

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 2641

By: Baker of the House

and

David of the Senate

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7 An Act relating to education; creating task force to
8 study graduation credit requirements; setting end
9 date for task force; *** mandating submission of
10 final report by specified date; authorizing
11 submission of recommendations earlier than specified
12 date; providing for noncodification; and declaring an
13 emergency.

14 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
15 entire bill and insert

16 "An Act relating to student assessments; amending 70
17 O.S. 2011, Section 1210.508, as last amended by
18 Section 2, Chapter 67, O.S.L. 2018 (70 O.S. Supp.
19 2018, Section 1210.508), which relates to the
20 statewide student assessment system; changing date by
21 which preliminary assessment results are to be
22 reported to school districts; changing date by which
23 a final electronic data file of assessment results is
24 to be provided; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.508, as
last amended by Section 2, Chapter 67, O.S.L. 2018 (70 O.S. Supp.
2018, Section 1210.508), is amended to read as follows:

1 Section 1210.508. A. 1. By no later than December 31, 2016,
2 the State Board of Education shall adopt a statewide system of
3 student assessments in compliance with the Elementary and Secondary
4 Education Act of 1965 (ESEA), as reauthorized and amended by P.L.
5 No. 114-95, also known as the Every Student Succeeds Act (ESSA).

6 2. The statewide student assessment system adopted by the Board
7 pursuant to this subsection shall be aligned with the Oklahoma
8 Academic Standards as adopted by the Board and which prepare
9 students for college and careers.

10 B. 1. The Board shall issue a request for proposals for the
11 selection of assessments to be administered to students in grades
12 three through twelve as a part of the statewide student assessment
13 system adopted by the Board pursuant to this section.

14 2. The Board shall adopt assessments from the selected
15 proposals that were submitted pursuant to paragraph 1 of this
16 subsection. The adopted assessments shall be administered by the
17 Board for a period that is in coordination with the six-year subject
18 area textbook adoption cycle unless the vendor does not fulfill the
19 terms of the contract or fails to comply with or violates the terms
20 of the contract. The Board shall administer the assessments
21 beginning with the 2017-2018 school year.

22 C. The statewide student assessment system adopted by the Board
23 pursuant to this section shall include assessments that:

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- 1 1. Are aligned with the Oklahoma subject matter standards as
2 adopted by the Board;
- 3 2. Provide a measure of comparability among other states;
- 4 3. Yield both norm-referenced scores and criterion-referenced
5 scores;
- 6 4. Have a track record of statistical reliability and accuracy;
7 and
- 8 5. For assessments administered in high school, provide a
9 measure of future academic performance.

10 D. For the 2016-2017 school year, the Board shall administer
11 assessments in:

- 12 1. English Language Arts or Reading and Mathematics in grades
13 three through eight and at least once in high school, during the
14 grade span of nine through twelve;
- 15 2. Science not less than once during each grade span of three
16 through five, six through nine and ten through twelve; and
- 17 3. United States History not less than once during the grade
18 span of nine through twelve.

19 E. 1. Beginning with the 2017-2018 school year, the statewide
20 student assessment system shall include assessments in:

- 21 a. English Language Arts and Mathematics in grades three
22 through eight and at least once in high school, during
23 the grade span of nine through twelve,
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1 b. Science not less than once during each grade span of
2 three through five, six through nine and ten through
3 twelve, and

4 c. United States History, with an emphasis on civics, not
5 less than once during the grade span of nine through
6 twelve.

7 2. Beginning with the 2017-2018 school year, the statewide
8 student assessment system may include:

9 a. assessments in Reading and Writing in certain grades
10 as determined by the Board, and

11 b. contingent upon the availability of funds, an
12 additional nationally recognized college- and career-
13 readiness assessment or assessments as recommended by
14 the State Department of Education which will be
15 administered to students in high school at no cost to
16 the student.

17 F. 1. Beginning with students entering the ninth grade in the
18 2017-2018 school year, each student shall take the assessment or
19 assessments included in the statewide student assessment system
20 adopted by the Board pursuant to subsection A of this section in
21 order to graduate from a public high school with a standard diploma.
22 All students shall take the assessment or assessments prior to
23 graduation, unless otherwise exempt by law.

1 2. Beginning with students entering the ninth grade in the
2 2017-2018 school year, each student, in addition to taking the
3 assessment or assessments included in the statewide student
4 assessment system adopted by the Board pursuant to subsection A of
5 this section, shall meet any other high school graduation
6 requirements adopted by the Board pursuant to Section 5 of Enrolled
7 House Bill No. 3218 of the 2nd Session of the 55th Oklahoma
8 Legislature in order to graduate from a public high school with a
9 standard diploma.

