

An Act

ENROLLED SENATE
BILL NO. 1769

By: Paddack of the Senate

and

Coody and Shumate of the
House

An Act relating to schools; amending 70 O.S. 2001, Sections 1210.508D, as amended by Section 21, Chapter 242, O.S.L. 2005 and 1210.508E, as last amended by Section 2, Chapter 146, O.S.L. 2006 (70 O.S. Supp. 2007, Sections 1210.508D and 1210.508E), which relate to reading remediation programs; allocating base amount of money to certain school districts for summer reading remediation programs; providing that certain students shall be eligible to participate in summer remediation programs; providing funds for student remediation contingent on funding; specifying criteria for funding amounts; directing State Department of Education to disburse certain funds by certain deadline; specifying funding amounts to be based on certain test results; establishing process for reimbursement for administration of certain alternative assessments; stating purpose for remediation; authorizing certain means of providing remediation; requiring certain report by districts; directing State Board of Education to promulgate rules; directing State Department of Education to conduct survey to determine ability of districts to comply with certain law; requiring report by certain deadline; establishing the Oklahoma Health Care Workers and Educators Assistance Program; stating purpose and priority for assistance; stating eligibility for program and awards; providing for administration of program; authorizing Health Care Workforce Resources Board to enter into certain

agreement; making implementation contingent on availability of funds; providing for codification; providing for noncodification; 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. 2001, Section 1210.508D, as amended by Section 21, Chapter 242, O.S.L. 2005 (70 O.S. Supp. 2007, Section 1210.508D), is amended to read as follows:

Section 1210.508D A. Contingent on the provision of appropriated funds designated for the Reading Sufficiency Act, school districts may be reimbursed in the amount of up to One Hundred Fifty Dollars (\$150.00) for each enrolled first-, second- and third-grade student of the current school year who is found to be in need of remediation in reading. The reimbursement shall be for expenses incurred in reading assessment and remediation at those grade levels pursuant to the provisions of the Reading Sufficiency Act. School districts may be reimbursed up to Four Hundred Dollars (\$400.00) for each student completing the third grade who is found not to be reading at the third-grade level and who subsequently participates in a summer reading remediation program. A school district which has ten or fewer students participating in a summer reading remediation program may be allocated a base amount of One Thousand Five Hundred Dollars (\$1,500.00) for the program which shall be in addition to the per-student reimbursement amount provided for in this subsection. The State Board of Education shall promulgate rules for such a course that specify at least four (4) weeks of tutoring a half (1/2) day each day. The summer reading remediation programs shall be taught by teachers who have successfully completed a professional development institute in reading administered by the Oklahoma Commission for Teacher Preparation or a scientifically-based reading professional development program administered by the State Board of Education.

B. In order to be reimbursed, school districts shall file a claim with the State Department of Education at the end of each school semester or prior to the end of the fiscal year in which the

remediation is provided. Claims from summer remediation provided in July or August shall be filed with the first semester claim of the subsequent school year. Claims shall be reimbursed in a timely manner. The State Board of Education shall promulgate rules for the administration of reimbursements.

C. If a teacher attends and completes a professional development institute in elementary reading approved by the Oklahoma Commission for Teacher Preparation during the summer or when school is not in session, the teacher shall receive a stipend equal to the amount of the cost for a substitute teacher, based on the amount of funds allocated.

SECTION 2. AMENDATORY 70 O.S. 2001, Section 1210.508E, as last amended by Section 2, Chapter 146, O.S.L. 2006 (70 O.S. Supp. 2007, Section 1210.508E), is amended to read as follows:

Section 1210.508E A. If a teacher determines that a third-grade student is not reading at grade level by the end of the second quarter of the school year, the parent or guardian of the student shall be notified of:

1. The reading level of the student;
2. The program of reading instruction for the student as required pursuant to the Reading Sufficiency Act; and
3. The potential need for the student to participate in a summer academy or other program designed to assist the student in attaining grade-level reading skills.

B. A teacher who determines a third-grade student is unable to meet competencies required for reading for completion of third grade and promotion to fourth grade, may have the authority, after consultation with the parent or guardian of the student, to recommend that the promotion of the student to the fourth grade is contingent upon the participation in and successful completion of the required competencies for reading by the student at a summer academy or other program. If the student does not successfully complete the competencies in the summer academy or other program, the student may be retained in the third grade.

C. Summer academy programs shall be designed to ensure that participating students successfully complete the competencies necessary in reading for promotion to fourth grade and to enhance next-grade readiness. A summer academy reading program shall be a program that incorporates the content of a scientifically research based professional development program administered by the Oklahoma Commission for Teacher Preparation or a scientifically based reading program administered by the State Board of Education and is taught by teachers who have successfully completed professional development in the reading program or who are certified as reading specialists.

D. School districts may approve an option for students who are unable to attend a summer academy. The optional program may include, but is not limited to, an approved private provider of instruction, approved computer- or Internet-based instruction, or an approved program of reading instruction monitored by the parent or guardian. School districts shall not be required to pay for the optional program, but shall clearly communicate to the parent or guardian the expectations of the program and any costs that may be involved.

E. Subject to the availability of funds, beginning one (1) year after implementation of this section, the requirements of subsection B of this section shall be expanded to apply to fourth-grade student promotion to fifth grade. Each year thereafter, the requirements shall be expanded by one grade level until the requirements apply to third-grade students through eighth-grade students. Summer academy programs shall be designed for each grade level. Nothing in this section shall prevent the State Board of Education or a school district board of education from utilizing private, local, or federal funds to implement this section.

