

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1764, by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

Senator Brecheen

Senator Sykes

Brecheen-EB-FS-Req#3519
3/11/2014 5:39 PM

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 1764

By: Brecheen of the Senate

and

Thomsen of the House

FLOOR SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2011, Section 11-103.6a, which relates to the review of adopted curriculum; directing the State Board of Education to review and revise certain academic standards by certain date; requiring any revisions be subject to the Administrative Procedures Act; directing certain administrative rules to be amended; deleting obsolete language; directing the State Board of Education to benchmark performance levels under certain reading standard; providing for gradual phase-in of cut scores; requiring notice to districts of certain performance expectations; requiring adopted standards to meet certain rigor and readiness; allowing local school districts to set additional standards; prohibiting federal input in revision of standards; providing for development of assessments; providing for adoption of certain curriculum; providing for adoption of textbooks; prohibiting certain information from being required to meet certain standards; prohibiting state officials and entities from entering into agreements or contracts which cede state control over state educational standards and systems; directing state officials and entities to initiate amendments to certain agreements or contracts; providing exemption from application to certain waivers; exempting private education and home school education from certain provisions; amending 70 O.S. 2011, Section 11-103.6, which relates to diversity of social

1 studies curriculum; deleting certain requirements;
2 directing school districts to adopt curricula and
3 instructional materials; providing for formation of
4 certain curriculum review committee; providing for
5 membership; providing for public comment; providing
6 for posting and written comments; providing for open
7 meetings; requiring school districts to provide
8 certain information to students' parents and/or
9 guardians upon enrollment; providing for a testing,
10 curriculum and supplemental resources disclosure
11 statement to provide certain information to a parent
12 or guardian; deleting legislative intent; and
13 providing an effective date.

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

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

Section 11-103.6a. A. ~~Each~~ Standards for each area of subject
matter ~~curriculum, except for technology curriculum, adopted by the~~
~~State Board of Education for implementation by the beginning of the~~
~~2003-04 school year~~ shall be thoroughly reviewed by the State Board
every six (6) years according to and in coordination with the
existing subject area textbook adoption cycle, ~~and the.~~
Additionally, prior to December 1, 2014, the State Board of
Education shall review and revise the academic standards in English
language arts and mathematics to be consistent with this section.
The State Board shall implement any revisions in such ~~curriculum~~
standards deemed necessary to achieve further improvements in the
quality of education for the students of this state. Any revisions

1 shall be subject to the Oklahoma Administrative Procedures Act. Any
2 administrative rule in existence on the effective date of this act,
3 including but not limited to 210:15-4-3 of the Oklahoma
4 Administrative Code, that conflicts with the requirements of this
5 section shall be amended to comply with such requirements or
6 repealed.

7 ~~B. By August 1, 2010, the State Board of Education shall adopt~~
8 ~~revisions to the subject matter curriculum adopted by the State~~
9 ~~Board for English Language Arts and Mathematics as is necessary to~~
10 ~~align the curriculum with the K-12 Common Core State Standards~~
11 ~~developed by the Common Core State Standards Initiative, an effort~~
12 ~~coordinated by the National Governors Association Center for Best~~
13 ~~Practices and the Council of Chief State School Officers. The~~
14 ~~revised curriculum shall reflect the K-12 Common Core State~~
15 ~~Standards in their entirety and may include additional standards as~~
16 ~~long as the amount of additional standards is not more than fifteen~~
17 ~~percent (15%) of the K-12 Common Core State Standards~~ Commencing
18 with the 2013-14 school year benchmarks for proficient and limited
19 knowledge in the reading standard applied pursuant to the Reading
20 Sufficiency Act, and upon every review and modification of the
21 standards, the State Board of Education shall benchmark performance
22 levels under any new standards to judge college and/or career ready
23 performance levels. In the event an increase in the standards
24 results in a significant decrease in performance, the State Board of

1 Education may adopt a plan to gradually phase in the higher cut
2 scores over a period of not more than three (3) years. Should such
3 a plan be approved, the State Board shall provide notice to each
4 school district as to the expectations of performance prior to each
5 subsequent academic year according to the plans approved by the
6 State Board of Education.