10 3. For students who start the ninth grade prior to or during
11 the 2016-2017 school year, school districts shall adopt a plan that
12 establishes the assessment or assessments those students are
13 required to take in order to graduate from a public high school with
14 a standard diploma. The plan may also include any or all of the
15 other high school graduation requirements adopted by the Board
16 pursuant to Section 5 of Enrolled House Bill No. 3218 of the 2nd
17 Session of the 55th Oklahoma Legislature that those students will be
18 required to meet in order to graduate from a public high school with
19 a standard diploma.

20 4. The Board shall promulgate rules to ensure that students who
21 transfer into an Oklahoma school district from out-of-state after
22 the junior year of high school shall not be denied the opportunity
23 to be awarded a standard diploma due to differing testing
24 requirements.

1 G. In order to provide an indication of the levels of
2 competency attained by the student in a permanent record for
3 potential future employers and institutions of higher education,
4 school districts shall report on the high school transcript of the
5 student the highest-achieved score on the assessment or assessments
6 included in the statewide student assessment system adopted by the
7 Board pursuant to subsection A of this section and any business- and
8 industry-recognized endorsements attained.

9 H. Students who do not perform at a proficiency level on
10 assessments shall be remediated as established in the assessment
11 requirements adopted by the Board pursuant to Section 5 of Enrolled
12 House Bill No. 3218 of the 2nd Session of the 55th Oklahoma
13 Legislature, subject to the availability of funding.

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

1 as set forth in Section 11-103.6 of this title and of improving the
2 state average ACT score.

3 2. The State Department of Education shall annually evaluate
4 the results of the assessments. The State Board of Education shall
5 ensure that preliminary results for all statewide assessments are
6 reported to districts no later than ~~June 1~~ June 20 of each year and
7 are presented in a manner that yields detailed, diagnostic
8 information for the purpose of guiding instruction and student
9 remediation. As improvements are made to the assessments required
10 by this section, the Board shall seek to increase the depth of
11 knowledge assessed for each subject. The State Board of Education
12 shall seek to ensure that data yielded from the assessments required
13 in this section are utilized at the school district level to inform
14 instruction, professional development, school improvement and
15 remediation for students.

16 3. The Commission for Educational Quality and Accountability
17 shall determine the cut scores for the performance levels on all
18 statewide assessments. The Commission shall conduct an ongoing
19 review to compare the statewide assessment content and performance
20 descriptors with those of other states. Upon receipt of the review,
21 the Commission may adjust the cut scores as necessary.

22 4. The State Board of Education, for the purposes of conducting
23 reliability and validity studies, monitoring contractor adherence to
24 professionally accepted testing standards, and providing

1 recommendations for testing program improvement, shall retain the
2 services of an established, independent agency or organization that
3 is nationally recognized for its technical expertise in educational
4 testing but is not engaged in the development of aptitude or
5 achievement tests for elementary or secondary level grades. These
6 national assessment experts shall annually conduct studies of the
7 reliability and validity of the statewide assessments administered
8 pursuant to this section. Validity studies shall include studies of
9 decision validity and concurrent validity.

10 J. 1. The State Board of Education shall promulgate rules
11 setting the assessment window dates for each statewide assessment so
12 that the assessments are administered according to recommended
13 testing protocols, and so that the assessment results are reported
14 back to school districts in a timely manner. The vendor shall
15 provide a final electronic data file of all school site, school
16 district, and state results to the State Department of Education and
17 the Office of Educational Quality and Accountability prior to ~~August~~
18 ± August 20 of each year. The Department shall forward the final
19 data files for each school district and each school site in that
20 district to the school district. The Board shall ensure the
21 contract with the vendor includes a provision that the vendor report
22 assessment results directly to the Office of Educational Quality and
23 Accountability at the same time it is reported to the Board.

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

13 K. The State Board of Education shall be responsible for the
14 field-testing and validation of the statewide assessment system
15 required in subsection A of this section.

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

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

3 SECTION 2. It being immediately necessary for the preservation
4 of the public peace, health or safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval."

7 Passed the Senate the 25th day of April, 2019.

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Presiding Officer of the Senate

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11 Passed the House of Representatives the ____ day of _____,
12 2019.

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Presiding Officer of the House
of Representatives

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1 ENGROSSED HOUSE
2 BILL NO. 2641

By: Baker of the House

and

David of the Senate

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7 An Act relating to education; creating task force to
8 study graduation credit requirements; setting end
9 date for task force; providing task force purpose;
10 listing issues for task force to study; providing for
11 task force membership; prescribing timing for task
12 force appointments; requiring organizational meeting
13 of task force prior to specified date; appointing
14 Superintendent of Public Instruction as task force
15 chair; setting task force quorum; authorizing
16 unlimited meetings for task force to perform its
17 duties; subjecting task force to Oklahoma Open
18 Meeting Act; prohibiting compensation or travel
19 reimbursement; directing Department of Education to
20 provide staff and support; requiring submission of
21 task force recommendations to certain persons;
22 mandating submission of final report by specified
23 date; authorizing submission of recommendations
24 earlier than specified date; providing for
noncodification; and declaring an emergency.

