

1 ENGROSSED SENATE
2 BILL NO. 2

By: Dossett and Pittman of the
Senate

3 and

4 Henke and Nollan of the
5 House

6
7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 1210.508, as last amended by Section 4,
9 Chapter 360, O.S.L. 2016 (70 O.S. Supp. 2016, Section
10 1210.508), which relates to the statewide system of
11 student assessments; removing the requirement to
12 administer assessments in U.S. history; updating
13 statutory reference; providing an effective date; and
14 declaring an emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.508, as
17 last amended by Section 4, Chapter 360, O.S.L. 2016 (70 O.S. Supp.
18 2016, Section 1210.508), is amended to read as follows:

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

24 2. The statewide student assessment system adopted by the Board
pursuant to this subsection shall be aligned with the Oklahoma

1 Academic Standards as adopted by the Board and which prepare
2 students for college and careers.

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

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

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

17 1. Are aligned with the Oklahoma subject matter standards as
18 adopted by the Board;

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

20 3. Yield both norm-referenced scores and criterion-referenced
21 scores;

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

23 and

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

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

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

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

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

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

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

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

20 c. ~~United States History not less than once during the~~
21 ~~grade span of nine through twelve.~~

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

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

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

16 2. Beginning with students entering the ninth grade in the
17 2017-2018 school year, each student, in addition to taking the
18 assessment or assessments included in the statewide student
19 assessment system adopted by the Board pursuant to subsection A of
20 this subsection, shall meet any other high school graduation
21 requirements adopted by the Board pursuant to Section 5 of ~~this act~~
22 Enrolled House Bill No. 3218 of the 2nd Session of the 55th Oklahoma
23 Legislature in order to graduate from a public high school with a
24 standard diploma.

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

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

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

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

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

19 2. The State Department of Education shall annually evaluate
20 the results of the assessments. The State Board of Education shall
21 ensure that preliminary results for all statewide assessments are
22 reported to districts no later than June 1 of each year and are
23 presented in a manner that yields detailed, diagnostic information
24 for the purpose of guiding instruction and student remediation. As

1 improvements are made to the assessments required by this section,
2 the Board shall seek to increase the depth of knowledge assessed for
3 each subject. The State Board of Education shall seek to ensure
4 that data yielded from the assessments required in this section are
5 utilized at the school district level to inform instruction,
6 professional development, school improvement and remediation for
7 students.

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

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

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1 pursuant to this section. Validity studies shall include studies of
2 decision validity and concurrent validity.

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

17 2. State, district, and site level results of all assessments
18 required in this section shall be disaggregated by gender, race,
19 ethnicity, disability status, migrant status, English proficiency,
20 and status as economically disadvantaged, except that such
21 disaggregation shall not be required in a case in which the number
22 of students in a category is insufficient to yield statistically
23 reliable information or the results would reveal personally
24 identifiable information about an individual student. Each school

1 site shall notify the student's parents of the school's performance
2 levels in the Oklahoma School Testing Program as reported in the
3 Oklahoma Educational Indicators Program at the end of each school
4 year.

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

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

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

18 SECTION 2. This act shall become effective July 1, 2017.

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

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