7 C. The standards adopted by the State Board of Education shall
8 meet the high rigor of college and/or career readiness. Nothing
9 herein shall preclude a local school district from setting
10 additional standards which increase the rigor and preparedness of
11 students, provided:

12 1. The regular revision of standards as prescribed in
13 subsection A of this section shall not have input in the formulation
14 by the federal government;

15 2. The regular revision of standards shall expect students to
16 meet the rigor of increasing expectations of a college and/or career
17 prepared student;

18 3. Standards and assessments of student performance under those
19 standards shall be approved and controlled solely by the State Board
20 and shall not be created or modified by the federal government. The
21 assessments shall be developed with input by Oklahomans, including
22 but not limited to educators from common education, higher
23 education, career and technology education; parents; and leaders
24 from the business community. The Board of Education shall maintain

1 the independence of all subject matter standards and student
2 assessments in the state by rejecting any efforts to have Oklahoma's
3 standards subject to federal, national or standardized controls in
4 violation of this section;

5 4. Local school districts shall be solely responsible for
6 adopting a curriculum of its own choosing to teach the standards,
7 provided that nothing shall prevent the state from providing
8 curricular resources as models and examples in training and/or
9 professional development;

10 5. Local school districts shall be solely responsible for
11 adopting textbooks after approval pursuant to Section 16-101 et seq.
12 of this title; and

13 6. No personal or private information shall be required in
14 order to successfully meet the educational standards of the state,
15 and the standards shall comport with the Student Data Accessibility,
16 Transparency and Accountability Act and the Federal Education Rights
17 and Privacy Act.

18 D. No provision of this section shall apply to private
19 education, including home schools and/or home school cooperatives.

20 E. No official, employee, agency or board of the state shall
21 enter into any agreement, memorandum of understanding or contract
22 with any federal agency or private entity which in any way cedes or
23 limits state discretion or control over the development, adoption,
24 or revision of subject matter standards and student assessments in

1 the public school system, including but not limited to agreements,
2 memoranda of understanding or contracts in exchange for funding for
3 public schools and programs. Any official, employee, agency or
4 board of the state that is a party to such an agreement, memorandum
5 of understanding or contract on the effective date of this act shall
6 initiate necessary efforts to amend the agreement, memorandum of
7 understanding or contract to comply with the requirements of this
8 section. Nothing in this section shall be construed to apply to any
9 waiver from federal law, regulations, oversight or control.

10 SECTION 2. AMENDATORY 70 O.S. 2011, Section 11-103.6b,
11 is amended to read as follows:

12 Section 11-103.6b. A. ~~The State Board of Education shall adopt~~
13 ~~a social studies core curriculum with courses of instruction for all~~
14 ~~students enrolled in the public schools that reflect the racial,~~
15 ~~ethnic, religious, and cultural diversity of the United States of~~
16 ~~America. The United States history and Oklahoma history components~~
17 ~~required in the social studies curriculum for all students shall~~
18 ~~include, but not be limited to, African Americans, Native Americans,~~
19 ~~and Hispanic Americans~~ Every school district shall adopt curricula
20 and instructional materials once they have completed:

21 1. Forming a committee of community members to review all
22 curricula and materials and make recommendations to the
23 superintendent and school district board of education as to the
24 appropriate selection of materials. The committee shall include no

1 fewer than six (6) teachers, six (6) education leaders, six (6)
2 parents of school-age children currently enrolled in the school
3 district and six (6) community members. The district superintendent
4 shall appoint committee members after conducting a process that
5 allows potential interested members to apply to serve on the
6 committee;

7 2. Allowing for public comment by allowing all recommendations
8 for curricula and instructional materials changes to be posted on
9 the district website for sixty (60) days and physically available at
10 school libraries for inspection. During the sixty-day period,
11 parents and community members may submit written comments; and

12 3. Conducting at least two (2) open meetings during which the
13 curricula and materials will be presented by districts and schools,
14 and parents and community members may ask questions and comment in
15 an open forum.

