

## COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1187 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Jeff Hickman

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

PROPOSED  
COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 1187

By: Jolley and Loveless of the  
Senate

And

Hickman of the House

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2011, Section 1210.523, as last amended by Section 26, Chapter 4, O.S.L. 2014 (70 O.S. Supp. 2015, Section 1210.523), which relates to mastery of state academic content standards in designated subjects; adding alternative methods for demonstrating mastery of state academic content standards in certain subject areas; modifying certain rule requirements; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.523, as last amended by Section 26, Chapter 4, O.S.L. 2014 (70 O.S. Supp. 2015, Section 1210.523), is amended to read as follows:

Section 1210.523 A. Except as provided in subsections D and E of this section, beginning with students entering the ninth grade in the 2008-2009 school year, every student shall demonstrate mastery

1 of the state academic content standards in the following subject  
2 areas in order to graduate from a public high school with a standard  
3 diploma:

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

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

15 C. Notwithstanding any other provision of law, students who do  
16 not attain at least a proficient score on any end-of-instruction  
17 test shall be provided remediation or intervention and the  
18 opportunity to retake the test until at least a proficient score is  
19 attained on the tests of Algebra I, English II and two of the tests  
20 required in paragraph 3 of subsection A of this section or an  
21 approved alternative test. Technology center schools shall be  
22 authorized to provide intervention and remediation in Algebra I,  
23 Algebra II, Geometry, English II, English III, United States  
24

1 History, and Biology I to students enrolled in technology center  
2 schools, with the approval of the independent school district board.

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

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

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

English III, Geometry or United States History as listed in paragraph 3 of subsection A of this section.

4. Students who have a score that is equal to or above the cut scores approved by the State Board of Education for the Advanced Placement course exams, ACT Workkeys job skills assessment, College-Level Examination Program (CLEP) or International Baccalaureate (IB) alternate tests shall be deemed to have satisfactorily demonstrated mastery of state academic content standards in the subject areas for which alternate tests have been approved and shall be exempt from taking the end-of-instruction criterion-referenced tests in the subject areas of Algebra II, English III, Geometry or United States History as listed in paragraph 3 of subsection A of this section.

5. Students who earn college credits by dual or concurrent enrollment in college or university Composition I and Composition II courses shall be deemed to have satisfactorily demonstrated mastery of state academic content standards in the subject area of English III and shall not be required to take the end-of-instruction criterion-referenced test in that subject area.

6. Students who earn college credits by dual or concurrent enrollment in a college or university Algebra course shall be deemed to have satisfactorily demonstrated mastery of state academic content standards in the subject areas of Algebra II and Geometry and shall not be required to take the end-of-instruction criterion-referenced tests in those subject areas.

1        7. Students who earn college credits by dual or concurrent  
2 enrollment in a college or university Post-Civil War United States  
3 History course shall be deemed to have satisfactorily demonstrated  
4 mastery of state academic content standards in the subject area of  
5 United States History and shall not be required to take the end-of-  
6 instruction criterion-referenced test in that subject area.

7        8. The State Board of Education shall adopt rules providing for  
8 implementation of paragraphs 3 ~~and 4~~ through 7 of this subsection.  
9 The rules shall provide for the designation of students as  
10 proficient or advanced based on the scores or grades obtained  
11 pursuant to paragraphs 3 ~~and 4~~ through 7 of this subsection for the  
12 purposes of calculating the grade of a school as part of the  
13 accountability system developed pursuant to Section 1210.545 of this  
14 title, evaluating teachers and administrators as part of the Teacher  
15 and Leader Effectiveness Evaluation System developed pursuant to  
16 Section 6-101.16 of this title and for any other purpose provided  
17 for by law.

18        E. 1. The State Board of Education shall adopt rules  
19 establishing an appeal process for students who have been denied a  
20 standard diploma by the school district in which the student is or  
21 was enrolled for failing to meet the requirements of this section.  
22 A student who has been denied a standard diploma by the school  
23 district in which the student is enrolled shall have thirty (30)  
24 days after denial of the standard diploma in which to file a

petition for an appeal to the State Board of Education. The State Board of Education shall take action on a petition for an appeal no later than forty-five (45) days after receiving the petition.

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

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

2. Students with disabilities whose individualized education program (IEP) pursuant to the Individuals with Disabilities Education Act (IDEA) indicates that the student is to be assessed with alternate achievement standards through the Oklahoma Alternate

1 Assessment Program (OAAP) may be eligible to graduate from a public  
2 high school with a standard diploma after failing to meet the  
3 requirements of subsection A of this section upon the determination  
4 of the school district that the student meets the following  
5 criteria:

- 6           a. obtains a written recommendation from the student's  
7           teacher of record in consultation with the teacher in  
8           each subject in which the student failed to meet the  
9           requirements of subsection A of this section. The  
10          recommendation shall be supported by the principal and  
11          by documentation demonstrating the acquired knowledge  
12          of the student by alternate measures as required by  
13          the individualized education program (IEP),
- 14          b. completes remediation opportunities to the extent  
15          required by the individualized education program  
16          (IEP),
- 17          c. retakes the exam in each subject in which the student  
18          failed to meet the requirements of subsection A of  
19          this section if the individualized education program  
20          (IEP) requires retake opportunities,
- 21          d. maintains at least a C average or the equivalent in  
22          each subject in which the student failed to meet the  
23          requirements of subsection A of this section, and  
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1           e.    meets all other graduation requirements of the school  
2                district in which the student is enrolled.

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

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

14          G.   Students who have been denied a standard diploma by the  
15 school district in which the student is or was enrolled for failing  
16 to meet the requirements of this section may re-enroll in the school  
17 district that denied the student a standard diploma following the  
18 denial of a standard diploma. The student shall be provided  
19 remediation or intervention and the opportunity to retake the test  
20 until at least a proficient score is attained on the test or tests  
21 necessary to obtain a standard diploma. Students who re-enroll in  
22 the school district to meet the graduation requirements of this  
23 section shall be exempt from the hourly instructional requirements  
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1 of Section 1-111 of this title and the six-period enrollment  
2 requirements of Section 11-103.6 of this title.

3 H. 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 2. This act shall become effective July 1, 2016.

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

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