejected with the following instructions:

That Section 1 be deleted and replaced with the attached Section 1;
and

That the new attached Section 2 be inserted.

AMEND TITLE TO CONFORM TO INSTRUCTIONS

Instructions submitted by: _____

Adopted: _____

Reading Clerk

1 "SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.508C,
2 as last amended by Section 96, Chapter 15, O.S.L. 2013 (70 O.S.
3 Supp. 2013, Section 1210.508C), is amended to read as follows:

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

11 2. For those kindergarten children at risk for reading
12 difficulties, teachers shall emphasize reading skills as identified
13 in the ~~PASS~~ subject matter standards, monitor progress throughout
14 the year and measure year-end reading progress.

15 3. Classroom assistants, which may include parents,
16 grandparents, or other volunteers, shall be provided in kindergarten
17 classes to assist with the screening of students if a teacher aide
18 is not already employed to assist in a kindergarten classroom.

19 B. 1. Each student enrolled in kindergarten, first, second and
20 third grade of the public schools of this state shall be assessed at
21 the beginning of each school year using a screening instrument
22 approved by the State Board of Education for the acquisition of
23 reading skills including, but not limited to, phonological
24

1 awareness, phonics, spelling, reading fluency, vocabulary, and
2 comprehension.

3 2. Any student who is assessed and found not to be reading at
4 the appropriate grade level shall be provided a program of reading
5 instruction designed to enable the student to acquire the
6 appropriate grade level reading skills. Beginning with students
7 entering the first grade in the 2011-2012 school year, the program
8 of reading instruction shall include provisions of the READ
9 Initiative adopted by the school district as provided for in
10 subsection O of this section.

11 3. Throughout the year progress monitoring shall continue, and
12 diagnostic assessment, if determined appropriate, shall be provided.
13 Year-end reading skills shall be measured to determine reading
14 success.

15 4. For students in kindergarten through second grade who have
16 been provided a program of reading instruction and are still found
17 not to be reading at the appropriate grade level, the school
18 district may apply the provisions for retention or probationary
19 promotion as set forth in paragraphs 4 and 6 of subsection H of this
20 section.

21 C. The State Board of Education shall approve screening
22 instruments for use at the beginning of the school year, for
23 monitoring of progress, and for measurement of reading skills at the
24 end of the school year as required in subsections A and B of this

1 section; provided, at least one of the screening instruments shall
2 meet the following criteria:

3 1. Assess for phonological awareness, phonics, reading fluency,
4 and comprehension;

5 2. Document the validity and reliability of each assessment;

6 3. Can be used for diagnosis and progress monitoring;

7 4. Can be used to assess special education and limited-English-
8 proficient students;

9 5. Accompanied by a data management system that provides
10 profiles for students, class, grade level and school building. The
11 profiles shall identify each student's instructional point of need
12 and reading achievement level. The State Board shall also determine
13 other comparable reading assessments for diagnostic purposes and for
14 periodic and post assessments to be used for students at risk of
15 reading failure. The State Board shall ensure that any assessments
16 approved are in alignment with the ~~PASS~~ subject matter standards.

17 D. The program of reading instruction required in subsection B
18 of this section shall align with the ~~PASS~~ subject matter standards,
19 shall include provisions of the READ Initiative adopted by the
20 school district as provided for in subsection O of this section
21 beginning with students entering the first grade in the 2011-2012
22 school year and may include, but is not limited to:

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

4 2. If necessary, tutorial instruction after regular school
5 hours, on Saturdays and during summer; however, such instruction may
6 not be counted toward the one-hundred-eighty-day or one-thousand-
7 eighty-hour school year required in Section 1-109 of this title; and

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

13 E. The program of reading instruction shall continue until the
14 student is determined by the results of approved reading assessments
15 to be reading on grade level.

16 F. 1. Every school district shall adopt, and implement a
17 district reading sufficiency plan which has had input from school
18 administrators, teachers, and parents and if possible a reading
19 specialist, and which shall be submitted electronically to and
20 approved by the State Board of Education. The plan shall be updated
21 annually. School districts shall not be required to electronically
22 submit the annual updates to the Board if the last plan submitted to
23 the Board was approved and expenditures for the program include only
24 expenses relating to individual and small group tutoring, purchase

1 of and training in the use of screening and assessment measures,
2 summer school programs and Saturday school programs. If any
3 expenditure for the program is deleted or changed or any other type
4 of expenditure for the program is implemented, the school district
5 shall be required to submit the latest annual update to the Board
6 for approval. The district reading sufficiency plan shall include a
7 plan for each site which includes an analysis of the data provided
8 by the Oklahoma School Testing Program and other reading assessments
9 utilized as required in this section, and which outlines how each
10 school site will comply with the provisions of the Reading
11 Sufficiency Act.

