

1 **SENATE FLOOR VERSION**

2 February 27, 2024

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1904

By: Pugh

6
7 An Act relating to student assessments; allowing
8 certain charter school or school district to
9 administer certain assessments for certain grades in
10 a virtual setting; prohibiting administration of
11 assessments for certain grades in a virtual setting;
12 directing certain requirements to be met; requiring
13 certain program or plan to be considered in
14 determining whether a virtual setting meets a
15 student's educational needs; providing for
16 promulgation of rules; providing for codification;
17 providing an effective date; and declaring an
18 emergency.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 3-145.11 of Title 70, unless
22 there is created a duplication in numbering, reads as follows:

23 A. A statewide virtual charter school or a school district
24 operating a full-time virtual education program may administer to
enrolled students in grades three through eight the statewide system
of student assessments required by Section 1210.508 of Title 70 of
the Oklahoma Statutes in a virtual setting that best meets the
educational needs of the students and aligns with their regular

1 academic instruction. Assessments for grades nine through twelve
2 shall not be administered in a virtual setting.

3 B. A statewide virtual charter school or a school district
4 operating a full-time virtual education program that administers
5 student assessments as provided for in subsection A of this section
6 shall ensure the following requirements are met:

7 1. The student to whom the statewide student assessment is
8 administered takes the assessment on an assigned date and time;

9 2. The student to whom the statewide student assessment is
10 administered attends a synchronous assessment session initiated and
11 managed by designated personnel of the statewide virtual charter
12 school or the school district that operates a full-time virtual
13 education program;

14 3. a. If the statewide student assessment platform does not
15 allow integrated camera proctoring, the student to
16 whom the statewide student assessment is administered
17 shall use two devices for the duration of the
18 administration. One device shall be used by the
19 student to take the statewide student assessment, and
20 one device shall be used by an assessment proctor to
21 monitor the student for the duration of the
22 administration of the statewide student assessment
23 using the camera on the required device, or
24

1 b. If the statewide student assessment platform does
2 allow for an assessment proctor to view the student
3 and the student's background environment, a secondary
4 device shall not be required;

5 4. The device on which a student is administered a statewide
6 student assessment has audio capabilities accessible by the
7 assessment administrator for purposes of monitoring the student;

8 5. The statewide virtual charter school or school district that
9 operates a full-time virtual education program that administers a
10 statewide student assessment to a student in a virtual setting seeks
11 to maintain a student assessment taker to assessment proctor ratio
12 of ten-to-one or lower;

13 6. The student to whom the statewide student assessment is
14 administered does not exit the assessment administration until
15 instructed to do so by the assigned assessment proctor; and

16 7. The submission of a statewide student assessment
17 administered pursuant to the provisions of this section is verified
18 by the assessment administrator.

19 C. A statewide virtual charter school or a school district
20 operating a full-time virtual education program that administers
21 student assessments pursuant to this section shall take into account
22 a student's individualized education program (IEP) developed
23 pursuant to the Individuals with Disabilities Education Act (IDEA)
24 or Section 504 Plan developed pursuant to the Rehabilitation Act of

1 1973 in determining whether a virtual setting best meets the
2 educational needs of such a student.

3 D. The State Board of Education may promulgate rules to
4 implement the provisions of this section.

5 SECTION 2. This act shall become effective July 1, 2024.

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

10 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
11 February 27, 2024 - DO PASS AS AMENDED BY CS
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