

1 ENGROSSED SENATE  
2 BILL NO. 251

By: Garrison of the Senate

3 and

4 Hulbert of the House  
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7 An Act relating to the Achieving Classroom Excellence  
8 Act of 2005; 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 mastery of state academic content standards; allowing  
12 certain schools to be considered local education  
13 agencies for certain purpose; providing an effective  
14 date; and declaring an emergency.

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

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

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

1. Algebra I;

2. English II; and

1        3. Two of the following five:

- 2            a. Algebra II,
- 3            b. Biology I,
- 4            c. English III,
- 5            d. Geometry, and
- 6            e. United States History.

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

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

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

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

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

2. The Board shall collect data by school site and school district on the number of students petitioning for an appeal and the number of appeals approved by the Board pursuant to this subsection. Beginning October 1, 2012, the Board shall provide an annual report

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. The Oklahoma School for the Blind and the Oklahoma School  
14 for the Deaf shall be considered local education agencies solely for  
15 the purposes of purchasing, administering and obtaining test results  
16 under this section for the students attending their schools.

17 3. 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.

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

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

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

10 Passed the Senate the 12th day of March, 2013.

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13 Presiding Officer of the Senate

14 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
15 2013.

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18 Presiding Officer of the House  
19 of Representatives  
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