

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1705

By: Smalley

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5
6 AS INTRODUCED

7 An Act relating to student assessments; amending 70
8 O.S. 2011, Section 1210.508, as last amended by
9 Section 1, Chapter 479, O.S.L. 2019 (70 O.S. Supp.
10 2019, Section 1210.508), which relates to the
11 statewide student assessment system; directing each
12 school district to select certain assessment or
13 assessments from certain list beginning in certain
14 school year; providing for selection of an official
15 state assessment or assessments; providing for
16 notification by certain date of preferred assessment
17 or assessments; providing for use of certain
18 assessment or assessments if notification is not
19 provided; providing an effective date; and declaring
20 an emergency.

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

22 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.508, as
23 last amended by Section 1, Chapter 479, O.S.L. 2019 (70 O.S. Supp.
24 2019, Section 1210.508), is amended to read as follows:

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

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

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

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

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

19 1. Are aligned with the Oklahoma subject matter standards as
20 adopted by the Board;

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

22 3. Yield both norm-referenced scores and criterion-referenced
23 scores;

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

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

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

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

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

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

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

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

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

22 c. United States History, with an emphasis on civics, not
23 less than once during the grade span of nine through
24 twelve.

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

3 a. assessments in Reading and Writing in certain grades
4 as determined by the Board, and

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

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

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

1 Legislature in order to graduate from a public high school with a
2 standard diploma.

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

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

18 G. Beginning with the 2020-2021 school year, the assessment or
19 assessments required to graduate from a public high school with a
20 standard diploma pursuant to subsection F of this section shall be
21 selected by each school district from a list of Board-approved
22 assessments that have received peer review approval for high school
23 assessments pursuant to the Every Student Succeeds Act. The
24 official state assessment or assessments shall be the one(s)

1 selected by a majority of school districts over the previous three
2 years. Each school district shall notify the Board in writing of
3 its preferred assessment or assessments by August 1 of each school
4 year. School districts that do not notify the Board of their
5 preference shall use the official state assessment or assessments.

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

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

19 ~~H.~~ J. 1. All assessments required by this section shall
20 measure academic competencies in correlation with the subject matter
21 standards adopted by the Board pursuant to Sections 11-103.6 and 11-
22 103.6a of this title and referred to as the Oklahoma Academic
23 Standards. The State Board of Education shall evaluate the subject
24 matter standards to ensure the competencies reflect high standards,

1 are specific, well-defined, measurable, challenging, and will
2 prepare elementary students for next-grade-level course work and
3 secondary students for postsecondary studies at institutions of
4 higher education or technology center schools without the need for
5 remediation. All subject matter standards shall reflect the goals
6 as set forth in Section 11-103.6 of this title and of improving the
7 state average ACT score.

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

21 3. The Commission for Educational Quality and Accountability
22 shall determine the cut scores for the performance levels on all
23 statewide assessments. The Commission shall conduct an ongoing
24 review to compare the statewide assessment content and performance

1 descriptors with those of other states. Upon receipt of the review,
2 the Commission may adjust the cut scores as necessary.

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

15 ~~J.~~ K. 1. The State Board of Education shall promulgate rules
16 setting the assessment window dates for each statewide assessment so
17 that the assessments are administered according to recommended
18 testing protocols, and so that the assessment results are reported
19 back to school districts in a timely manner. The vendor shall
20 provide a final electronic data file of all school site, school
21 district, and state results to the State Department of Education and
22 the Office of Educational Quality and Accountability prior to August
23 20 of each year. The Department shall forward the final data files
24 for each school district and each school site in that district to

1 the school district. The Board shall ensure the contract with the
2 vendor includes a provision that the vendor report assessment
3 results directly to the Office of Educational Quality and
4 Accountability at the same time it is reported to the Board.

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

17 ~~K.~~ L. The State Board of Education shall be responsible for the
18 field-testing and validation of the statewide assessment system
19 required in subsection A of this section.

20 ~~L.~~ M. The State Board of Education shall develop, administer,
21 and incorporate as a part of the Oklahoma School Testing Program,
22 other assessment programs or procedures, including appropriate
23 accommodations for the assessment of students with disabilities as
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1 required by the Individuals with Disabilities Education Act (IDEA),
2 20 U.S.C., Section 1400 et seq.

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

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

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

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