

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1608

By: McPeak

4
5
6 AS INTRODUCED

7 An Act relating to schools; creating the Local vs.
8 State Act; amending 70 O.S. 2011, Section 1210.523,
9 as amended by Section 1, Chapter 96, O.S.L. 2012 (70
10 O.S. Supp. 2012, Section 1210.523), which relates to
11 the Achieving Classroom Excellence Act of 2005;
12 changing appeal process to the board of education of
13 a school district; providing for noncodification; and
14 declaring an emergency.

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

16 SECTION 1. NEW LAW A new section of law not to be
17 codified in the Oklahoma Statutes reads as follows:

18 This act shall be known and may be cited as the "Local vs. State
19 Act".

20 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1210.523, as
21 amended by Section 1, Chapter 96, O.S.L. 2012 (70 O.S. Supp. 2012,
22 Section 1210.523), is amended to read as follows:

23 Section 1210.523 A. Except as provided in subsections D and E
24 of this section, beginning with students entering the ninth grade in
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 E. 1. ~~The State Board of Education~~ Each board of education of
15 a school district shall adopt ~~rules~~ a policy establishing an appeal
16 process for students who have been denied a standard diploma by the
17 State of Oklahoma or the school district in which the student is or
18 was enrolled for failing to meet the requirements of this section.
19 A student who has been denied a standard diploma by the State of
20 Oklahoma or the school district in which the student is enrolled
21 shall have thirty (30) days after denial of the standard diploma in
22 which to file a petition for an appeal to the ~~Board~~ board of
23 education. The ~~Board~~ board of education shall take action on a
24

1 petition for an appeal no later than ~~forty-five (45)~~ thirty (30)
2 days after receiving the petition.

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

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

20 2. Students identified as English language learners shall be
21 assessed in a valid and reliable manner with the state academic
22 assessments with acceptable accommodations as necessary or, to the
23 extent practicable, with alternate assessments aligned to the state
24 assessment provided by the school district in the language and form

1 most likely to yield accurate data of the student's knowledge of the
2 content areas.

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

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

11

12 54-1-6630 KB 01/16/13

13

14

15

16

17

18

19

20

21

22

23

24