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CORRECTED

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1705

By: Kidd

AS INTRODUCED

An Act relating to student assessments; amending 70 O.S. 2011, Section 1210.508, as last amended by Section 1, Chapter 479, O.S.L. 2019 (70 O.S. Supp. 2019, Section 1210.508), which relates to the statewide student assessment system; directing each school district to select certain assessment or assessments from certain list beginning in certain school year; providing for selection of an official state assessment or assessments; providing for notification by certain date of preferred assessment or assessments; providing for use of certain assessment or assessments if notification is not provided; providing an effective date; 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 1, Chapter 479, O.S.L. 2019 (70 O.S. Supp. 2019, Section 1210.508), is amended to read as follows:

Section 1210.508. A. 1. By no later than December 31, 2016, the State Board of Education shall adopt a statewide system of student assessments in compliance with the Elementary and Secondary

1 Education Act of 1965 (ESEA), as reauthorized and amended by P.L.
2 No. 114-95, also known as the Every Student Succeeds Act (ESSA).

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

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

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

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

21 1. Are aligned with the Oklahoma subject matter standards as
22 adopted by the Board;

23 2. Provide a measure of comparability among other states;
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1 3. Yield both norm-referenced scores and criterion-referenced
2 scores;

3 4. Have a track record of statistical reliability and accuracy;
4 and

5 5. For assessments administered in high school, provide a
6 measure of future academic performance.

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

9 1. English Language Arts or Reading and Mathematics in grades
10 three through eight and at least once in high school, during the
11 grade span of nine through twelve;

12 2. Science not less than once during each grade span of three
13 through five, six through nine and ten through twelve; and

14 3. United States History not less than once during the grade
15 span of nine through twelve.

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

18 a. English Language Arts and Mathematics in grades three
19 through eight and at least once in high school, during
20 the grade span of nine through twelve,

21 b. Science not less than once during each grade span of
22 three through five, six through nine and ten through
23 twelve, and

1 c. United States History, with an emphasis on civics, not
2 less than once during the grade span of nine through
3 twelve.

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

6 a. assessments in Reading and Writing in certain grades
7 as determined by the Board, and

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

14 F. 1. Beginning with students entering the ninth grade in the
15 2017-2018 school year, each student shall take the assessment or
16 assessments included in the statewide student assessment system
17 adopted by the Board pursuant to subsection A of this section in
18 order to graduate from a public high school with a standard diploma.
19 All students shall take the assessment or assessments prior to
20 graduation, unless otherwise exempt by law.

21 2. Beginning with students entering the ninth grade in the
22 2017-2018 school year, each student, in addition to taking the
23 assessment or assessments included in the statewide student
24 assessment system adopted by the Board pursuant to subsection A of

1 this section, shall meet any other high school graduation
2 requirements adopted by the Board pursuant to Section 5 of Enrolled
3 House Bill No. 3218 of the 2nd Session of the 55th Oklahoma
4 Legislature in order to graduate from a public high school with a
5 standard diploma.

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

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

21 G. Beginning with the 2020-2021 school year, the assessment or
22 assessments required to graduate from a public high school with a
23 standard diploma pursuant to subsection F of this section shall be
24 selected by each school district from a list of Board-approved

1 assessments that have received peer review approval for high school
2 assessments pursuant to the Every Student Succeeds Act. The
3 official state assessment or assessments shall be the one(s)
4 selected by a majority of school districts over the previous three
5 years. Each school district shall notify the Board in writing of
6 its preferred assessment or assessments by August 1 of each school
7 year. School districts that do not notify the Board of their
8 preference shall use the official state assessment or assessments.

9 H. In order to provide an indication of the levels of
10 competency attained by the student in a permanent record for
11 potential future employers and institutions of higher education,
12 school districts shall report on the high school transcript of the
13 student the highest-achieved score on the assessment or assessments
14 included in the statewide student assessment system adopted by the
15 Board pursuant to subsection A of this section and any business- and
16 industry-recognized endorsements attained.

17 ~~H.~~ I. Students who do not perform at a proficiency level on
18 assessments shall be remediated as established in the assessment
19 requirements adopted by the Board pursuant to Section 5 of Enrolled
20 House Bill No. 3218 of the 2nd Session of the 55th Oklahoma
21 Legislature, subject to the availability of funding.

22 ~~I.~~ J. 1. All assessments required by this section shall
23 measure academic competencies in correlation with the subject matter
24 standards adopted by the Board pursuant to Sections 11-103.6 and 11-

1 103.6a of this title and referred to as the Oklahoma Academic
2 Standards. The State Board of Education shall evaluate the subject
3 matter standards to ensure the competencies reflect high standards,
4 are specific, well-defined, measurable, challenging, and will
5 prepare elementary students for next-grade-level course work and
6 secondary students for postsecondary studies at institutions of
7 higher education or technology center schools without the need for
8 remediation. All subject matter standards shall reflect the goals
9 as set forth in Section 11-103.6 of this title and of improving the
10 state average ACT score.

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

1 3. The Commission for Educational Quality and Accountability
2 shall determine the cut scores for the performance levels on all
3 statewide assessments. The Commission shall conduct an ongoing
4 review to compare the statewide assessment content and performance
5 descriptors with those of other states. Upon receipt of the review,
6 the Commission may adjust the cut scores as necessary.

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

19 ~~J.~~ K. 1. The State Board of Education shall promulgate rules
20 setting the assessment window dates for each statewide assessment so
21 that the assessments are administered according to recommended
22 testing protocols, and so that the assessment results are reported
23 back to school districts in a timely manner. The vendor shall
24 provide a final electronic data file of all school site, school

1 district, and state results to the State Department of Education and
2 the Office of Educational Quality and Accountability prior to August
3 20 of each year. The Department shall forward the final data files
4 for each school district and each school site in that district to
5 the school district. The Board shall ensure the contract with the
6 vendor includes a provision that the vendor report assessment
7 results directly to the Office of Educational Quality and
8 Accountability at the same time it is reported to the Board.

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

21 ~~K.~~ L. The State Board of Education shall be responsible for the
22 field-testing and validation of the statewide assessment system
23 required in subsection A of this section.
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1 ~~L.~~ M. The State Board of Education shall develop, administer,
2 and incorporate as a part of the Oklahoma School Testing Program,
3 other assessment programs or procedures, including appropriate
4 accommodations for the assessment of students with disabilities as
5 required by the Individuals with Disabilities Education Act (IDEA),
6 20 U.S.C., Section 1400 et seq.

7 ~~M.~~ N. For purposes of developing and administering alternate
8 assessments for students with the most significant cognitive
9 disabilities, the State Board of Education shall not be subject to
10 subsections D and E of Section 11-103.6a of this title.

11 SECTION 2. This act shall become effective July 1, 2020.

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

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