



## H.B. 1330

RE: H.B. 1330

SUBJECT: High School Graduation Requirements

House Bill 1330 becomes effective July 1, 2015. This bill amends the graduation requirements for certain students transferring from out of state.

- Current law requires that students have a ½ unit or set of competencies of Oklahoma History in order to graduate from an Oklahoma public high school.
- Section 1(C): Requires school district boards of education to waive the Oklahoma History high school graduation requirement for children of military families, defined in the Interstate Compact on Educational Opportunity for Military Children as “a school-aged child(ren), enrolled in kindergarten through twelfth grade, in the household of an active duty member,” who have transitioned with the military from another state and already satisfactorily completed a similar state history class in another state.
  - Requires the State Board of Education to promulgate rules by December 1, 2015 to implement this requirement.

Should you have any questions related to this bill, please contact Ms. Melissa White, Executive Director of Counseling/ACE at (405) 521-3549 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 11-103.6f

Helpful statutory references: 70 O.S. 11-103.6, 70 O.S. 510.1



# An Act

ENROLLED HOUSE  
BILL NO. 1330

By: Coody (Ann) and Inman of  
the House

and

Fry of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 11-103.6f, which relates to graduation exceptions for students transferring from out of state; directing the State Board of Education to adopt rules requiring waiver of the Oklahoma history high school curriculum requirement for certain military students; providing an effective date; and declaring an emergency.

SUBJECT: High school graduation requirements

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-103.6f, is amended to read as follows:

Section 11-103.6f A. Prior to September 1, 2003, the State Board of Education shall adopt rules to ensure that students who transfer into an Oklahoma school district from out of state after the junior year of high school of the student shall not be denied, due to differing graduation requirements, the opportunity to be awarded a standard diploma.

B. The rules shall allow district boards of education to make exceptions on an individual student basis to the high school graduation requirements of Section 11-103.6 of ~~Title 70 of the Oklahoma Statutes~~ this title for such students who would be unable to meet the specific graduation requirements without extending the date of graduation. Each district board of education that grants

exceptions pursuant to this subsection shall report to the State Department of Education on or before July 1 of each year the number of students granted exceptions and reasons for the exceptions.

C. By December 1, 2015, the State Board of Education shall adopt rules requiring school district boards of education to waive the Oklahoma history high school graduation requirements of Section 11-103.6 of this title for children of military families as defined in the Interstate Compact on Educational Opportunity for Military Children, set forth in Section 510.1 of this title, who transition with the military from another state and who have satisfactorily completed a similar state history class in another state.

SECTION 2. This act shall become effective July 1, 2015.

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

Passed the House of Representatives the 12th day of February, 2015.

Lee R. Doney Jr.  
Presiding Officer of the House  
of Representatives

Passed the Senate the 6th day of April, 2015.

Nathan Dahm  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 7<sup>th</sup>

day of April, 20 15, at 3:02 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 10<sup>th</sup>

day of April, 20 15, at 9:28 o'clock A M.

Mary Fallin  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 10<sup>th</sup>

day of April, 20 15, at 1:48 o'clock P M.

By: Chris Morris





RE: S.B. 50  
SUBJECT: Agriculture Education

Senate Bill 50 becomes effective July 1, 2015. This bill amends the grades in which agriculture education programs can be offered.

- Current law states that agriculture education programs are limited to students in grades eight through twelve.
- Section 1(A): States that agriculture education programs are designed for junior high and high school students, grades eight through twelve, and removes the language limiting those programs to those specific grades. Therefore, agriculture education programs could be offered in grades 7 and below, or students 7<sup>th</sup> grade and below could participate in agriculture education programs as deemed appropriate by the local school district.

Note: S.B. 50 and H.B. 1423 both amend the same portion of law, 70 O.S. 14-108.2, and as such, should be read together.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 14-108.2



# An Act

ENROLLED SENATE  
BILL NO. 50

By: Smalley and Pittman of the  
Senate

and

Biggs, Perryman, Cockroft  
and Sherrer of the House

An Act relating to agriculture education; amending Section 1, Chapter 31, O.S.L. 2014 (70 O.S. Supp. 2014, Section 14-108.2), which relates to agricultural education programs; modifying reference to grades in which programs can be offered; providing an effective date; and declaring an emergency.

SUBJECT: Agriculture education

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

SECTION 1. AMENDATORY Section 1, Chapter 31, O.S.L. 2014 (70 O.S. Supp. 2014, Section 14-108.2), is amended to read as follows:

Section 14-108.2. A. Agricultural education programs ~~shall be limited to students in~~ are designed for junior high and high school grades eight through twelve, and shall be provided by comprehensive school districts. Technology center school districts shall be prohibited from operating agricultural education programs or FFA chapters in any location.

B. Each student enrolled in an agricultural education program shall participate in a supervised agricultural experience project.

C. For each agricultural education program which is funded by the Oklahoma Department of Career and Technology Education, the

local school district shall provide transportation services for all agricultural-education-program- and FFA-program-related duties and to and from all activities.

SECTION 2. This act shall become effective July 1, 2015.

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

Passed the Senate the 2nd day of March, 2015.

