

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1830

By: Johnson

4
5 AS INTRODUCED

6 An Act relating to schools; amending 70 O.S. 2001,
7 Section 24-114.1, which relates to retention of a
8 student in a grade or course; granting teachers the
9 authority to recommend the retention of a student in
10 a grade or not passed in a course; modifying review
11 of the teachers' decision; limiting review by the
board of education; making the teachers' decision
final upon certain findings by the board of
education; providing an effective date; and declaring
an emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2001, Section 24-114.1, is
16 amended to read as follows:

17 Section 24-114.1 A. If a teacher or teachers determine that a
18 student is not able to meet the competencies required for completion
19 of a grade, not able to demonstrate mastery of the academic content
20 standards of a grade or course, not ready for promotion to the next
21 grade, or not able to pass a course, the teacher or teachers shall
22 have the authority to recommend that the student be retained at the
23 present grade level or not passed in a course.

1 ~~Whenever~~ B. If a teacher or teachers recommend that a student
2 be retained at the present grade level or not passed in a course as
3 provided for in subsection A of this section, the parent or
4 guardian, if dissatisfied with the recommendation, may ~~appeal~~
5 request a review of the decision by complying with the district's
6 appeal process the school district board of education. The review
7 by the board of education shall be limited to a review and
8 determination of whether there is a rational and reasonable basis
9 for the decision of the teacher or teachers and if the decision was
10 arbitrary or biased. The decision of the ~~board of education~~ teacher
11 or teachers shall be final, unless the board of education finds that
12 the decision of the teacher or teachers was not rational, was
13 unreasonable, was arbitrary or was biased. The parent may prepare a
14 written statement to be placed in and become a part of the permanent
15 record of the student stating the reason(s) for disagreeing with the
16 decision of the ~~board~~ teacher or teachers.

17 SECTION 2. This act shall become effective July 1, 2009.

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

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23 52-1-6130 AM 01/04/09

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