

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 707

By: Ford and Mazzei of the  
Senate

and

Denney of the House

COMMITTEE SUBSTITUTE

[ schools - recommendations for requirements for high  
school graduation - report - requirements for high  
school graduation and an implementation timeline -  
subject matter standards - certain assessments -  
mastery of standards - demonstrate mastery by  
certain method - codification - ~~effective dates~~ -  
~~emergency~~ ]

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 1210.528 of Title 70, unless  
there is created a duplication in numbering, reads as follows:

A. The State Board of Education, in consultation with the  
Oklahoma State Regents for Higher Education, the Commission for

1 Educational Quality and Accountability, the State Board of Career  
2 and Technology Education and the Oklahoma Department of Commerce,  
3 shall develop recommendations for the requirements a student must  
4 meet to earn a diploma from an Oklahoma high school. In developing  
5 the high school graduation requirements, the State Board of  
6 Education, in consultation with the Oklahoma State Regents for  
7 Higher Education, the Commission for Educational Quality and  
8 Accountability, the State Board of Career and Technology Education  
9 and the Oklahoma Department of Commerce, shall:

- 10 1. Hold public meetings and solicit public input;
- 11 2. Designate an assessment or assessments used by institutions  
12 of higher education to determine college readiness or the need for  
13 remediation through course placement as a high school exit exam;
- 14 3. Consider other criteria to be used in conjunction with the  
15 designated assessment or assessments for high school graduation;
- 16 4. Consider alternative assessments that may be used in place  
17 of the designated assessment or assessments for high school  
18 graduation; and
- 19 5. Consider assessments required by the Elementary and  
20 Secondary Education Act of 2001, P.L. No. 107-110, also known as the  
21 No Child Left Behind Act of 2001, as amended or reauthorized.

22 B. A report of recommendations shall be made to the State Board  
23 of Education by March 1, 2016.

1 C. By May 1, 2016, the State Board of Education shall adopt the  
2 requirements for high school graduation and a timeline to implement  
3 the requirements.

4 SECTION 2. AMENDATORY 70 O.S. 2011, Section 11-103.6a,  
5 as amended by Section 3, Chapter 430, O.S.L. 2014 (70 O.S. Supp.  
6 2014, Section 11-103.6a), is amended to read as follows:

7 Section 11-103.6a A. Beginning with the 2014-15 school year,  
8 each area of subject matter standards, except for standards for  
9 career and technology education adopted pursuant to Section 14-103  
10 of this title, shall be adopted by the State Board of Education and  
11 shall be subject to legislative review and approval as provided for  
12 in Section 4 11-103.6a-1 of this ~~act~~ title. The subject matter  
13 standards shall be implemented statewide by every public school  
14 district in this state. The subject matter standards shall be  
15 thoroughly reviewed by the State Board every six (6) years according  
16 to and in coordination with the existing subject area textbook  
17 adoption cycle. After review, the State Board shall adopt any  
18 revisions in such subject matter standards deemed necessary to  
19 achieve further improvements in the quality of education for the  
20 students of this state. Any revisions adopted by the State Board of  
21 Education shall be subject to review and approval as provided for in  
22 Section 4 11-103.6a-1 of this ~~act~~ title. The adoption of subject  
23 matter standards or revisions to the standards by the State Board of  
24 Education pursuant to this section shall not be promulgated as rules

1 and shall not be subject to Article I of the Administrative  
2 Procedures Act.

3 B. 1. In addition to the requirements set forth in subsection  
4 A of this section, on or before August 1, 2016, the State Board of  
5 Education, in consultation with the State Regents for Higher  
6 Education, the State Board of Career and Technology Education and  
7 the Oklahoma Department of Commerce, shall adopt subject matter  
8 standards for English Language Arts and Mathematics which are  
9 college- and career-ready and will replace current standards. To be  
10 considered college- and career-ready, the standards shall be  
11 evaluated by the State Department of Education, the State Regents  
12 for Higher Education, the State Board of Career and Technology  
13 Education and the Oklahoma Department of Commerce and be determined  
14 to be such that the standards will address the goals of reducing the  
15 need for remedial coursework at the postsecondary level and  
16 increasing successful completion of postsecondary education. The  
17 subject matter standards and corresponding student assessments for  
18 English Language Arts and Mathematics shall be solely approved and  
19 controlled by the state through the State Board of Education.