16 ~~B. The State Textbook Committee, when adopting textbooks, shall~~
17 ~~incorporate the provisions of subsection A of this section into the~~
18 ~~criteria used to evaluate United States history and Oklahoma history~~
19 ~~textbooks. Any United States history or Oklahoma history textbook~~
20 ~~on the state adopted textbook list shall conform to the purposes of~~
21 ~~this act. The State Textbook Committee shall ensure that all social~~
22 ~~studies textbooks and supplementary materials selected to be~~
23 ~~purchased with state funds for use in Oklahoma classrooms reflect~~

1 ~~the racial, ethnic, religious, and cultural diversity of the United~~
2 ~~States.~~

3 ~~C. It is the intent of the Legislature that a portion of the~~
4 ~~state funds appropriated for professional development in local~~
5 ~~school districts be used for workshops, seminars, guest lecturers,~~
6 ~~and other methods which further the purposes of this act.~~

7 The school district shall provide at the time of enrollment the
8 following information to the parent(s) and/or legal guardian(s) of
9 every student enrolled in the district:

10 1. A statement of parental rights and responsibility that
11 includes information that discloses their right to:

12 a. direct the education of the child, including but not
13 limited to participation in an intra-district transfer
14 program, participation in any educational choice
15 program, including but not limited to the Lindsey
16 Nicole Henry Scholarship for Students with
17 Disabilities Program, and the right to home school a
18 child,

19 b. participate in parental partnership programs which
20 work with the school in supportive roles other than
21 issue advocacy, including but not limited to
22 fundraising, mentorship, tutoring, child safety and
23 volunteer opportunities,

- 1 c. the name of the person(s) responsible at the school
2 and/or district for the selection of textbooks and/or
3 any curriculum along with work telephone and
4 electronic mail contact information of those persons,
5 d. the name of the child's principal classroom teacher(s)
6 along with work telephone and electronic mail contact
7 information of those persons,
8 e. the means by which a parent may make known their
9 desire to participate in the district, including the
10 names, addresses and electronic mail addresses of the
11 school district board of education members, the
12 scheduled meeting dates for the upcoming school year
13 and the regular location and routine time of the
14 meetings,
15 f. request and arrange a time to examine textbooks,
16 lesson plans, curriculum and supplemental materials
17 used in their child's classroom,
18 g. request a time to visit the school and observe their
19 child's classes,
20 h. meet with teachers, as well as consult with other
21 professionals interacting with their children at the
22 school, including counselors, coaches, administrators,
23 etc.,
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- i. inspect their child's school records, including academic, counseling and health information,
- j. be notified when medical services are being offered to their child,
- k. be notified if the school is aware that their child has been bullied or has been accused of bullying,
- l. be notified if a criminal action is deemed to have been committed against their child,
- m. be notified if their child is accused of a criminal action or an infraction that warrants a significant form of school punishment, such as detention,
- n. be notified if a member of the faculty has been charged and/or convicted of a crime that falls with the requirement that eighty five percent (85%) of their sentence be served;
- o. expect and request an educational environment that respects their family's and their child's religious freedoms,
- p. be informed of and have the right to appeal school policies and administrative decisions,
- q. receive written notice and the option to opt their child out of surveys that include invasive questions about students' sexual experiences or attractions, their families' beliefs, morality, religion, political

1 affiliations or mental and psychological problems of
2 the student or family members,

3 r. request a change in class or teacher assignment for
4 their child,

5 s. file a request for information under the Freedom of
6 Information Act,

7 t. be notified if their child is absent from school or
8 classes, and

9 u. be notified if the school has a "safe room" approved
10 by the Federal Emergency Management Agency guidelines
11 for safety that may be used for emergency purposes.

12 2. A testing, curriculum and supplemental resources disclosure
13 statement that discloses to the parent and/or guardian:

14 a. a full listing of the dates and tests required by the
15 state of Oklahoma for student testing,

16 b. a full listing of the tests selected by the local
17 district and/or school site for student testing,

18 c. a full listing of the approved textbooks and/or
19 curricula that will be utilized in that student's
20 education throughout the year along with any Internet-
21 based materials and Uniform Resource Locator (URL),

22 d. a full listing of the supplemental reading materials,
23 including but not limited to books, magazines,
24 resource materials and web-related content which are

1 intended to be used by the classroom teacher(s) in
2 classes in which the student is enrolled,
3 e. a method by which a parent may review any materials
4 that will be used in the child's education, and
5 f. the method by which a parent may request to
6 participate in the local curriculum review committee
7 referenced in subsection A of this section.

8 SECTION 3. This act shall become effective in accordance with
9 the provisions of Section 58 of Article V of the Oklahoma
10 Constitution.

12 54-2-3519 EB 3/11/2014 5:39:15 PM