12 2. Each school site shall establish a committee, composed of
13 educators, which if possible shall include a certified reading
14 specialist, to develop the required programs of reading instruction.
15 A parent or guardian of the student shall be included in the
16 development of the program of reading instruction for that student.

17 3. The State Board of Education shall adopt rules for the
18 implementation and evaluation of the provisions of the Reading
19 Sufficiency Act. The evaluation shall include, but not be limited
20 to, an analysis of the data required in subsection S of this
21 section.

22 G. For any third-grade student found not to be reading at grade
23 level as determined by reading assessments administered pursuant to
24 this section, a new program of reading instruction, including

1 provisions of the READ Initiative adopted by the school district as
2 provided for in subsection O of this section, shall be developed and
3 implemented as specified in this section. If possible, a fourth-
4 grade teacher shall be involved in the development of the program of
5 reading instruction. In addition to other requirements of the
6 Reading Sufficiency Act, the plan may include specialized tutoring.

7 H. 1. Any student who demonstrates proficiency in reading at
8 the third-grade level by scoring proficient on a screening
9 assessment approved by the Board and administered as provided for in
10 subsection B of this section or by scoring at the proficient or
11 advanced level on the reading portion of the statewide third-grade
12 criterion-referenced test shall qualify for promotion to the fourth
13 grade. Upon demonstrating proficiency as provided for in this
14 paragraph, the school district shall provide notification to the
15 parent or guardian of the student that the student has met the
16 third-grade proficiency level and will not be subject to automatic
17 retention pursuant to this subsection.

18 2. Any student who has not yet satisfied the reading
19 proficiency requirements as set forth in paragraph 1 of this
20 subsection prior to the completion of third grade may qualify for
21 promotion to the fourth grade upon scoring at the limited knowledge
22 level on the reading portion of the statewide third-grade criterion-
23 referenced test. Prior to promotion, the school district shall
24 provide notice to the parent or guardian of the student that the

1 student is not yet reading at grade level and shall provide the
2 parent or guardian of the student the option to elect to retain the
3 student in the third grade. The notice shall contain, at a minimum,
4 the most recently identifiable reading proficiency level by grade of
5 the student, the opportunities for summer reading programs and
6 school- or community-based reading tutoring, a list of vendors which
7 provide reading tutoring and the right of the student to be provided
8 continued intensive remediation pursuant to this paragraph. A
9 student promoted pursuant to this paragraph shall be entitled to
10 intensive reading instruction as described in subsection L of this
11 section until the student is able to demonstrate proficiency in
12 reading at the grade level in which the student is enrolled. An
13 intensive reading instruction plan shall be developed for the
14 student by a reading proficiency team composed of the parent or
15 guardian of the student, the teacher assigned to the student who had
16 responsibility for reading instruction in that academic year, a
17 teacher in reading who teaches in the subsequent grade level, the
18 school principal, and a certified reading specialist, if one is
19 available.

20 3. Beginning with ~~students entering the first grade in the~~
21 ~~2011-2012 school year, if the reading deficiency of a student, as~~
22 ~~identified based on assessments administered as provided for in~~
23 ~~subsection B of this section, is not remedied by the end of third~~
24 ~~grade, as demonstrated by scoring at~~ the 2015-2016 school year,

1 students who score at the unsatisfactory level on the reading
2 portion of the statewide third-grade criterion-referenced test, the
3 student and who do not meet one of the good-cause exemptions as
4 described in subsection K of this section or who do not meet the
5 criteria for promotion as provided for in paragraphs 1 and 2 of this
6 subsection shall be retained in the third grade and provided
7 intensive intervention in reading, intensive instructional services
8 and supports as provided for in subsection N of this section.

9 4. Any student who has not demonstrated proficiency in reading
10 at the third-grade level prior to the completion of the third grade
11 as provided for in paragraph 1 of this subsection and does not meet
12 any of the good-cause exemptions as provided for in subsection K of
13 this section or has not qualified for promotion under the provisions
14 of paragraph 2 of this subsection shall be retained in the third
15 grade and provided intensive intervention in reading, intensive
16 instructional services and supports as provided for in subsection N
17 of this section.

