

1 areas in order to graduate from a public high school with a standard
2 diploma:

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

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

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

1 D. 1. Students who do not meet the requirements of subsection
2 A of this section may graduate from a public high school with a
3 standard diploma by demonstrating mastery of state academic content
4 standards by alternative methods as approved by the State Board of
5 Education.

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

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

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

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

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

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1 G. Students who have been denied a standard diploma by the
2 school district in which the student is or was enrolled for failing
3 to meet the requirements of this section may re-enroll in the school
4 district that denied the student a standard diploma following the
5 denial of a standard diploma. The student shall be provided
6 remediation or intervention and the opportunity to retake the test
7 until at least a proficient score is attained on the test or tests
8 necessary to obtain a standard diploma. Students who re-enroll in
9 the school district to meet the graduation requirements of this
10 section shall be exempt from the hourly instructional requirements
11 of Section 1-111 of this title and the six-period enrollment
12 requirements of Section 11-103.6 of this title.

13 H. The State Board of Education shall be authorized to contract
14 with an entity to develop and advise on the implementation of a
15 communications campaign to build public understanding of and support
16 for the testing requirements of this section.

17 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1210.526, is
18 amended to read as follows:

19 Section 1210.526 A. Contingent on the provision of
20 appropriated funds designated for the Achieving Classroom Excellence
21 Act of 2005, school districts shall be eligible for funding as
22 follows:

23 1. A maximum of Two Hundred Forty Dollars (\$240.00) for
24 remediation or intervention for each subject-specific test by a

1 student that resulted in a score at the unsatisfactory level and for
2 which the student has been found to be in need of remediation or
3 intervention pursuant to Sections 1210.522 and 1210.523 of ~~Title 70~~
4 ~~of the Oklahoma Statutes~~ this title;

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

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

16 4. Claims for reimbursement for costs associated with
17 administration of alternative assessments as required by Section
18 1210.523 of ~~Title 70 of the Oklahoma Statutes~~ this title shall be
19 filed with the State Department of Education at the end of each
20 school semester or prior to the end of the fiscal year in which the
21 alternative assessment is provided. Claims from summer alternative
22 assessment administration provided in July or August shall be filed
23 with the first semester claim of the subsequent school year. Claims
24 shall be reimbursed in a timely manner.

1 B. Funds for remediation or intervention as provided for in
2 subsection A of this section may be used to provide remediation or
3 intervention to any student in grade 6 through grade 12 or any
4 student under the age of twenty-one (21) who enrolls in a school
5 district pursuant to subsection G of Section 1210.523 of this title
6 in order to meet the graduation requirements of Section 1210.523 of
7 this title who has been determined to be in need of remediation or
8 intervention, including but not limited to those students who have
9 scored at the unsatisfactory or limited knowledge level.

10 C. Remediation and intervention provided pursuant to this
11 section by school districts shall be for the purpose of assisting
12 students in performing at least at the satisfactory level on the
13 applicable criterion-referenced tests in reading and mathematics at
14 the eighth-grade level, or the applicable end-of-instruction tests
15 as required in Section 1210.523 of ~~Title 70 of the Oklahoma Statutes~~
16 this title, or an alternative assessment if eligible. Remediation
17 and intervention may be provided by means which may include, but are
18 not limited to, tutoring, additional help during the school day,
19 extended-day programs, Saturday programs, summer programs, online
20 coursework, or other supplementary services which are provided on an
21 individual basis or in a classroom setting.

22 D. State Aid funding for students enrolling in a school
23 district pursuant to subsection G of Section 1210.523 of this title
24 shall be calculated based upon the percentage of the total school

1 day in which the student is enrolled multiplied by the appropriate
2 grade level weight pursuant to Section 18-201.1 of this title. Only
3 enrollment in courses or periods necessary to meet the graduation
4 requirements of Section 1210.523 of this title and not elective
5 courses or periods shall be included in the calculation of State Aid
6 funding.

7 E. School districts shall report on their use of funds for
8 remediation and intervention as provided for in this section to the
9 State Board of Education in a manner prescribed by the Board.

10 ~~E.~~ F. The State Board of Education shall promulgate rules to
11 implement the provisions of this section.

12 SECTION 3. This act shall become effective July 1, 2013.

13 SECTION 4. It being immediately necessary for the preservation
14 of the public peace, health and safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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18 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
19 04/01/2013 - DO PASS, As Amended and Coauthored.

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