*Nathan Dahm*

Presiding Officer of the Senate

Passed the House of Representatives the 31st day of March, 2015.

*Joe R. Donney*

Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 1<sup>st</sup>

day of April, 20 15, at 2:58 o'clock P M.

By: Audrey Ledwell

Approved by the Governor of the State of Oklahoma this 7<sup>th</sup>

day of April, 20 15, at 2:29 o'clock P M.

*Mary Fallin*  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 7<sup>th</sup>

day of April, 20 15, at 3 o'clock P. M.

By: Chris Benz





## **S.B. 136**

RE: S.B. 136

SUBJECT: Online Education

Senate Bill 136 becomes effective August 20, 2015. This bill amends the duties of the Statewide Virtual Charter School Board to include reviewing and publishing recommended supplemental online courses.

- Section 1(A): Directs the Statewide Virtual Charter School Board to publish a list of supplemental online courses that are high quality options and are aligned with subject matter standards adopted by the State Board of Education.
  - Emphasis should be placed on science, technology, engineering and math (STEM) courses, foreign language and advanced placement courses.
  - Local school districts are not required to choose from this list.
- The Statewide Virtual Charter School Board is authorized to work with the Office of Management and Enterprise Services (OMES) to negotiate a state rate for school districts for the certified supplemental online courses.

Should you have any questions related to this bill, please contact Dr. Rebecca Wilkinson, Executive Director for the Oklahoma Statewide Virtual Charter School Board, at (405) 522-0717 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 3-145.3

Helpful Statutory References: 70 O.S. 11-103.6



# An Act

ENROLLED SENATE  
BILL NO. 136

By: Stanislawski of the Senate

and

Nelson of the House

An Act relating to online education; amending Section 5, Chapter 367, O.S.L. 2012, as amended by Section 5, Chapter 212, O.S.L. 2013 (70 O.S. Supp. 2014, Section 3-145.3), which relates to the Statewide Virtual Charter School Board; directing the Board to make lists of certain supplemental online courses publicly available; stating the purpose for the review and certification; requiring the Board to give emphasis to certain types of supplemental online courses; prohibiting certain limitation; and authorizing the Board in conjunction with the Office of Management and Enterprise Services to negotiate and enter into contracts with certain vendors.

SUBJECT: Online education

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

SECTION 1. AMENDATORY Section 5, Chapter 367, O.S.L. 2012, as amended by Section 5, Chapter 212, O.S.L. 2013 (70 O.S. Supp. 2014, Section 3-145.3), is amended to read as follows:

Section 3-145.3 A. Subject to the requirements of the Oklahoma Charter Schools Act, the Statewide Virtual Charter School Board shall:

1. Provide oversight of the operations of statewide virtual charter schools in this state; ~~and~~

2. Establish a procedure for accepting, approving and disapproving statewide virtual charter school applications and a process for renewal or revocation of approved charter school contracts which minimally meet the procedures set forth in the Oklahoma Charter Schools Act;

3. Make publicly available a list of supplemental online courses which have been reviewed and certified by the Statewide Virtual Charter School Board to ensure that the courses are high quality options and are aligned with the subject matter standards adopted by the State Board of Education pursuant to Section 11-103.6 of this title. The Statewide Virtual Charter School Board shall give special emphasis on listing supplemental online courses in science, technology, engineering and math (STEM), foreign language and advanced placement courses. School districts shall not be limited to selecting supplemental online courses that have been reviewed and certified by the Statewide Virtual Charter School Board and listed as provided for in this paragraph; and

4. In conjunction with the Office of Management and Enterprise Services, negotiate and enter into contracts with supplemental online course providers to offer a state rate price to school districts for supplemental online courses that have been reviewed and certified by the Statewide Virtual Charter School Board and listed as provided for in paragraph 3 of this subsection.

B. Each statewide virtual charter school which has been approved and sponsored by the Board or any virtual charter school for which the Board has assumed sponsorship of as provided for in Section 3-145.5 of this title shall be considered a statewide virtual charter school and the geographic boundaries of each statewide virtual charter school shall be the borders of the state.

C. Each statewide virtual charter school approved by the Statewide Virtual Charter School Board shall be eligible to receive federal funds generated by students enrolled in the charter school for the applicable year. Each statewide virtual charter school shall be considered a separate local education agency for purposes of reporting and accountability.

D. As calculated as provided for in Section 3-142 of this title, a statewide virtual charter school shall receive the State Aid allocation and any other state-appropriated revenue generated by students enrolled in the virtual charter school for the applicable year, less up to five percent (5%) of the State Aid allocation, which may be retained by the Statewide Virtual Charter School Board for administrative expenses and to support the mission of the Board. A statewide virtual charter school shall be eligible for any other funding any other charter school is eligible for as provided for in Section 3-142 of this title. Each statewide virtual charter school shall be considered a separate local education agency for purposes of reporting and accountability.

E. Students enrolled full-time in a statewide virtual charter school sponsored by the Statewide Virtual Charter School Board shall not be authorized to participate in any activities administered by the Oklahoma Secondary Schools Activities Association. However, the students may participate in intramural activities sponsored by a statewide virtual charter school, an online provider for the charter school or any other outside organization.