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

SECTION 3. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

A. There is hereby created until December 31, 2020, a task
force to study and make recommendations to the Legislature on
changes to the units or sets of competencies required for students

1 to graduate with a standard diploma as provided in Section 11-103.6
2 of Title 70 of the Oklahoma Statutes. The purpose of the task
3 force's study is to give school districts, schools and ultimately
4 students greater flexibility in choosing courses that are aligned to
5 a student's academic and career goals as provided in Section
6 1210.508-4 of Title 70 of the Oklahoma Statutes.

7 B. The task force may make recommendations to add, eliminate or
8 substitute units or sets of competencies. The task force's study
9 shall include, but is not limited to:

10 1. Alignment of units or sets of competencies to career
11 pathways between common education, career and technology education
12 and higher education;

13 2. Incorporation of personalized learning and personalized
14 pathways to graduation and currently existing limitations including
15 but not limited to attendance requirements, student schedules,
16 mastery of course content and project-based learning;

17 3. Access to and use of apprenticeships, internships and
18 mentorships as provided in Section 1210.528-1 of Title 70 of the
19 Oklahoma Statutes;

20 4. Access to advanced coursework including but not limited to
21 concurrent or dual enrollment and advanced placement courses;

22 5. Access to career and technology education courses that lead
23 to industry certification;

24 6. Relevancy of the high school experience for students;

1 7. Ensuring that diploma requirements are aligned to college
2 and career readiness;

3 8. Ensuring that course options have appropriate rigor to
4 prepare students for their next steps after high school graduation;

5 9. Ensuring that course options lead to a well-rounded
6 education promoting an engaged and informed citizenry; and

7 10. Feasibility of incorporating new units or sets of
8 competencies including computer science, health education and
9 personal financial literacy.

10 C. The task force shall be comprised of sixteen (16) members to
11 be appointed as follows:

12 1. The Superintendent of Public Instruction or designee;

13 2. The Director of the Oklahoma Department of Career and
14 Technology Education or designee;

15 3. The Chancellor of The Oklahoma State System of Higher
16 Education or designee;

17 4. The Secretary of Education and Workforce Development or
18 designee;

19 5. Two members who are members of the Senate, appointed by the
20 President Pro Tempore of the Senate;

21 6. Two members who are members of the House of Representatives,
22 appointed by the Speaker of the House of Representatives;

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1 7. One member who represents a statewide association of school
2 board members, appointed by the State Superintendent of Public
3 Instruction;

4 8. One member who represents a statewide organization that
5 represents school administrators, appointed by the State
6 Superintendent of Public Instruction;

7 9. One member who is a school counselor, appointed by the
8 President Pro Tempore of the Senate;

9 10. One member who is a school curriculum director, appointed
10 by the Speaker of the House;

11 11. One member who represents a statewide organization that
12 represents businesses, appointed by the Governor;

13 12. One member who is appointed by the Superintendent of Public
14 Instruction;

15 13. One member who is a parent of a recent high school
16 graduate, appointed by the Governor; and

17 14. One member who is a recent high school graduate from an
18 Oklahoma public school, appointed by the Superintendent of Public
19 Instruction.

20 D. Appointments to the task force shall be made within thirty
21 (30) days after the effective date of this act. The task force
22 shall conduct an organizational meeting not later than August 31,
23 2019. The chair of the task force shall be the Superintendent of
24 Public Instruction.

1 E. A quorum of the task force shall be required to approve any
2 final action of the task force. For purposes of this section, seven
3 (7) members shall constitute a quorum.

4 F. The task force may meet as often as may be required in order
5 to perform the duties imposed upon it.

6 G. The meetings of the task force shall be subject to the
7 Oklahoma Open Meeting Act.

8 H. Members of the task force shall receive no compensation or
9 travel reimbursement for serving on the task force.

10 I. The Department of Education shall provide staff and
11 administrative support to the task force.

12 J. The task force shall submit its recommendations to the
13 Governor, the President Pro Tempore of the Senate, the Speaker of
14 the House of Representatives and the chairs of the education
15 committees of the Senate and the House of Representatives. The task
16 force shall submit a final report of its findings and
17 recommendations by December 31, 2020; however, nothing shall
18 preclude the task force from submitting recommendations prior to
19 that date.

20 SECTION 4. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
22 declared to exist, by reason whereof this act shall take effect and
23 be in full force from and after its passage and approval.

1 Passed the House of Representatives the 7th day of March, 2019.

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3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2019.

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9 Presiding Officer of the Senate