

1 **SENATE FLOOR VERSION**

2 February 25, 2013

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 559

By: Ford of the Senate

and

Casey of the House

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

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

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

22 Section 1210.523. A. Except as provided in subsections D and E
23 of this section, beginning with students entering the ninth grade in
24 the 2008-2009 school year, every student shall demonstrate mastery
of the state academic content standards in the following subject

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

23 4. Students who score the cut scores approved by the State
24 Board of Education for the advanced placement, ACT Workkeys job

1 skills assessment, College-Level Examination Program (CLEP) or
2 International Baccalaureate (IB) alternate tests shall be deemed to
3 have satisfactorily demonstrated mastery of state academic content
4 standards in the subject areas for which alternate tests have been
5 approved and shall be exempt from taking the end-of-instruction
6 criterion-referenced tests in the relevant subject areas.

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

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

20 2. The Board shall collect data by school site and school
21 district on the number of students petitioning for an appeal and the
22 number of appeals approved by the Board pursuant to this subsection.
23 Beginning October 1, 2012, the Board shall provide an annual report
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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 G. The State Board of Education shall be authorized to contract
21 with an entity to develop and advise on the implementation of a
22 communications campaign to build public understanding of and support
23 for the testing requirements of this section.

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

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

5 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
6 February 25, 2013 - DO PASS AS AMENDED
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