20 2. Upon the effective date of this act, the State Board of  
21 Education shall begin the process of adopting the English Language  
22 Arts and Mathematics standards and shall provide reasonable  
23 opportunity, consistent with best practices, for public comment on  
24 the revision of the standards, including but not limited to comments

1 from students, parents, educators, organizations representing  
2 students with disabilities and English language learners, higher  
3 education representatives, career technology education  
4 representatives, subject matter experts, community-based  
5 organizations, Native American tribal representatives and business  
6 community representatives.

7 3. Until the statewide student assessments for English Language  
8 Arts and Mathematics are implemented as provided for in paragraph 1  
9 of subsection C of this section, the State Board of Education shall  
10 implement the subject matter standards for English Language Arts and  
11 Mathematics which were in place prior to the revisions adopted by  
12 the Board in June 2010.

13 4. Upon the effective date of this act, the State Board of  
14 Education shall seek certification from the State Regents for Higher  
15 Education that the subject matter standards for English Language  
16 Arts and Mathematics which were in place prior to the revisions  
17 adopted by the Board in June 2010 are college- and career-ready as  
18 defined in the Federal Elementary and Secondary Education Act (ESEA)  
19 Flexibility document issued by the United States Department of  
20 Education and referenced in Option B of Principle 1: College and  
21 Career-Ready Expectations for All Students. The State Regents shall  
22 provide the Board a detailed description of the certification  
23 process and results, including a list of deficiencies if the State  
24 Regents conclude that the standards are not college- and career-

1 ready. The Board shall post all documents, materials, reports,  
2 descriptions and correspondence produced by the State Regents or  
3 used by the State Regents in the certification process on the  
4 website for the State Department of Education.

5 C. 1. On or before the 2017-18 school year, the State Board of  
6 Education, in consultation with the State Regents for Higher  
7 Education, the State Board of Career and Technology Education and  
8 the Oklahoma Department of Commerce, shall direct the process of the  
9 development of annual high-quality statewide student assessments for  
10 English Language Arts and Mathematics as provided for in Section  
11 1210.508 of this title that align with the college- and career-ready  
12 subject matter standards developed pursuant to subsection B of this  
13 section.

14 2. The statewide student assessments for English Language Arts  
15 and Mathematics shall continue to assess standards and objectives  
16 found in the subject matter standards for English Language Arts and  
17 Mathematics which were in place prior to the revisions adopted by  
18 the Board in June 2010 and the test blueprints shall continue to  
19 align to the standards and objectives found in such subject matter  
20 standards for English Language Arts and Mathematics until the new  
21 assessments are implemented as provided for in paragraph 1 of this  
22 subsection.

23 D. 1. The State Board of Education shall not enter into any  
24 agreement, memorandum of understanding or contract with any federal

1 agency or private entity which in any way cedes or limits state  
2 discretion or control over the process of development, adoption or  
3 revision of subject matter standards and corresponding student  
4 assessments in the public school system, including, but not limited  
5 to, agreements, memoranda of understanding and contracts in exchange  
6 for funding for public schools and programs. If the State Board of  
7 Education is a party to such an agreement, memorandum of  
8 understanding or contract on the effective date of this act, the  
9 State Board of Education shall initiate necessary efforts to amend  
10 the agreement, memorandum of understanding or contract to comply  
11 with the requirements of this subsection.

12 2. Nothing in this section shall be construed to prohibit the  
13 State Board of Education from seeking and being granted a waiver  
14 from federal law, provided that the conditions for the waiver do not  
15 require the state to cede or limit its discretion or control over  
16 the process of development, adoption or revision of subject matter  
17 standards and corresponding statewide student assessments.