F. The decision of the Statewide Virtual Charter School Board to deny, nonrenew or terminate the charter contract of a statewide virtual charter school may be appealed to the State Board of Education within thirty (30) days of the decision by the Statewide Virtual Charter School Board. The State Board of Education shall act on the appeal within sixty (60) days of receipt of the request from the statewide virtual charter school applicant. The State Board of Education may reverse the decision of the Statewide Virtual Charter School Board or may remand the matter back to the Statewide Virtual Charter School Board for further proceeding as directed.

Passed the Senate the 4th day of May, 2015.

*Ann J. Huff*  
Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of April, 2015.

*Lee R. Tomney*  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 5<sup>th</sup>

day of May, 20 15, at 11:15 o'clock A M.

By: *Audrey Rockwell*

Approved by the Governor of the State of Oklahoma this 11<sup>th</sup>

day of May, 20 15, at 2:10 o'clock P M.

*Mary Fallin*  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 11<sup>th</sup>

day of May, 20 15, at 5:22 o'clock P. M.

By: *Chil Bengel*



## S.B. 630

RE: S.B. 630

SUBJECT: Reading Sufficiency

Senate Bill 630 becomes effective July 1, 2015. This bill amends the Reading Sufficiency Act to extend the provisions of the Student Reading Proficiency Teams and expands the provisions to those students scoring Limited Knowledge on the OCCT.

- Section 1: Clarifies that students in kindergarten through third grade must be assessed using a screening instrument at the beginning and end of each school year. Screening instruments are approved by the State Board of Education and must measure phonemic awareness (changed from phonological), phonics, reading fluency, vocabulary and comprehension. Spelling has been eliminated as a requirement for screening instruments.
  - Students in first and second grade who are not reading at the corresponding grade level, as measured by a screening instrument, are entitled to “individualized” remediation, until the student is reading on grade level.
  - A Student Reading Proficiency Team (SRPT) is required to develop a plan of “individualized remediation.” The team is to include the parent/guardian, the student’s teacher who is responsible for reading instruction for the current academic year, the student’s teacher who is responsible for reading instruction for the upcoming year and a certified reading specialist, if available.
- Section 1(H): Clarifies that any student in 1<sup>st</sup>-3<sup>rd</sup> grade who is reading at a third-grade level, as measured by a screening instrument, is exempt from possible retention under the provisions of the Reading Sufficiency Act (RSA).
- Section 1(H)(4): Extends the provisions of the Student Reading Proficiency Team (SRPT) through the 2017-2018 school year.
  - For the 2015-2016 school year, third-grade students who have not already been shown to be reading at a third-grade level, and who score “unsatisfactory” on the *reading portion* of the third-grade reading Oklahoma Core Curriculum Test (OCCT) may be evaluated for “probationary promotion” by the SRPT.
  - For the 2016-2017 and 2017-2018 school years, third grade students who have not already been shown to be reading at a third-grade level, and who score “unsatisfactory” OR “limited knowledge” on the *reading portion* of the third-grade reading OCCT may be evaluated for “probationary promotion.”

- Note: In order for students' scores on only the *reading portion* of the OCCT to be used for purposes of RSA, the State Department of Education will partner with the assessment company to ensure the reading portion of the OCCT can be isolated.
- SRPT's created for the purpose of evaluating students for "probationary promotion" will include the parent/guardian, the student's teacher who is responsible for reading instruction for the current academic year, the student's teacher who is responsible for reading instruction for the upcoming year and a certified reading specialist. For these teams the certified reading specialist is NOT optional.
- The SRPT's are no longer required to include the school principal; however, both the principal and the district superintendent must approve any recommendation for "probationary promotion."
- Section 1(H)(5): Clarifies that beginning in 2016-2017, students who score below proficient on the *reading portion* of the third-grade reading OCCT, do not qualify for a good cause exemption, and are not approved for "probationary promotion," must be retained.
- Section 1(H)(8): Clarifies that the "reading portion" of the third-grade reading OCCT includes reading comprehension and vocabulary for purposes of promotion and retention decisions under RSA.
- Section 1(I): Current law requires that the parent of a student who is not reading at the appropriate grade level be notified in writing of the following information:
  - That the student has been identified as having a substantial reading deficiency,
  - A description of the current services being provided,
  - A description of proposed supplemental instructional services and supports,
  - That the student will not be promoted to fourth grade if the reading deficiency is not remediated by the end of third grade and no other exemptions are met,
  - Strategies for parents to help their child succeed in reading,
  - That the OCCT third-grade reading test is only the initial determinant and other opportunities for promotion are available, and
  - The district's policy for mid-year promotion.
  - Added to this list are "a description of the current services that are provided to the student pursuant to a conjoint measurement model such that a reader and a text are placed on the same scale," which is interpreted to mean a Lexile score; and the grade-level performance score of the student.

- Section 1(N)(4): Allows for a student to be promoted at mid-year, prior to November 1, if they demonstrate proficiency in reading at the third-grade level on a screening instrument from the list approved by the State Board of Education.
- Section 1(O): Clarifies that district Intensive Acceleration Classes as part of the Reading Enhancement Acceleration Development (READ) Initiatives, be targeted to students who scored below proficient on the third-grade reading OCCT and were retained.

