

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3550

By: Sterling

AS INTRODUCED

An Act relating to student assessments; amending 70 O.S. 2021, Section 1210.508, which relates to the statewide system of student assessments; prohibiting school from receiving a downgrade in accreditation if certain validation data is 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. 2021, 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 Education Act of 1965 (ESEA), as reauthorized and amended by P.L. No. 114-95, also known as the Every Student Succeeds Act (ESSA).

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

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

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

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

15       1. Are aligned with the Oklahoma subject matter standards as  
16 adopted by the Board;

17       2. Provide a measure of comparability among other states;

18       3. Yield both norm-referenced scores and criterion-referenced  
19 scores;

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

22       5. For assessments administered in high school, provide a  
23 measure of future academic performance.  
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1 D. For the 2016-2017 school year, the Board shall administer  
2 assessments in:

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

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

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

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

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

15 b. Science not less than once during each grade span of  
16 three through five, six through nine and ten through  
17 twelve, and

18 c. United States History, with an emphasis on civics, not  
19 less than once during the grade span of nine through  
20 twelve.

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

23 a. assessments in Reading and Writing in certain grades  
24 as determined by the Board, and  
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1           b.     contingent upon the availability of funds, an  
2                 additional nationally recognized college- and career-  
3                 readiness assessment or assessments as recommended by  
4                 the State Department of Education which will be  
5                 administered to students in high school at no cost to  
6                 the student.

7           F.   1.   Beginning with students entering the ninth grade in the  
8                 2017-2018 school year, each student shall take the assessment or  
9                 assessments included in the statewide student assessment system  
10                adopted by the Board pursuant to subsection A of this section in  
11                order to graduate from a public high school with a standard diploma.  
12                All students shall take the assessment or assessments prior to  
13                graduation, unless otherwise exempt by law.

14           2.   Beginning with students entering the ninth grade in the  
15                 2017-2018 school year, each student, in addition to taking the  
16                 assessment or assessments included in the statewide student  
17                 assessment system adopted by the Board pursuant to subsection A of  
18                 this section, shall meet any other high school graduation  
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 in order to graduate from a public high school with a  
22                 standard diploma.

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

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

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

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

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

16 2. The State Department of Education shall annually evaluate  
17 the results of the assessments. The State Board of Education shall  
18 ensure that preliminary results for all statewide assessments are  
19 reported to districts no later than June 20 of each year and are  
20 presented in a manner that yields detailed, diagnostic information  
21 for the purpose of guiding instruction and student remediation. As  
22 improvements are made to the assessments required by this section,  
23 the Board shall seek to increase the depth of knowledge assessed for  
24 each subject. The State Board of Education shall seek to ensure  
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1 that data yielded from the assessments required in this section are  
2 utilized at the school district level to inform instruction,  
3 professional development, school improvement and remediation for  
4 students. If a school performance level is categorized as below  
5 basic pursuant to Section 1210.541 of this title and the school can  
6 validate it is using data in a process to ensure the school is  
7 increasing rigor in instruction, implementing targeted professional  
8 development activities, and using research-driven best practices for  
9 student remediation, then the school shall not receive a downgrade  
10 in its accreditation in any area of academic growth in the statewide  
11 student assessment system.

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

18 4. The State Board of Education, for the purposes of conducting  
19 reliability and validity studies, monitoring contractor adherence to  
20 professionally accepted testing standards, and providing  
21 recommendations for testing program improvement, shall retain the  
22 services of an established, independent agency or organization that  
23 is nationally recognized for its technical expertise in educational  
24 testing but is not engaged in the development of aptitude or  
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1 achievement tests for elementary or secondary level grades. These  
2 national assessment experts shall annually conduct studies of the  
3 reliability and validity of the statewide assessments administered  
4 pursuant to this section. Validity studies shall include studies of  
5 decision validity and concurrent validity.

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

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

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

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

17 M. For purposes of developing and administering alternate  
18 assessments for students with the most significant cognitive  
19 disabilities, the State Board of Education shall not be subject to  
20 subsections D and E of Section 11-103.6a of this title.

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

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