F. The provisions of this section shall not apply to:

1. Students who have individualized education programs pursuant to the Individuals with Disabilities Education Act (IDEA) and who satisfy the annual goals of the individualized education program for that student; and

2. Students who are English language learners who have been determined not to be proficient in English as defined by a state-designated English proficiency assessment. A third-grade student

who is an English language learner and is found not to be reading at the third-grade level shall be eligible to participate in a summer reading remediation program.

G. The State Board of Education shall adopt rules to implement the provisions of this section which shall include requirements for instructional time for summer school programs, teacher qualifications, and evaluation of student achievement as a result of summer academy programs or other optional programs.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.526 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Contingent on the provision of appropriated funds designated for the Achieving Classroom Excellence Act of 2005, school districts shall be eligible for funding as follows:

1. A maximum of Two Hundred Forty Dollars (\$240.00) for remediation for each subject-specific test by a student that resulted in a score at the unsatisfactory level and for which the student has been found to be in need of remediation pursuant to Sections 1210.522 and 1210.523 of Title 70 of the Oklahoma Statutes;

2. A maximum of One Hundred Eighty Dollars (\$180.00) for remediation for each subject-specific test by a student that resulted in a score at the limited knowledge level and for which the student has been found to be in need of remediation pursuant to Sections 1210.522 and 1210.523 of Title 70 of the Oklahoma Statutes;

3. Funds for remediation as provided for in paragraphs 1 and 2 of this subsection shall be disbursed by the State Department of Education by September 1 of each year and shall be based on the most recent test results available from the previous school year or summer test administration; and

4. Claims for reimbursement for costs associated with administration of alternative assessments as required by Section 1210.523 of Title 70 of the Oklahoma Statutes shall be filed with the State Department of Education at the end of each school semester or prior to the end of the fiscal year in which the alternative assessment is provided. Claims from summer alternative assessment

administration provided in July or August shall be filed with the first semester claim of the subsequent school year. Claims shall be reimbursed in a timely manner.

B. Remediation provided pursuant to this section by school districts shall be for the purpose of assisting students in performing at least at the satisfactory level on the applicable criterion-referenced tests in reading and mathematics at the eighth-grade level, or the applicable end-of-instruction tests as required in Section 1210.523 of Title 70 of the Oklahoma Statutes, or an alternative assessment if eligible. Remediation may be provided by means which may include, but are not limited to, tutoring, additional help during the school day, extended-day programs, Saturday programs, summer programs, online coursework, or other supplementary services.

C. School districts shall report on their use of funds for remediation as provided for in this section to the State Board of Education in a manner prescribed by the Board.

D. The State Board of Education shall promulgate rules to implement the provisions of this section.

SECTION 4. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The State Department of Education shall conduct a survey of the public school districts to determine the ability of districts to comply with the provisions of Section 1210.508 of Title 70 of the Oklahoma Statutes that require districts to administer the criterion-referenced tests at eighth grade and the end-of-instruction tests at the secondary level online and within the limitations of the testing window dates established by the State Board of Education.

The State Department of Education shall submit a report to the Legislature and Governor by December 1, 2008, on the results of the survey, identification of the challenges confronting districts, and recommended solutions that will provide districts with the ability to comply with the law.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2640 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. There is hereby established the Oklahoma Health Care Workers and Educators Assistance Program. The purpose of the program shall be to encourage persons to enter nursing and allied health careers within this state. Priority in awarding assistance is intended to go toward those career fields in which there is an urgent need for qualified employees to provide health care services or in career fields in which a shortage of qualified employees is projected to exist in the future.

B. Only students who are residents of this state shall be eligible to participate in the Oklahoma Health Care Workers and Educators Assistance Program.

C. Only students of accredited or recognized health care programs or colleges and universities shall be eligible for awards from the Oklahoma Health Care Workers and Educators Assistance Program.

D. The Oklahoma Health Care Workers and Educators Assistance Program shall be administered by the Health Care Workforce Resources Board. The Board is authorized to enter into an agreement with the Oklahoma State Regents for Higher Education for fiscal services as may be necessary to implement the provisions of this section.

E. The Health Care Workforce Resources Board shall implement the provisions of this section in the most balanced, efficient, and effective means necessary to meet the following priorities:

1. Create additional nursing or allied health faculty by providing scholarships to cover individuals' costs of gaining the advanced degrees necessary to serve as faculty members in nursing and allied health education programs;

2. Expand and modernize learning environments by providing matching grants to nursing and allied health education institutions to increase the number of clinical opportunities, and to better utilize online and distance learning, simulations, and other innovative methods to provide education and training; and

3. Attract more students in nursing and allied health careers by providing scholarships to cover individuals' costs of gaining degrees or certifications necessary to prepare them for nursing and allied health occupations.

F. The Board shall make an annual public declaration of which nursing and allied health care education fields have been identified for priority funding due to either an urgent need for qualified employees or due to a determination of a future shortage of qualified employees.

G. Implementation of the provisions of this section shall be contingent on funds made available through the State Regents for Higher Education.

SECTION 6. This act shall become effective July 1, 2008.


SECTION 7. 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 20th day of May, 2008.



Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of May, 2008.



Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 23rd
day of May, 2008,
at 9:50 o'clock P M.

By: [Signature]

Approved by the Governor of the State of Oklahoma the 3rd day of
June, 2008, at 8:21 o'clock P M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____
5th day of June, 2008,
at 2:35 o'clock P M.

By: [Signature]