

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend House Joint Resolution No. 1070, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Brecheen

Brecheen-EB-FS-Req#3250
3/23/2016 9:21 AM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE JOINT
6 RESOLUTION NO. 1070

By: Hickman of the House

and

Ford of the Senate

7
8
9 FLOOR SUBSTITUTE

10 A Joint Resolution approving in part the subject
11 matter standards submitted by the State Board of
12 Education; sending standards back with instructions;
13 providing instructions; amending Section 4, Chapter
14 430, O.S.L. 2014 (70 O.S. Supp. 2015, Section 11-
15 103.6a-1), which relates to legislative review of
16 standards; directing the State Board of Education to
17 submit certain standards in accordance with certain
18 instructions within certain time period; providing
19 method for the Legislature to approve subject matter
20 standards; providing for submission of certain
21 subject matter standards if certain time period is
22 not met; providing for distribution; and declaring an
23 emergency.

19 WHEREAS, pursuant to Section 11-103.6a-1 of Title 70 of the
20 Oklahoma Statutes, the Legislature reserves the right to review
21 subject matter standards and approve the standards in whole or in
22 part, disapprove the standards in whole or in part, amend the
23 standards in whole or in part, approve the standards in whole or in
24 part with instructions to the State Board of Education or disapprove

1 the standards in whole or in part with instructions to the State
2 Board of Education; and

3 WHEREAS, on February 1, 2016, the State Board of Education
4 submitted to the President Pro Tempore of the Senate and the Speaker
5 of the House of Representatives the English language arts and
6 mathematics standards that were adopted by the State Board of
7 Education on January 28, 2016.

8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF
9 REPRESENTATIVES OF THE 2ND SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

10 SECTION 1. The English language arts and mathematics standards
11 which were adopted by the State Board of Education are hereby
12 approved in part with instructions as set forth in Sections 2 and 3
13 of this resolution.

14 SECTION 2. The State Board of Education shall revise and
15 resubmit to the Legislature the mathematics standards as provided
16 for in Section 4 of this act to address the following concerns:

17 A. The revised standards shall include exemplars, samples and
18 examples to assist educators in developing their own curriculum. In
19 the revised standards, it shall be made clear that the inclusion of
20 exemplars, samples and examples shall not be interpreted to limit
21 the creativity of teachers or the intended scope of the standards;

22 B. Similar objectives within the same grade shall not cause
23 confusion on the level of student performance expected. The revised
24

1 standards shall not have objectives that are duplicative or
2 overlapping that cause confusion;

3 C. The revised standards shall have objectives that link
4 directly to their associated standards and indicate skills leading
5 up to the standards;

6 D. The revised standards shall provide focus, whereby topics
7 support one another within a grade level, alignment of standards
8 between grades or grade spans and progressions that are clear from
9 one grade level to the next. An introductory statement for each
10 grade level shall be provided to ensure connections are clear and
11 absent any disconnectedness that creates a feeling of a piecemeal
12 approach of the standards and their objectives, as well as between
13 standards within a grade level and across grade levels within a
14 grade band;

15 E. The revised standards and objectives shall not lack in
16 rigor. The revised standards and objectives shall have a level of
17 rigor that is consistent across grade bands. The standards and
18 objectives shall maintain a balance between rigor and developmental
19 appropriateness while containing relevance of content to the grade
20 or subject;

21 F. The revised standards and objectives shall ensure that there
22 are no grammar or word choices that may lead to mathematically
23 imprecise interpretation and that verbs are used correctly to
24 clarify the level of rigor expected at each grade level with similar

1 content. The verbs from one grade level shall not be a lower level
2 than the verbs used in the prior grade or course;

3 G. The revised standards shall provide a suitable foundation
4 for summative assessments with a balanced focus on formative and/or
5 classroom level assessments. Additionally, the standards shall be
6 revised in accordance with subsection H of Section 11-103.6a of
7 Title 70 of the Oklahoma Statutes to ensure that the subject matter
8 standards are carefully circumscribed, constrained and confined to
9 reflect direct application to subject matter proficiency and address
10 psychometric considerations;

11 H. The revised standards and objectives shall consistently
12 require that students learn and use the standard algorithms at the
13 appropriate grade levels;