Should you have any questions related to this bill, please contact Dr. Cindy Koss, Deputy Superintendent for Academic Affairs and Planning, at (405) 522-6369 or Ms. Carolyn Thompson, Director of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 1210.508C



# An Act

ENROLLED SENATE  
BILL NO. 630

By: Ford, Mazzei, Pittman,  
Sharp and Jolley of the  
Senate

and

Casey, Cockroft, Inman and  
Condit of the House

An Act relating to schools; amending 70 O.S. 2011, Section 1210.508C, as last amended by Section 35 of Enrolled Senate Bill No. 831 of the 1st Session of the 55th Oklahoma Legislature, which relates to the Reading Sufficiency Act; requiring certain assessment to be administered at the end of the year; modifying certain reading program; providing for intensive remediation of students in certain grades found not reading at grade level; providing for development of remediation plan by certain team; removing language regarding establishment of certain committee; clarifying reference to certain students; removing language regarding automatic promotion of certain students; extending years in which probationary promotion may be used; modifying criteria for probationary promotion in certain years; modifying membership of certain team; modifying conditions for promotion after certain date; directing use of certain portions of certain test for certain purpose; modifying information required in certain report; modifying contents of certain notice; modifying criteria for midyear promotion; providing an effective date; and declaring an emergency.

SUBJECT: Reading sufficiency

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.508C, as last amended by Section 35 of Enrolled Senate Bill No. 831 of the 1st Session of the 55th Oklahoma Legislature, is amended to read as follows:

Section 1210.508C. A. 1. Each student enrolled in kindergarten in a public school in this state shall be screened for reading skills including, but not limited to, ~~phonological~~ phonemic awareness, letter recognition, and oral language skills as identified in the subject matter standards adopted by the State Board of Education. A screening instrument approved by the State Board shall be utilized for the purposes of this section.

2. For those kindergarten children at risk for reading difficulties, teachers shall emphasize reading skills as identified in the subject matter standards adopted by the State Board of Education, monitor progress throughout the year and measure year-end reading progress.

3. Classroom assistants, which may include parents, grandparents, or other volunteers, shall be provided in kindergarten classes to assist with the screening of students if a teacher aide is not already employed to assist in a kindergarten classroom.

B. 1. Each student enrolled in kindergarten, first, second and third grade of the public schools of this state shall be assessed at the beginning and end of each school year using a screening instrument approved by the State Board of Education for the acquisition of reading skills including, but not limited to, ~~phonological~~ phonemic awareness, phonics, ~~spelling~~, reading fluency, vocabulary, and comprehension.

2. Any student who is assessed and found not to be reading at the appropriate grade level shall be provided a program of reading instruction designed to enable the student to acquire the appropriate grade level reading skills. Beginning with students entering the first grade in the 2011-2012 school year, the program of reading instruction shall include provisions of the READ

Initiative adopted by the school district as provided for in subsection O of this section.

3. Throughout the year progress monitoring shall continue, and diagnostic assessment, if determined appropriate, shall be provided. Year-end reading skills shall be measured to determine reading success.

C. The State Board of Education shall approve screening instruments for use at the beginning and end of the school year, for monitoring of progress, and for measurement of reading skills at the end of the school year as required in subsections A and B of this section; provided, at least one of the screening instruments shall meet the following criteria:

1. Assess for ~~phonological~~ phonemic awareness, phonics, reading fluency, and comprehension;

2. Document the validity and reliability of each assessment;

3. Can be used for diagnosis and progress monitoring;

4. Can be used to assess special education and limited-English-proficient students; and

5. Accompanied by a data management system that provides profiles for students, class, grade level and school building. The profiles shall identify each student's instructional point of need and reading achievement level. The State Board shall also determine other comparable reading assessments for diagnostic purposes and for periodic and post assessments to be used for students at risk of reading failure. The State Board shall ensure that any assessments approved are in alignment with the subject matter standards adopted by the State Board of Education.

D. 1. The program of reading instruction required in subsection B of this section shall align with the subject matter standards adopted by the State Board of Education, and shall include provisions of the READ Initiative adopted by the school district as provided for in subsection O of this section ~~beginning with students entering the first grade in the 2011-2012 school year and.~~ A program of reading instruction may include, but is not limited to:

~~1. Sufficient~~

- a. sufficient additional in-school instructional time for the acquisition of ~~phonological~~ phonemic awareness, phonics, ~~spelling~~, reading fluency, vocabulary, and comprehension~~,~~

~~2. If~~

- b. if necessary, tutorial instruction after regular school hours, on Saturdays and during summer; however, such instruction may not be counted toward the one-hundred-eighty-day or one-thousand-eighty-hour school year required in Section 1-109 of this title~~,~~ and

~~3. Assessments~~

- c. assessments identified for diagnostic purposes and periodic monitoring to measure the acquisition of reading skills including, but not limited to, ~~phonological~~ phonemic awareness, phonics, ~~spelling~~, reading fluency, vocabulary, and comprehension, as identified in the student's program of reading instruction.

