

1 ENGROSSED HOUSE
2 BILL NO. 2970

By: Thomsen, Sherrer and
McDaniel (Jeannie) of the
House

3
4 and

Brecheen of the Senate

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8 An Act relating schools; amending 70 O.S. 2011,
9 Section 1210.523, which relates to the Achieving
10 Classroom Excellence Act of 2005; requiring the State
11 Board of Education to adopt certain rules; providing
12 for an appeals process for certain students;
13 providing time limits for appeal and Board action;
14 requiring the Board to collect certain data;
15 requiring annual report; and declaring an emergency.

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

17 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.523, is
18 amended to read as follows:

19 Section 1210.523 A. Except as provided in subsections D and E
20 of this section, beginning with students entering the ninth grade in
21 the 2008-2009 school year, every student shall demonstrate mastery
22 of the state academic content standards in the following subject
23 areas in order to graduate from a public high school with a standard
24 diploma:

- 25 1. Algebra I;
- 26 2. English II; and

1 3. Two of the following five:

- 2 a. Algebra II,
- 3 b. Biology I,
- 4 c. English III,
- 5 d. Geometry, and
- 6 e. United States History.

7 B. To demonstrate mastery, the student shall attain at least a
8 proficient score on the end-of-instruction criterion-referenced
9 tests administered pursuant to Section 1210.508 of this title.

10 C. Notwithstanding any other provision of law, students who do
11 not attain at least a proficient score on any end-of-instruction
12 test shall be provided remediation or intervention and the
13 opportunity to retake the test until at least a proficient score is
14 attained on the tests of Algebra I, English II and two of the tests
15 required in paragraph 3 of subsection A of this section or an
16 approved alternative test. Technology center schools shall be
17 authorized to provide intervention and remediation in Algebra I,
18 Algebra II, Geometry, English II, English III, United States
19 History, and Biology I to students enrolled in technology center
20 schools, with the approval of the independent school district board.

21 D. 1. Students who do not meet the requirements of subsection
22 A of this section may graduate from a public high school with a
23 standard diploma by demonstrating mastery of state academic content
24

1 standards by alternative methods as approved by the State Board of
2 Education.

3 2. The State Board of Education shall adopt rules providing for
4 necessary student exceptions and exemptions to the requirements of
5 this section. The Board shall collect data by school site and
6 district on the number of students provided and categories of
7 exceptions and exemptions granted. Beginning October 1, 2012, the
8 Board shall provide an annual report of this data to the Governor,
9 President Pro Tempore of the State Senate and Speaker of the House
10 of Representatives.

11 E. 1. The State Board of Education shall adopt rules
12 establishing an appeal process for students who have been denied a
13 standard diploma by the school district in which the student is or
14 was enrolled for failing to meet the requirements of this section.
15 A student who has been denied a standard diploma by the school
16 district in which the student is enrolled shall have thirty (30)
17 days after denial of the standard diploma in which to file a
18 petition for an appeal to the Board. The Board shall take action on
19 a petition for an appeal no later than forty-five (45) days after
20 receiving the petition.

21 2. The Board shall collect data by school site and school
22 district on the number of students petitioning for an appeal and the
23 number of appeals approved by the Board pursuant to this subsection.
24 Beginning October 1, 2012, the Board shall provide an annual report

1 of this data to the Governor, President Pro Tempore of the State
2 Senate and Speaker of the House of Representatives.

3 F. 1. Students who have individualized education programs
4 pursuant to the Individuals with Disabilities Education Act (IDEA)
5 shall have an appropriate statement on the student's individualized
6 education program requiring administration of the assessment with or
7 without accommodations or an alternate assessment. Any
8 accommodations normally employed for the assessment shall be
9 approved by the State Board of Education and be provided for in the
10 individualized education program. All documentation for each
11 student shall be on file in the school prior to administration of
12 the assessment.

13 2. Students identified as English language learners shall be
14 assessed in a valid and reliable manner with the state academic
15 assessments with acceptable accommodations as necessary or, to the
16 extent practicable, with alternate assessments aligned to the state
17 assessment provided by the school district in the language and form
18 most likely to yield accurate data of the student's knowledge of the
19 content areas.

20 ~~F.~~ G. The State Board of Education shall be authorized to
21 contract with an entity to develop and advise on the implementation
22 of a communications campaign to build public understanding of and
23 support for the testing requirements of this section.