14 I. The revised standards and objectives shall clearly emphasize
15 the important aspects of math skills and how to make them practical
16 to everyday life;

17 J. The revised standards and objectives shall not require
18 additional explanation and support for teachers to understand the
19 expectation and depth of student performance expected to avoid the
20 default minimum that could leave students unprepared for later
21 learning;

22 K. The State Board of Education shall consult with the subject
23 matter experts who were publicly identified and individually named
24 by the State Department of Education in its presentation to the

1 Legislature on February 1, 2016, as reviewers. The State Board of
2 Education shall consult with the identified subject matter experts
3 who were individually named and who publicly identified deficiencies
4 in the proposed standards between January 15, 2016, and March 15,
5 2016, and resubmit the mathematics standards to the Legislature upon
6 written response by the identified subject matter experts as to
7 whether the standards have been revised in accordance with the
8 instructions outlined in subsections A through J of this section and
9 whether the revised standards are of high quality and address the
10 additional concerns publicly identified by the subject matter
11 experts. The written response shall include the names of the
12 subject matter experts who were consulted pursuant to this section.
13 The written response shall be publicly posted on the State
14 Department of Education's website and shall be submitted to members
15 of the Legislature;

16 L. The State Board of Education shall submit to members of the
17 Legislature an unbiased report comparing the standards resubmitted
18 to the Legislature pursuant to this section with the standards that
19 were in place prior to the revisions adopted by the State Board of
20 Education in June 2010. No member of the standards writing team
21 shall participate in or contribute to the comparison report. The
22 report shall include a list of all contributors to the report with
23 accompanying evidence proving their unbiased status. The report
24 shall compare the standards in the areas of:

- 1 1. Effective preparation for active citizenship and
- 2 postsecondary education or the workforce;
- 3 2. Subject matter content;
- 4 3. Sequencing of subject matter content and relationship to
- 5 measurement of student performance and the application of subject
- 6 matter standards;
- 7 4. Developmental appropriateness of grade-level expectations,
- 8 academic content and instructional rigor;
- 9 5. Clarity for educators and parents;
- 10 6. Exemplars tied to the standards;
- 11 7. Measurability of student proficiency in the subject matter;
- 12 8. Pedagogy;
- 13 9. Development of critical thinking skills; and
- 14 10. Demonstration of application of acquired knowledge and
- 15 skills; and

16 M. The State Board of Education shall submit a report to the
17 members of the Legislature that provides evidence of its compliance
18 with Sections 11-103.6 through 11-103.6a-1 of Title 70 of the
19 Oklahoma Statutes.

20 SECTION 3. The State Board of Education shall revise and
21 resubmit to the Legislature the English language arts standards as
22 provided for in Section 4 of this act to address the following
23 concerns:

1 A. The revised standards shall include exemplars, samples and
2 examples to assist educators in developing their own curriculum. In
3 the revised standards, it shall be made clear that the inclusion of
4 exemplars, samples and examples shall not be interpreted to limit
5 the creativity of teachers or the intended scope of the standards;

6 B. Similar objectives within the same grade shall not cause
7 confusion on the level of student performance expected. The revised
8 standards shall not have objectives that are duplicative or
9 overlapping that cause confusion;

10 C. The revised standards shall have objectives that link
11 directly to their associated standard and indicate skills leading up
12 to the standards;

13 D. The revised standards shall provide focus, whereby topics
14 support one another within a grade level, alignment of standards
15 between grades or grade spans and progressions that are clear from
16 one grade level to the next;

17 E. The revised standards and objectives shall not lack in
18 rigor. The revised standards and objectives shall have a level of
19 rigor that is consistent across grade bands. The standards and
20 objectives shall maintain a balance between rigor and developmental
21 appropriateness while containing relevance of content to the grade
22 or subject;

23 F. The revised standards shall ensure that there are no grammar
24 or word choices that may lead to imprecise interpretation and that

1 verbs are used correctly to clarify the level of rigor expected at
2 each grade level with similar content. The verbs from one grade
3 level shall not be a lower level than the verbs used in the prior
4 grade or course;