2. A student enrolled in first or second grades who has been assessed as provided for in subsection B of this section and found not to be reading at the corresponding grade level, shall be entitled to individualized remediation in reading until the student is determined by the results of a screening instrument to be reading on grade level. The program of reading instruction for each student shall be developed by a Student Reading Proficiency Team and shall include individualized remediation. Each team shall be composed of:

- a. the parent or guardian of the student,
- b. the teacher assigned to the student who had responsibility for reading instruction in that academic year,

- c. a teacher who is responsible for reading instruction and is assigned to teach in the next grade level of the student, and
- d. a certified reading specialist, if one is available.

E. The program of reading instruction shall continue until the student is determined by the results of approved reading assessments to be reading on grade level.

F. 1. Every school district shall adopt, and implement a district reading sufficiency plan which has had input from school administrators, teachers, and parents and if possible a reading specialist, and which shall be submitted electronically to and approved by the State Board of Education. The plan shall be updated annually. School districts shall not be required to electronically submit the annual updates to the Board if the last plan submitted to the Board was approved and expenditures for the program include only expenses relating to individual and small group tutoring, purchase of and training in the use of screening and assessment measures, summer school programs and Saturday school programs. If any expenditure for the program is deleted or changed or any other type of expenditure for the program is implemented, the school district shall be required to submit the latest annual update to the Board for approval. The district reading sufficiency plan shall include a plan for each site which includes an analysis of the data provided by the Oklahoma School Testing Program and other reading assessments utilized as required in this section, and which outlines how each school site will comply with the provisions of the Reading Sufficiency Act.

~~2. Each school site shall establish a committee, composed of educators, which if possible shall include a certified reading specialist, to develop the required programs of reading instruction. A parent or guardian of the student shall be included in the development of the program of reading instruction for that student.~~

~~3. The State Board of Education shall adopt rules for the implementation and evaluation of the provisions of the Reading Sufficiency Act. The evaluation shall include, but not be limited to, an analysis of the data required in subsection S of this section.~~

G. For any third-grade student found not to be reading at grade level as determined by reading assessments administered pursuant to this section, a new program of reading instruction, including provisions of the READ Initiative adopted by the school district as provided for in subsection O of this section, shall be developed and implemented as specified in this section. If possible, a fourth-grade teacher shall be involved in the development of the program of reading instruction. In addition to other requirements of the Reading Sufficiency Act, the plan may include specialized tutoring.

H. 1. Any first-grade, second-grade or third-grade student who demonstrates proficiency in reading at the third-grade level through a screening instrument which meets the acquisition of reading skills criteria pursuant to subsection B of this section shall not be subject to the retention guidelines found in this section. Upon demonstrating the proficiency through the screening, the district shall provide notification to the parent(s) and/or guardian(s) of the student that they have satisfied the requirements of the Reading Sufficiency Act and will not be subject to retention pursuant to this section.

2. If a third-grade student is identified at any point of the academic year as having a significant reading deficiency, which shall be defined as scoring below proficient on a screening instrument which meets the acquisition of reading skills criteria pursuant to subsection B of this section, the district shall immediately begin a student reading portfolio as provided by subsection K of this section and shall provide notice to the parent of the deficiency pursuant to subsection I of this section.

3. ~~a. If a student has not yet satisfied the proficiency requirements of this section prior to the completion of third grade, the student may qualify for automatic promotion to the fourth grade upon scoring at the "limited knowledge" level on the reading portion of the statewide third grade criterion-referenced test.~~
- ~~b. Prior to promotion, however, the district shall provide notice to the parent(s) and/or guardian(s) of the child that the child is not yet reading at grade level in reading and provide the parent(s) and/or~~

~~guardian(s) of the child the option for retention should they so desire. The notice shall contain, at a minimum, the most recently identifiable grade level on which the student is actually proficient, the opportunities for summer reading programs, school and/or community based reading tutoring, vendors which provide reading tutoring and the rights to the continuing intensive remediation pursuant to this paragraph.~~

~~e. A student so promoted shall be entitled to intensive remediation in reading until the student is able to demonstrate proficiency in reading at the grade level in which the student is enrolled. An intensive remediation plan shall be developed by a "Student Reading Proficiency Team" composed of:~~

- ~~(1) the parent(s) and/or guardian(s) of the student,~~
- ~~(2) the teacher assigned to the student who had responsibility for reading instruction in that academic year,~~
- ~~(3) a teacher in reading who teaches in the subsequent grade level,~~
- ~~(4) the school principal, and~~
- ~~(5) a certified reading specialist, if one is available.~~

~~4. If a student has not yet satisfied the proficiency requirements of this section prior to the completion of third grade and still has a significant reading deficiency, as identified based on assessments administered that meet the acquisition of reading skills criteria pursuant to as provided for in subsection B of this section, has not accumulated evidence of third-grade proficiency through a student portfolio as provided in subsection K, or is not subject to a good cause exemption as provided in subsection K, then the student shall not be eligible for automatic promotion to fourth grade.~~