18 5. For any third-grade student identified at any point during
19 the academic year as having a significant reading deficiency, which
20 shall be defined as scoring below proficient on a screening
21 assessment approved by the Board and administered as provided for in
22 subsection B of this section, the school district shall immediately
23 begin compiling a reading portfolio for the student as described in
24

1 paragraph 4 of subsection K of this section and notice shall be
2 provided as required in subsection I of this section.

3 6. For the 2013-14 and 2014-15 school years, a student subject
4 to retention pursuant to paragraph 4 of this subsection may be
5 evaluated for probationary promotion by a reading proficiency team
6 composed of members as set forth in paragraph 2 of this subsection.
7 The student shall be promoted to the fourth grade if the team
8 members unanimously recommend probationary promotion to the school
9 district superintendent and the superintendent agrees with the
10 recommendation that promotion is the best option for the student.
11 If a student is allowed a probationary promotion pursuant to this
12 paragraph, the team shall continue to review the reading performance
13 of the student and at the end of each academic year make a
14 recommendation to promote or not promote the student. The review
15 process shall continue until the student demonstrates reading
16 proficiency at the grade level in which the student is enrolled, as
17 identified through a screening instrument which meets the
18 acquisition-of-reading-skills criteria pursuant to subsection B of
19 this section, or transitions to the requirements set forth in the
20 Achieving Classroom Excellence Act.

21 I. The parent of any student who is found to have a reading
22 deficiency and is not reading at the appropriate grade level and has
23 been provided a program of reading instruction as provided for in
24

1 subsection B of this section shall be notified in writing of the
2 following:

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

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

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

10 4. That the student will not be promoted to the fourth grade if
11 the reading deficiency is not remediated by the end of the third
12 grade, unless the student is ~~exempt~~ otherwise promoted as provided
13 for in subsection H of this section or is promoted for good cause as
14 set forth in 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 statewide criterion-referenced
18 tests administered pursuant to Section 1210.508 of this title are
19 ~~the initial one~~ determinant, it is they are not the sole determiner
20 of promotion and that portfolio reviews and assessments are
21 available; and

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

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 and who are not otherwise promoted as provided for in
5 subsection H of this section, a school district may promote the
6 student for good cause only. Good-cause exemptions for promotion
7 shall be limited to the following:

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

10 2. Students with disabilities whose individualized education
11 program (IEP), consistent with state law, indicates that the student
12 is to be assessed with alternate achievement standards through the
13 Oklahoma Alternate Assessment Program (OAAP);

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 program 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.

8 L. A student who is otherwise promoted as provided for in
9 subsection H of this section or is promoted for good cause as
10 provided for in subsection K of this section shall be provided
11 intensive reading instruction during an altered instructional day
12 that includes specialized diagnostic information and specific
13 reading strategies for each student. The school district shall
14 assist schools and teachers to implement reading strategies for the
15 promoted students that research has shown to be successful in
16 improving reading among low-performing readers.

17 M. Requests to exempt students from the ~~mandatory~~ retention
18 requirements based on one of the good-cause exemptions as described
19 in subsection K of this section shall be made using the following
20 process:

21 1. Documentation submitted from the teacher of the student to
22 the school principal that indicates the student meets one of the
23 good-cause exemptions and promotion of the student is appropriate.
24 In order to minimize paperwork requirements, the documentation shall

1 consist only of the alternative assessment results or student
2 portfolio work and the individual education plan (IEP), as
3 applicable;

4 2. The principal of the school shall review and discuss the
5 documentation with the teacher and, if applicable, the other members
6 of the reading proficiency team as described in paragraph 2 of
7 subsection H of this section. If the principal determines that the
8 student meets one of the good-cause exemptions and should be
9 promoted based on the documentation provided, the principal shall
10 make a recommendation in writing to the school district
11 superintendent; and

12 3. After review, the school district superintendent shall
13 accept or reject the recommendation of the principal in writing.