5 G. The revised standards shall provide a suitable foundation
6 for summative assessments with a balanced focus on formative and/or
7 classroom level assessments and can only reflect the technical
8 capacity of the state. Additionally, the standards shall be revised
9 in accordance with subsection H of Section 11-103.6a of Title 70 of
10 the Oklahoma Statutes to ensure that the subject matter standards
11 are carefully circumscribed, constrained and confined to reflect
12 direct application to subject matter proficiency and address
13 psychometric considerations;

14 H. The revised standards shall clearly emphasize the important
15 literary skills, including reading, writing, speaking and listening
16 aspects and how to make them practical to everyday life;

17 I. The revised standards for English language arts shall
18 emphasize the study of complete works of literature;

19 J. The revised standards and objectives shall include
20 developmental strands from grades kindergarten through twelve (12)
21 for the major genres of fiction, nonfiction, poetry, drama and
22 traditional literature with the assumption that the reading level
23 and complexity of texts increase as students advance to later
24 grades. Specific exemplars of appropriate texts shall be provided;

1 K. The revised standards shall require students to become
2 familiar with historically significant classical, British and
3 American authors or texts that contributed to the development of the
4 English language and its fiction, poetry, drama and nonfiction;

5 L. The revised standards shall require students to become
6 familiar with significant texts, people, movements and events in
7 Oklahoma's political, intellectual and literary history;

8 M. The revised standards shall require students to become
9 familiar with America's founding and seminal political documents;

10 N. The revised standards and objectives shall not require
11 additional explanation and support for teachers to understand the
12 expectation and depth of student performance expected to avoid the
13 default minimum that could leave students unprepared for later
14 learning;

15 O. The State Board of Education shall consult with the subject
16 matter experts who were publicly identified and individually named
17 by the State Department of Education in its presentation to the
18 Legislature on February 1, 2016, as reviewers. The State Board of
19 Education shall consult with the identified subject matter experts
20 who were individually named and who publicly identified deficiencies
21 in the proposed standards between January 15, 2016, and March 15,
22 2016, and resubmit the English language arts standards to the
23 Legislature upon written response by the identified subject matter
24 experts as to whether the standards have been revised in accordance

1 with the instructions outlined in subsections A through N of this
2 section and whether the revised standards are of high quality, have
3 components sufficient in number to have the standards deemed unique
4 to Oklahoma and address the additional concerns publicly identified
5 by the subject matter experts. The written response shall include
6 the names of the subject matter experts who were consulted pursuant
7 to this section. The written response shall be publicly posted on
8 the State Department of Education's website and shall be submitted
9 to members of the Legislature;

10 P. The State Board of Education shall submit to members of the
11 Legislature an unbiased report comparing the standards resubmitted
12 to the Legislature pursuant to this section with the standards that
13 were in place prior to the revisions adopted by the State Board of
14 Education in June 2010. No member of the standards writing team
15 shall participate in or contribute to the comparison report. The
16 report shall include a list of all contributors to the report with
17 accompanying evidence proving their unbiased status. The report
18 shall compare the standards in the areas of:

19 1. Effective preparation for active citizenship and
20 postsecondary education or the workforce;

21 2. Subject matter content;

22 3. Sequencing of subject matter content and relationship to
23 measurement of student performance and the application of subject
24 matter standards;

4. Developmental appropriateness of grade-level expectations, academic content and instructional rigor;
5. Clarity for educators and parents;
6. Exemplars tied to the standards;
7. Measurability of student proficiency in the subject matter;
8. Pedagogy;
9. Development of critical thinking skills; and
10. Demonstration of application of acquired knowledge and skills; and

Q. The State Board of Education shall submit a report to the members of the Legislature that provides evidence of its compliance with Sections 11-103.6 through 11-103.6a-1 of Title 70 of the Oklahoma Statutes.

SECTION 4. AMENDATORY Section 4, Chapter 430, O.S.L. 2014 (70 O.S. Supp. 2015, Section 11-103.6a-1), is amended to read as follows:

Section 11-103.6a-1. A. All subject matter standards and revisions to the standards adopted by the State Board of Education pursuant to Section 11-103.6a of ~~Title 70 of the Oklahoma Statutes~~ this title shall be subject to legislative review as set forth in this section. The standards shall not be implemented by the State Board of Education until the legislative review process is completed as provided for in this section.

1 B. Upon adoption of any subject matter standards, the State
2 Board of Education shall submit the adopted standards to the Speaker
3 of the House of Representatives or a designee and the President Pro
4 Tempore of the Senate or a designee prior to the last thirty (30)
5 days of the legislative session.

