

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB707

| | | | |
|------|----------------------|---------|-----------------------|
| | | | Of the printed Bill |
| Page | <u>2, 3 & 10</u> | Section | <u>1 & 3</u> |
| | | Lines | <u></u> |
| | | | Of the Engrossed Bill |

By inserting on page 2, line 13 after the word "assessments" and before the word "used" the language "to be";

By deleting all of the language beginning with the word "by" on page 2, line 13 through the word "placement" on line 15;

By deleting on page 3, line 2 the language "by March 1, 2016" and by inserting in lieu thereof the following language:

"after the subject matter standards for English Language Arts and Mathematics have been adopted by the Board as provided for in Section 11-103.6a of Title 70 of the Oklahoma Statutes and have been submitted to the Legislature and finally approved as provided for in Section 11-103.6a-1 of Title 70 of the Oklahoma Statutes";

By deleting on page 3, line 3 the language "By May 1, 2016" and by inserting in lieu thereof the following language:

"After submission of the report of recommendations as required in subsection B of this section"; and

By adding a new Section 3 to read as follows:

(See Attached)

And by renumbering the subsequent sections.

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Dennis Casey

Adopted: _____

Reading Clerk

1 "SECTION 3. AMENDATORY 70 O.S. 2011, Section 1210.508,
2 as last amended by Section 8, Chapter 430, O.S.L. 2014 (70 O.S.
3 Supp. 2014, Section 1210.508), is amended to read as follows:

4 Section 1210.508 A. 1. The State Board of Education shall
5 develop and administer a series of criterion-referenced tests
6 designed to indicate whether the subject matter standards, as
7 defined by the State Board of Education, which Oklahoma public
8 school students are expected to have attained have been achieved.
9 The Board may ~~develop and~~ elect not to administer any of the
10 criterion-referenced test or tests in any subject as provided for in
11 paragraphs 2 through 7 of this subsection if the Board determines
12 that the test or tests are not required by federal law,~~contingent~~
13 ~~upon the availability of funding~~ and as long as administration of
14 the test or tests has not otherwise been mandated by state law.
15 Students who do not perform at least at the proficient level on
16 tests shall be remediated, subject to the availability of funding.

17 2. Contingent upon the availability of state and federal funds
18 and except as otherwise provided for in paragraph 1 of this
19 subsection, the Board, in accordance with federal law, shall
20 administer criterion-referenced tests for grades three and four in:

- 21 a. reading, and
 - 22 b. mathematics.
- 23
24

1 3. Contingent upon the availability of funds and except as
2 otherwise provided for in paragraph 1 of this subsection, the Board
3 shall administer criterion-referenced tests for grade five in:

- 4 a. reading,
- 5 b. mathematics,
- 6 c. science,
- 7 d. social studies, which shall consist of the history,
8 Constitution and government of the United States, and
9 geography, and
- 10 e. writing of English.

11 4. Contingent upon the availability of state and federal funds
12 and except as otherwise provided for in paragraph 1 of this
13 subsection, the Board, in accordance with federal law, shall
14 administer criterion-referenced tests for grades six and seven in:

- 15 a. reading, and
- 16 b. mathematics.

17 In addition, except as otherwise provided for in paragraph 1 of
18 this subsection, the Board shall administer a criterion-referenced
19 test in geography in grade seven.

20 5. Contingent upon the availability of funds and except as
21 otherwise provided for in paragraph 1 of this subsection, the Board
22 shall administer criterion-referenced tests for grade eight in:

- 23 a. reading,
- 24 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. Except as otherwise provided for in Section 1210.523 of this title and as otherwise provided for in paragraph 1 of this subsection, 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 subject matter 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 highest-achieved
18 state test performance level on the end-of-instruction tests and any
19 business and industry-recognized endorsements attained on the
20 student's high school transcript. Any student at the middle school
21 level who completes the instruction in a secondary course specified
22 in this paragraph shall be administered the appropriate end-of-
23 instruction test.

1 7. a. ~~Each~~ Except as otherwise provided for in paragraph 1
2 of this subsection, each school district shall

3 administer to each student in the school district in
4 grades three through eight an assessment designed to
5 assess the student in the fine arts area in which the
6 student has received instruction.

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

13 B. 1. All criterion-referenced tests required by this section
14 shall measure academic competencies in correlation with the subject
15 matter standards adopted by the Board pursuant to Sections 11-103.6
16 and 11-103.6a of this title. The State Board of Education shall
17 evaluate the subject matter standards to ensure the competencies
18 reflect high standards, are specific, well-defined, measurable,
19 challenging, and will prepare elementary students for next-grade-
20 level course work and secondary students for postsecondary studies
21 at institutions of higher education or technology center schools
22 without the need for remediation. All subject matter standards
23 shall reflect the goals as set forth in Section 11-103.6 of this
24 title and of improving the state average ACT score.

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

14 3. The State Board of Education in coordination with the Office
15 of Educational Quality and Accountability shall review, realign, and
16 recalibrate, as necessary, the tests in reading and mathematics in
17 third through eighth grade and the end-of-instruction tests. The
18 Commission for Educational Quality and Accountability shall
19 determine the cut scores for the performance levels on the end-of-
20 instruction tests developed pursuant to paragraph 6 of subsection A
21 of this section. The Commission shall conduct an ongoing review to
22 compare the end-of-instruction test content and performance
23 descriptors with those of other states. Upon receipt of the review,
24 the Commission may adjust the cut scores as necessary.

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

13 C. 1. The State Board of Education shall set the testing
14 window dates for each criterion-referenced test required in
15 paragraphs 1 through 5 of subsection A of this section for grades
16 three through eight so that, with the exception of the writing
17 assessments, the tests are administered to students no earlier than
18 April 10 each year and so that the test results are reported back to
19 school districts in a timely manner. Each criterion-referenced test
20 required in paragraph 6 of subsection A of this section may be
21 administered to students at a time set by the State Board of
22 Education as near as possible to the end of the course; provided, if
23 a school district is unable to administer the tests online to all
24 students taking the test for the first time and all students

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

18 2. State, district, and site level results of all tests
19 required in this section shall be disaggregated by gender, race,
20 ethnicity, disability status, migrant status, English proficiency,
21 and status as economically disadvantaged, except that such
22 disaggregation shall not be required in a case in which the number
23 of students in a category is insufficient to yield statistically
24 reliable information or the results would reveal personally

1 identifiable information about an individual student. Each school
2 site shall notify the student's parents of the school's performance
3 levels in the Oklahoma School Testing Program as reported in the
4 Oklahoma Educational Indicators Program at the end of each school
5 year.

6 D. The State Board of Education shall be responsible for the
7 development, field-testing, and validation of the criterion-
8 referenced test series required in subsection A of this section. In
9 the interest of economy the Board may participate in a multistate or
10 multigovernmental cooperative pursuant to the requirements of The
11 Oklahoma Central Purchasing Act, but shall not bind the state,
12 contractually or otherwise, to the authority of any other state,
13 organization or entity which may supersede the authority of the
14 Board, for the purpose of adapting criterion-referenced tests, to
15 the extent that such tests are appropriate for use in the testing
16 program to be administered to Oklahoma students.

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

23 F. For purposes of developing and administering alternate
24 assessments for students with the most significant cognitive

1 disabilities, the State Board of Education shall not be subject to
2 subsections D and E of Section 11-103.6a of this title."

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