14 N. Beginning with the 2011-2012 school year, each school
15 district shall:

16 1. Conduct a review of the program of reading instruction for
17 all students who score at the unsatisfactory level on the reading
18 portion of the statewide criterion-referenced test administered
19 pursuant to Section 1210.508 of this title and did not meet the
20 criteria for one of the good-cause exemptions as set forth in
21 subsection K of this section. The review shall address additional
22 supports and services, as described in this subsection, needed to
23 remediate the identified areas of reading deficiency. The school
24

1 district shall require a student portfolio to be completed for each
2 retained student;

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

- 11 a. small group instruction,
- 12 b. reduced teacher-student ratios,
- 13 c. more frequent progress monitoring,
- 14 d. tutoring or mentoring,
- 15 e. transition classes containing third- and fourth-grade
- 16 students,
- 17 f. extended school day, week, or year, and
- 18 g. summer reading academies as provided for in Section
- 19 1210.508E of this title, if available;

20 3. Provide written notification to the parent or guardian of
21 any student who is to be retained as set forth in subsection H of
22 this section that the student has not met the proficiency level
23 required for promotion and was not otherwise promoted and the
24 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 statewide third-grade 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;

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

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

- a. supplemental tutoring in scientific-research-based reading services in addition to the regular reading block, including tutoring before or after school,
- b. a parent-guided "Read at Home" assistance plan, as developed by the State Department of Education, the purpose of which is to encourage regular parent-guided home reading, or
- c. a mentor or tutor with specialized reading training.

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

1. Be provided to all kindergarten through third-grade students at risk of retention as identified by the assessments administered pursuant to the Reading Sufficiency Act. The assessment used shall measure phonemic awareness, phonics, fluency, vocabulary, and comprehension;
2. Be provided during regular school hours in addition to the regular reading instruction; and

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

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

one (1) school year. The Intensive Acceleration Class shall:

- (1) be provided to any student in the third grade who scores at the unsatisfactory level on the reading portion of the statewide criterion-referenced tests and who was retained in the third grade the prior year because of scoring at the unsatisfactory level on the reading portion of the statewide criterion-referenced tests,
- (2) have a reduced teacher-student ratio,
- (3) provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the fourth-grade state standards in other core subject areas,
- (4) use a reading program that is scientific-research-based and has proven results in accelerating student reading achievement within the same school year,
- (5) provide intensive language and vocabulary instruction using a scientific-research-based program, including use of a speech-language therapist,

1 (6) include weekly progress monitoring measures to
2 ensure progress is being made, and

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

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

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

22 P. In addition to the requirements set forth in this section,
23 each school district board of education shall annually report to the
24 parent or guardian of each student in the district the progress of

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

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

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

- 1 d. information on the total number and percentage of
2 students who were promoted for good cause, by each
3 category of good cause as specified above, ~~and~~
4 e. any revisions to the policies of the school district
5 on student retention and promotion from the prior
6 year,
7 f. the number of students promoted to the fourth grade
8 pursuant to paragraphs 1 and 2 of subsection H of this
9 section, and
10 g. following the 2013-14 and 2014-15 school years, the
11 number of students promoted to a subsequent grade
12 pursuant to the provisions of paragraph 6 of
13 subsection H of this section.

14 2. The State Department of Education shall establish a uniform
15 format for school districts to report the information required in
16 this subsection. The format shall be developed with input from
17 school districts and shall be provided not later than ninety (90)
18 days prior to the annual due date. The Department shall annually
19 compile the information required along with state-level summary
20 information, and report the information to the public, the Governor,
21 the President Pro Tempore of the Senate, and the Speaker of the
22 House of Representatives. The Department shall annually publicly
23 report the aggregate and district-specific number of students
24 promoted on the Department website and shall provide electronic

1 copies of the report to the Governor, the Secretary of Education,
2 the President Pro Tempore of the Senate, the Speaker of the House of
3 Representatives and to the respective chairs of the committees with
4 responsibility for common education policy in each legislative
5 chamber.

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

9 S. On or before December 1 of each year, the State Department
10 of Education shall issue to the Governor and members of the Senate
11 and House of Representatives Education Committees a Reading Report
12 Card for the state and each school district and elementary site
13 which shall include, but is not limited to, trend data detailing
14 three (3) years of data, disaggregated by student subgroups to
15 include economically disadvantaged, major racial or ethnic groups,
16 students with disabilities, and English language learners, as
17 appropriate for the following:

18 1. The number and percentage of students in kindergarten
19 through third grade determined to be at risk for reading
20 difficulties compared to the total number of students enrolled in
21 each grade;

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

1 3. The number and percentage of students in kindergarten
2 through third grade who have successfully completed their program of
3 reading instruction and are reading on grade level as determined by
4 the results of approved reading assessments;

5 4. The number and percentage of students scoring at each
6 performance level on the reading portion of the statewide third-
7 grade criterion-referenced test;

8 5. The amount of funds for reading remediation received by each
9 district;

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

13 7. Any recommendations for improvements or amendments to the
14 Reading Sufficiency Act.