6 C. 1. The State Board of Education shall submit the revised
7 subject matter standards for English Language Arts and Mathematics
8 adopted pursuant to Section 11-103.6 of this title and in accordance
9 with the instructions prescribed in Sections 2 and 3 of this act to
10 the Speaker of the House of Representatives or a designee and the
11 President Pro Tempore of the Senate or a designee prior to the
12 conclusion of the Second Session of the 55th Oklahoma Legislature.

13 2. By adoption of a joint resolution, the Legislature shall
14 approve the revised standards submitted pursuant to this subsection.
15 If the joint resolution is vetoed by the Governor in accordance with
16 Section 11 of Article VI of the Oklahoma Constitution and the veto
17 has not been overridden, the revised standards shall be deemed
18 disapproved. If the Legislature fails to adopt a joint resolution
19 approving the revised standards submitted pursuant to this
20 subsection by the conclusion of the Second Session of the 55th
21 Oklahoma Legislature, the revised standards shall be deemed
22 disapproved.

23 3. If the State Board of Education fails to submit the revised
24 subject matter standards for English Language Arts and Mathematics,

1 in accordance with the instructions prescribed in Sections 2 and 3
2 of this act, by the conclusion of the Second Session of the 55th
3 Oklahoma Legislature, the State Board of Education shall submit the
4 revised standards to the Speaker of the House of Representatives or
5 a designee and the President Pro Tempore of the Senate or a designee
6 prior to the last thirty (30) days of the First Session of the 56th
7 Oklahoma Legislature. The Legislature shall take the actions
8 prescribed in paragraph 2 of this subsection.

9 D. By adoption of a joint resolution, the Legislature shall
10 approve the standards in whole or in part, disapprove the standards
11 in whole or in part, amend the standards in whole or in part,
12 approve the standards in whole or in part with instructions to the
13 State Board of Education or disapprove the standards in whole or in
14 part with instructions to the State Board of Education, provided
15 that such joint resolution becomes law in accordance with Section 11
16 of Article VI of the Oklahoma Constitution. If the joint resolution
17 is vetoed by the Governor in accordance with Section 11 of Article
18 VI of the Oklahoma Constitution and the veto has not been
19 overridden, the standards shall be deemed approved. If the
20 Legislature fails to adopt a joint resolution within thirty (30)
21 legislative days following submission of the standards, the
22 standards shall be deemed approved.

23 ~~D.~~ E. If the subject matter standards are disapproved in whole
24 or are disapproved in whole with instructions as provided for in

1 this section, the State Board of Education may adopt new standards
2 and submit the new standards for legislative review pursuant to this
3 section. The State Board of Education shall continue to implement
4 current standards in place until the new standards have been
5 reviewed by the Legislature and approved as provided for in this
6 section. If the subject matter standards are amended, approved in
7 part or are disapproved in part with instructions, the State Board
8 of Education may revise the standards in accordance with the
9 legislative changes and implement the standards.

10 ~~E.~~ F. Upon final approval of the standards, the standards shall
11 be considered final agency rules. The Board shall submit a copy of
12 the standards to the Secretary of State, who shall include the
13 standards in the publication known as the "Oklahoma Administrative
14 Code" in the same manner as agency rules are published in the "Code"
15 as provided for in the Administrative Procedures Act. All standards
16 approved and published as provided for in this subsection shall have
17 the same force and effect of law as agency rules promulgated
18 pursuant to the Administrative Procedures Act.

19 ~~F.~~ G. Unless otherwise provided by specific vote of the
20 Legislature, joint resolutions introduced for purposes of approving,
21 disapproving, amending or disapproving with instructions any subject
22 matter standards shall not be subject to regular legislative cutoff
23 dates, shall be limited to such provisions as may be necessary for
24 approving, disapproving, amending or disapproving with instructions

1 any subject matter standards and any such other direction or mandate
2 regarding the standards deemed necessary by the Legislature. The
3 joint resolution shall contain no other provisions.

4 SECTION 5. The Secretary of State is hereby directed to
5 distribute copies of this resolution to the State Board of Education
6 and the editor of "The Oklahoma Register".

7 SECTION 6. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

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