

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 559

6 By: Ford

7 COMMITTEE SUBSTITUTE

8 An Act relating to state academic content standards;
9 amending 70 O.S. 2011, Section 1210.523, as amended
10 by Section 1, Chapter 96, O.S.L. 2012 (70 O.S. Supp.
11 2012, Section 1210.523), which relates to mastery of
12 state academic content standards and requirements for
13 a high school diploma; allowing certain scores on
14 certain tests to demonstrate mastery; providing for
15 promulgation of rules; providing an effective date;
16 and declaring an emergency.

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

18 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.523, as
19 amended by Section 1, Chapter 96, O.S.L. 2012 (70 O.S. Supp. 2012,
20 Section 1210.523), is amended to read as follows:

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

- 1 1. Algebra I;
- 2 2. English II; and
- 3 3. Two of the following five:
 - 4 a. Algebra II,
 - 5 b. Biology I,
 - 6 c. English III,
 - 7 d. Geometry, and
 - 8 e. United States History.

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

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

23 D. 1. Students who do not meet the requirements of subsection
24 A of this section may graduate from a public high school with a

1 standard diploma by demonstrating mastery of state academic content
2 standards by alternative methods as approved by the State Board of
3 Education.

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

12 3. Students who score ten percent (10%) above the cut scores
13 approved by the State Board of Education for the American College
14 Testing Program (ACT), SAT, ACT Plan or Preliminary SAT/National
15 Merit Scholarship Qualifying Test (PSAT/NMSQT) alternate tests shall
16 be deemed to have satisfactorily demonstrated mastery of state
17 academic content standards in the subject areas for which
18 alternative tests have been approved and shall be exempt from taking
19 the end-of-instruction criterion-referenced tests in the relevant
20 subject areas.

21 4. Students who score the cut scores approved by the State
22 Board of Education for the advanced placement, ACT Workkeys job
23 skills assessment, College-Level Examination Program (CLEP) or
24 International Baccalaureate (IB) alternate tests shall be deemed to

1 have satisfactorily demonstrated mastery of state academic content
2 standards in the subject areas for which alternate tests have been
3 approved and shall be exempt from taking the end-of-instruction
4 criterion-referenced tests in the relevant subject areas.

5 5. The State Board of Education shall adopt rules providing for
6 implementation of paragraphs 3 and 4 of subsection D of this
7 section.

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

18 2. The Board shall collect data by school site and school
19 district on the number of students petitioning for an appeal and the
20 number of appeals approved by the Board pursuant to this subsection.
21 Beginning October 1, 2012, the Board shall provide an annual report
22 of this data to the Governor, President Pro Tempore of the State
23 Senate and Speaker of the House of Representatives.

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

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

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

22 SECTION 2. This act shall become effective July 1, 2013.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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