15 The State Department of Education may contract with an
16 independent entity for the reporting and analysis requirements of
17 this subsection.

18 T. Copies of the results of the assessments administered shall
19 be made a part of the permanent record of each student.

20 U. The parent or guardian of a student who has not yet
21 satisfied the reading proficiency requirements of this section prior
22 to the beginning of the fourth grade as described in paragraph 1 of
23 subsection H of this section may exercise the school-choice
24 scholarship option provided for in Section 2 of this act.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1210.508G of Title 70, unless
3 there is created a duplication in numbering, reads as follows:

4 A. The parent or guardian of a student who has not yet
5 satisfied the reading proficiency requirements prior to the
6 beginning of the fourth grade as described in paragraph 1 of
7 subsection H of Section 1210.508C of Title 70 of the Oklahoma
8 Statutes may exercise their right as a parent or guardian to direct
9 the education of their child by requesting a school-choice
10 scholarship for the student. The scholarship may be used by the
11 parent or guardian to pay tuition and fees for educational services
12 at a private school. The scholarships may only be used at a private
13 school which meets the accreditation requirements set by the State
14 Board of Education or another accrediting association approved by
15 the State Board of Education. Students using a scholarship shall
16 attend the private school throughout the school year, unless excused
17 by the school for illness or other good cause, and shall comply
18 fully with the code of conduct for the school. Upon issuance of a
19 scholarship warrant, the parent or guardian to whom the warrant is
20 made shall restrictively endorse the warrant to the private school
21 for deposit into the account of the private school. The parent or
22 guardian may not designate any entity or individual associated with
23 the private school as the attorney in fact for the parent or
24 guardian to endorse a warrant. Upon acceptance of a scholarship, the

1 parent or guardian shall assume full financial responsibility for
2 the education of the student, including but not limited to
3 transportation to and from the private school. The private school
4 shall be academically accountable to the parent or guardian for
5 meeting the educational needs of the student. A parent or guardian
6 who fails to comply with this subparagraph shall forfeit the
7 scholarship.

8 B. The amount of the scholarship awarded pursuant to this
9 section shall equal eighty percent (80%) of the total State Aid
10 factors multiplied by the grade-level weight and the student
11 category weights that would be generated by that student for the
12 applicable school year. The amount of the scholarship shall be the
13 amount calculated in this paragraph or the amount of tuition and
14 fees for the private school, whichever is less. If a student uses
15 the scholarship at a private school for a period of time that is
16 less than the full school year, the amount of the scholarship shall
17 be prorated according to the amount of time the student used the
18 scholarship during the school year.

19 C. Upon submission of a signed request by the parent or
20 guardian which complies with any requirements established by the
21 State Board of Education, the State Department of Education shall
22 award the amount of funds allowed pursuant to subsection B of this
23 section to the parent or guardian. The Department shall notify the
24 school district upon receipt of the request. For purposes of

1 continuity of educational choice, the scholarship shall remain in
2 force until the student returns to a public school or graduates from
3 high school, whichever occurs first. At any time, the parent or
4 guardian of the student may remove the student from the private
5 school and place the student in another private school or place the
6 student in a public school. The State Department of Education shall
7 provide the parent or guardian, upon request, with the amount of the
8 scholarship within ten (10) days after receiving the request for a
9 scholarship, when the total State Aid factors have been determined
10 for the current fiscal year. Scholarship payments shall be made
11 quarterly upon verification of continued enrollment and attendance
12 at the private school. Payment shall be made by the Department with
13 an individual warrant made payable to the parent or guardian of the
14 student and mailed by the Department to the private school that the
15 parent or guardian chooses. The parent or guardian shall
16 restrictively endorse the warrant to the private school for deposit
17 into the account of the private school.

18 D. At the beginning of each fiscal year, the State Board of
19 Education shall set aside an amount of money from the total amount
20 appropriated to the State Board of Education for State Aid purposes
21 and any other revenue available for allocation for State Aid
22 purposes to cover expected demand for the scholarship during each
23 school year.

24

1 E. The Department may retain an amount equal to five percent
2 (5%) of the total amount set aside for the scholarships for
3 administrative services. No liability shall arise on the part of the
4 state, the State Board of Education, the State Department of
5 Education or a school district based on the award or use of a
6 scholarship."

7
8 54-2-10962 JN 05/06/14
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24