

1 **SENATE FLOOR VERSION**

2 February 25, 2013

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 251

By: Garrison of the Senate

and

Hulbert of the House

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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 mastery of state academic content standards; allowing
14 certain schools to be considered local education
15 agencies for certain purpose; providing an effective
16 date; and declaring an emergency.

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

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

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

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

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

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

23 D. 1. Students who do not meet the requirements of subsection
24 A of this section may graduate from a public high school with a

1 standard diploma by demonstrating mastery of state academic content
2 standards by alternative methods as approved by the State Board of
3 Education.

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

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

22 2. The Board shall collect data by school site and school
23 district on the number of students petitioning for an appeal and the
24 number of appeals approved by the Board pursuant to this subsection.

1 Beginning October 1, 2012, the Board shall provide an annual report
2 of this data to the Governor, President Pro Tempore of the ~~State~~
3 Senate and Speaker of the House of Representatives.

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

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

18 3. Students identified as English language learners shall be
19 assessed in a valid and reliable manner with the state academic
20 assessments with acceptable accommodations as necessary or, to the
21 extent practicable, with alternate assessments aligned to the state
22 assessment provided by the school district in the language and form
23 most likely to yield accurate data of the student's knowledge of the
24 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 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
11 February 25, 2013 - DO PASS AS AMENDED
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