~~5.~~

4. a. For the ~~2013-14 and 2014-15~~ 2015-2016 school ~~years~~ year, a student not ~~qualified~~ eligible for automatic promotion as provided for under paragraph 4 3 of this subsection and who scores at the unsatisfactory level on the reading portion of the third-grade statewide criterion-referenced test may be evaluated for "probationary promotion" by a "the Student Reading Proficiency Team". For the 2016-2017 and 2017-2018 school years, a student not eligible for automatic promotion as provided for under paragraph 3 of this subsection and who scores at the unsatisfactory or limited knowledge levels on the reading portion of the third-grade statewide criterion-referenced test may be evaluated for "probationary promotion" by the Student Reading Proficiency Team. The Student Reading Proficiency Team shall be composed of:

- (1) the parent(s) and/or guardian(s) of the student,
- (2) the teacher assigned to the student who had responsibility for reading instruction in that academic year,
- (3) a teacher in reading who teaches in the subsequent grade level, and
- (4) ~~the school principal, and~~
- ~~(5)~~ a certified reading specialist.

b. The student shall be promoted to the fourth grade if the team members unanimously recommend "probationary promotion" to the school principal and the school district superintendent and the principal and superintendent ~~approves~~ approve the recommendation that promotion is the best option for the student. If a student is allowed a "probationary promotion", the team shall continue to review the reading performance of the student and repeat the requirements of this paragraph each academic year until the student

demonstrates grade-level reading proficiency, as identified through a screening instrument which meets the acquisition of reading skills criteria pursuant to subsection B of this section, for the corresponding grade level in which the student is enrolled or transitions to the requirements set forth by the Achieving Classroom Excellence Act.

~~6-~~ 5. Beginning with the ~~2015-16~~ 2016-2017 school year, students who score at ~~the unsatisfactory~~ below the proficient level on the reading portion of the statewide third-grade criterion-referenced test and, who are not subject to a good cause exemption as provided in subsection K of this section, and who do not qualify for promotion or "probationary promotion" as provided in this subsection, shall be retained in the third grade and provided intensive instructional services and supports as provided for in subsection N of this section.

~~7-~~ 6. Each school district shall annually report to the State Department of Education the number of students promoted to the fourth grade pursuant to ~~paragraphs 1 and 3~~ of this subsection. Following the ~~2013-14 and 2014-15~~ 2015-2016, 2016-2017 and 2017-2018 school years, each school district shall report the number of students promoted to a subsequent grade pursuant to the provisions in paragraph ~~5~~ 4 of this subsection. The State Department of Education shall publicly report the aggregate and district specific number of students promoted on their website and shall provide electronic copies of the report to the Governor, Secretary of Education, President Pro Tempore of the Senate, Speaker of the House of Representatives, and to the respective chairs of the committees with responsibility for common education policy in each legislative chamber.

~~8-~~ 7. Nothing shall prevent a school district from applying the principles of paragraphs ~~4~~ 3 and ~~5~~ 4 of this subsection in grades kindergarten through second grade.

8. To determine the promotion and retention of third-grade students pursuant to the Reading Sufficiency Act, the State Board of Education shall use only the reading comprehension and vocabulary scores portion of the statewide third-grade criterion-referenced

test and shall not use the other language arts scores portions of the test.

I. The parent of any student who is found to have a reading deficiency and is not reading at the appropriate grade level and has been provided a program of reading instruction as provided for in subsection B of this section shall be notified in writing of the following:

1. That the student has been identified as having a substantial deficiency in reading;

2. A description of the current services that are provided to the student pursuant to a conjoint measurement model such that a reader and a text are placed on the same scale;

3. A description of the proposed supplemental instructional services and supports that will be provided to the student that are designed to remediate the identified area of reading deficiency;

4. That the student will not be promoted to the fourth grade if the reading deficiency is not remediated by the end of the third grade, unless the student is otherwise promoted as provided for in subsection H of this section or is exempt for good cause as set forth in subsection K of this section;

5. Strategies for parents to use in helping their child succeed in reading proficiency;

6. The grade-level performance scores of the student;

7. That while the results of the statewide criterion-referenced tests administered pursuant to Section 1210.508 of this title are the initial determinant, they are not the sole determiner of promotion and that portfolio reviews and assessments are available; and

~~7-~~ 8. The specific criteria and policies of the school district for midyear promotion implemented as provided for in paragraph 4 of subsection N of this section.

J. No student may be assigned to a grade level based solely on age or other factors that constitute social promotion.

K. For those students who do not meet the academic requirements for promotion and who are not otherwise promoted as provided for in subsection H of this section, a school district may promote the student for good cause only. Good-cause exemptions for promotion shall be limited to the following:

1. Limited-English-proficient students who have had less than two (2) years of instruction in an English language learner program;

2. Students with disabilities whose individualized education program (IEP), consistent with state law, indicates that the student is to be assessed with alternate achievement standards through the Oklahoma Alternate Assessment Program (OAAP);

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment approved by the State Board of Education;

4. Students who demonstrate, through a student portfolio, that the student is reading on grade level as evidenced by demonstration of mastery of the state standards beyond the retention level;

5. Students with disabilities who participate in the statewide criterion-referenced tests and who have an individualized education program that reflects that the student has received intensive remediation in reading for more than two (2) years but still demonstrates a deficiency in reading and was previously retained in prekindergarten for academic reasons, kindergarten, first grade, second grade, or third grade;

6. Students who have received intensive remediation in reading through a program of reading instruction for two (2) or more years but still demonstrate a deficiency in reading and who were previously retained in prekindergarten for academic reasons, kindergarten, first grade, second grade, or third grade for a total of two (2) years; and

7. Students who have been granted an exemption for medical emergencies by the State Department of Education.

L. A student who is otherwise promoted as provided for in subsection H of this section or is promoted for good cause as provided for in subsection K of this section shall be provided intensive reading instruction during an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The school district shall assist schools and teachers to implement reading strategies for the promoted students that research has shown to be successful in improving reading among low-performing readers.

