

1 STATE OF OKLAHOMA

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

3 SENATE BILL 251

By: Garrison of the Senate

4 and

5 Hulbert of the House

6
7
8 AS INTRODUCED

9 An Act relating to the Achieving Classroom Excellence
10 Act of 2005; amending 70 O.S. 2011, Section 1210.523,
11 as amended by Section 1, Chapter 96, O.S.L. 2012 (70
12 O.S. Supp. 2012, Section 1210.523), which relates to
13 alternative methods and accommodations for mastery of
14 state academic content standards; allowing reasonable
15 accommodation determinations to be made by
16 superintendents at certain schools; providing an
17 effective date; 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 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, except as otherwise provided for
15 in paragraph 2 of this subsection. All documentation for each
16 student shall be on file in the school prior to administration of
17 the assessment.

18 2. Reasonable accommodation determinations for students who
19 have individualized education programs or who receive services under
20 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C., Section
21 701 et seq., and are enrolled at the Oklahoma School for the Blind
22 or the Oklahoma School for the Deaf shall be made by the
23 superintendent of the applicable school.
24

1 3. Students identified as English language learners shall be
2 assessed in a valid and reliable manner with the state academic
3 assessments with acceptable accommodations as necessary or, to the
4 extent practicable, with alternate assessments aligned to the state
5 assessment provided by the school district in the language and form
6 most likely to yield accurate data of the student's knowledge of the
7 content areas.

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

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

13 SECTION 3. 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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