M. Requests to exempt students from the retention requirements based on one of the good-cause exemptions as described in subsection K of this section shall be made using the following process:

1. Documentation submitted from the teacher of the student to the school principal that indicates the student meets one of the good-cause exemptions and promotion of the student is appropriate. In order to minimize paperwork requirements, the documentation shall consist only of the alternative assessment results or student portfolio work and the individual education plan (IEP), as applicable;

2. The principal of the school shall review and discuss the documentation with the teacher and, if applicable, the other members of the team as described in subsection H of this section. If the principal determines that the student meets one of the good-cause exemptions and should be promoted based on the documentation provided, the principal shall make a recommendation in writing to the school district superintendent; and

3. After review, the school district superintendent shall accept or reject the recommendation of the principal in writing.

N. ~~Beginning with the 2011-2012 school year, each~~ Each school district shall:

1. Conduct a review of the program of reading instruction for all students who score ~~at the unsatisfactory~~ below the proficient level on the reading portion of the statewide criterion-referenced test administered pursuant to Section 1210.508 of this title and did not meet the criteria for one of the good-cause exemptions as set

forth in subsection K of this section. The review shall address additional supports and services, as described in this subsection, needed to remediate the identified areas of reading deficiency. The school district shall require a student portfolio to be completed for each retained student;

2. Provide to students who have been retained as set forth in subsection H of this section with intensive interventions in reading, intensive instructional services and supports to remediate the identified areas of reading deficiency, including a minimum of ninety (90) minutes of daily, uninterrupted, scientific-research-based reading instruction. Retained students shall be provided other strategies prescribed by the school district, which may include, but are not limited to:

- a. small group instruction,
- b. reduced teacher-student ratios,
- c. more frequent progress monitoring,
- d. tutoring or mentoring,
- e. transition classes containing third- and fourth-grade students,
- f. extended school day, week, or year, and
- g. summer reading academies as provided for in Section 1210.508E of this title, if available;

3. Provide written notification to the parent or guardian of any student who is to be retained as set forth in subsection H of this section that the student has not met the proficiency level required for promotion and was not otherwise promoted and the reasons the student is not eligible for a good-cause exemption. The notification shall include a description of proposed interventions and intensive instructional supports that will be provided to the student to remediate the identified areas of reading deficiency;

4. Implement a policy for the midyear promotion of a retained student who can demonstrate that the student is a successful and

independent reader, is reading at or above grade level, and is ready to be promoted to the fourth grade. Tools that school districts may use in reevaluating any retained student may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Retained students may only be promoted midyear prior to November 1 and only upon demonstrating a level of proficiency required to score ~~above the unsatisfactory~~ at the proficient level on the statewide third-grade criterion-referenced test, or upon demonstrating proficiency in reading at the third-grade level through a screening instrument administered pursuant to subsection B of this section, and upon showing progress sufficient to master appropriate fourth-grade-level skills, as determined by the school. A midyear promotion shall be made only upon agreement of the parent or guardian of the student and the school principal;

5. Provide students who are retained with a high-performing teacher who can address the needs of the student, based on student performance data and above-satisfactory performance appraisals; and

6. In addition to required reading enhancement and acceleration strategies, provide students who are retained with at least one of the following instructional options:

- a. supplemental tutoring in scientific-research-based reading services in addition to the regular reading block, including tutoring before or after school,
- b. a parent-guided "Read at Home" assistance plan, as developed by the State Department of Education, the purpose of which is to encourage regular parent-guided home reading, or
- c. a mentor or tutor with specialized reading training.

0. Beginning with the 2011-2012 school year, each school district shall establish a Reading Enhancement and Acceleration Development (READ) Initiative. The focus of the READ Initiative shall be to prevent the retention of third-grade students by offering intensive accelerated reading instruction to third-grade students who failed to meet standards for promotion to fourth grade

and to kindergarten through third-grade students who are exhibiting a reading deficiency. The READ Initiative shall:

1. Be provided to all kindergarten through third-grade students at risk of retention as identified by the assessments administered pursuant to the Reading Sufficiency Act. The assessment used shall measure phonemic awareness, phonics, fluency, vocabulary, and comprehension;

2. Be provided during regular school hours in addition to the regular reading instruction; and

3. Provide a state-approved reading curriculum that, at a minimum, meets the following specifications:

- a. assists students assessed as exhibiting a reading deficiency in developing the ability to read at grade level,
- b. provides skill development in phonemic awareness, phonics, fluency, vocabulary, and comprehension,
- c. provides a scientific-research-based and reliable assessment,
- d. provides initial and ongoing analysis of the reading progress of each student,
- e. is implemented during regular school hours,
- f. provides a curriculum in core academic subjects to assist the student in maintaining or meeting proficiency levels for the appropriate grade in all academic subjects,
- g. establishes at each school, where applicable, an Intensive Acceleration Class for retained third-grade students who subsequently score at the unsatisfactory below the proficient level on the reading portion of the statewide criterion-referenced tests. The focus of the Intensive Acceleration Class shall be to increase the reading level of a child at least two

grade levels in one (1) school year. The Intensive Acceleration Class shall:

- (1) be provided to any student in the third grade who scores ~~at the unsatisfactory~~ below the proficient level on the reading portion of the statewide criterion-referenced tests and who was retained in the third grade the prior year because of scoring ~~at the unsatisfactory~~ below the proficient level on the reading portion of the statewide criterion-referenced tests,
  - (2) have a reduced teacher-student ratio,
  - (3) provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the fourth-grade state standards in other core subject areas,
  - (4) use a reading program that is scientific-research-based and has proven results in accelerating student reading achievement within the same school year,
  - (5) provide intensive language and vocabulary instruction using a scientific-research-based program, including use of a speech-language therapist,
  - (6) include weekly progress monitoring measures to ensure progress is being made, and
  - (7) provide reports to the State Department of Education, in the manner described by the Department, outlining the progress of students in the class at the end of the first semester,
- h. provide reports to the State Board of Education, upon request, on the specific intensive reading interventions and supports implemented by the school district. The State Superintendent of Public

Instruction shall annually prescribe the required components of the reports, and

- i. provide to a student who has been retained in the third grade and has received intensive instructional services but is still not ready for grade promotion, as determined by the school district, the option of being placed in a transitional instructional setting. A transitional setting shall specifically be designed to produce learning gains sufficient to meet fourth-grade performance standards while continuing to remediate the areas of reading deficiency.

P. In addition to the requirements set forth in this section, each school district board of education shall annually report to the parent or guardian of each student in the district the progress of the student toward achieving state and district expectations for proficiency in reading, writing, science, and mathematics. The school district board of education shall report to the parent or guardian of each student the results on statewide criterion-referenced tests. The evaluation of the progress of each student shall be based upon classroom work, observations, tests, district and state assessments, and other relevant information. Progress reporting shall be provided to the parent or guardian in writing.

Q. 1. Each school district board of education shall annually publish on the school website, and report in writing to the State Board of Education by September 1 of each year, the following information on the prior school year:

- a. the provisions of this section relating to public school student progression and the policies and procedures of the school district on student retention and promotion,
- b. by grade, the number and percentage of all students in grades three through ten performing ~~at the~~ unsatisfactory below the proficient level on the reading portion of the statewide criterion-referenced tests,

- c. by grade, the number and percentage of all students retained in grades three through ten,
- d. information on the total number and percentage of students who were promoted for good cause, by each category of good cause as specified above, and
- e. any revisions to the policies of the school district on student retention and promotion from the prior year.

2. The State Department of Education shall establish a uniform format for school districts to report the information required in this subsection. The format shall be developed with input from school districts and shall be provided not later than ninety (90) days prior to the annual due date. The Department shall annually compile the information required, along with state-level summary information, and report the information to the public, the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

R. The State Department of Education shall provide technical assistance as needed to aid school districts in administering the provision of the Reading Sufficiency Act.

S. On or before December 1 of each year, the State Department of Education shall issue to the Governor and members of the Senate and House of Representatives Education Committees a Reading Report Card for the state and each school district and elementary site which shall include, but is not limited to, trend data detailing three (3) years of data, disaggregated by student subgroups to include economically disadvantaged, major racial or ethnic groups, students with disabilities, and English language learners, as appropriate for the following:

1. The number and percentage of students in kindergarten through third grade determined to be at risk for reading difficulties compared to the total number of students enrolled in each grade;

2. The number and percentage of students in kindergarten who continue to be at risk for reading difficulties as determined by the year-end measurement of reading progress;

3. The number and percentage of students in kindergarten through third grade who have successfully completed their program of reading instruction and are reading on grade level as determined by the results of approved reading assessments;

4. The number and percentage of students scoring at each performance level on the reading portion of the statewide third-grade criterion-referenced test;

5. The amount of funds for reading remediation received by each district;

6. An evaluation and narrative interpretation of the report data analyzing the impact of the Reading Sufficiency Act on students' ability to read at grade level; and

7. Any recommendations for improvements or amendments to the Reading Sufficiency Act.

The State Department of Education may contract with an independent entity for the reporting and analysis requirements of this subsection.

T. Copies of the results of the assessments administered shall be made a part of the permanent record of each student.

SECTION 2. This act shall become effective July 1, 2015.

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

Passed the Senate the 22nd day of May, 2015.

Matthew Dahm  
Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of May, 2015.

Jason Nesbitt  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 22<sup>nd</sup>

day of May, 20 15, at 8:08 o'clock P M.

By: Audrey Lockwell

Approved by the Governor of the State of Oklahoma this 3<sup>rd</sup>

day of June, 20 15, at 3:16 o'clock P M.

Mary Fallin  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 3<sup>rd</sup>

day of June, 20 15, at 4:05 o'clock P. M.

By: Christ Benz