18 3. The State Department of Education may participate in a  
19 multistate or multigovernmental cooperative pursuant to the  
20 requirements of the Oklahoma Central Purchasing Act, but shall not  
21 bind the state, contractually or otherwise, to the authority of any  
22 other state, organization or entity which may supersede the  
23 authority of the State Board of Education.  
24

1 E. The content of all subject matter standards and  
2 corresponding student assessments shall be solely approved and  
3 controlled by the state through the State Board of Education. The  
4 State Board of Education shall maintain independence of all subject  
5 matter standards referenced in Section 11-103.6 of this title and  
6 corresponding statewide student assessments and shall not relinquish  
7 authority over Oklahoma subject matter standards and corresponding  
8 statewide student assessments. Nothing in this section shall  
9 prohibit benchmarking the state subject matter standards and  
10 corresponding student assessments with those of other states or  
11 nations to allow comparison of Oklahoma subject matter standards and  
12 corresponding student assessments with those of other states and  
13 nations.

14 F. School districts shall exclusively determine the  
15 instruction, curriculum, reading lists and instructional materials  
16 and textbooks, subject to any applicable provisions or requirements  
17 as set forth in law, to be used in meeting the subject matter  
18 standards. School districts may, at their discretion, adopt  
19 supplementary student assessments which are in addition to the  
20 statewide student assessments.

21 G. 1. Upon completion of the adoption of English Language Arts  
22 and Mathematics subject matter standards pursuant to subsection B of  
23 this section, the State Board of Education shall compare such  
24 English Language Arts and Mathematics standards with the English



1 Language Arts and Mathematics standards that were adopted by the  
2 State Board of Education prior to implementation of this act. The  
3 State Board of Education shall consider public comments, the use of  
4 best practices, evidence and research in the evaluation of both sets  
5 of standards. The State Board of Education shall compare the  
6 standards in the areas of:

- 7 a. effective preparation for active citizenship and  
8 postsecondary education or the workforce,
- 9 b. subject matter content,
- 1 0 c. sequencing of subject matter content and relationship  
1 1 to measurement of student performance and the  
1 2 application of subject matter standards,
- 1 3 d. developmental appropriateness of grade-level  
1 4 expectations, academic content and instructional  
1 5 rigor,
- 1 6 e. clarity for educators and parents,
- 1 7 f. exemplars tied to the standards,
- 1 8 g. measurability of student proficiency in the subject  
1 9 matter,
- 2 0 h. pedagogy,
- 2 1 i. development of critical thinking skills, and
- 2 2 j. demonstration of application of acquired knowledge and  
2 3 skills.  
2 4

1        2. Upon completion of the comparison of the English Language  
2 Arts and Mathematics subject matter standards, the State Board of  
3 Education shall submit to the Governor, the Speaker of the House of  
4 Representatives, the President Pro Tempore of the Senate, the  
5 Minority Leader of the House of Representatives and the Minority  
6 Leader of the Senate a report outlining the results of the  
7 comparison of the standards.

8        H. All subject matter standards and corresponding statewide  
9 student assessments adopted by the State Board of Education shall be  
10 carefully circumscribed to reflect direct application to subject  
11 matter proficiency and shall not include standards or assessment  
12 questions that are designed to collect or measure noncognitive,  
13 emotional or psychological characteristics, attributes or skills of  
14 students.

15        I. Any rule, including but not limited to Rules 210:15-4-1  
16 through 210:15-4-3 of the Oklahoma Administrative Code, which  
17 conflicts with the requirements of this section, shall be amended or  
18 repealed by the State Board of Education as necessary to comply with  
19 the requirements of this section.

20        SECTION 3.        AMENDATORY        70 O.S. 2011, Section 1210.523, as  
21 last amended by Section 26, Chapter 4, O.S.L. 2014 (70 O.S. Supp.  
22 2014, 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

1 the 2008-2009 school year, every student shall demonstrate mastery  
2 of the state academic content standards in the following subject  
3 areas in order to graduate from a public high school with a standard  
4 diploma:

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

13 B. To demonstrate mastery, the student shall ~~attain at least a~~  
14 ~~proficient score on the end-of-instruction criterion-referenced~~  
15 ~~tests administered pursuant to Section 1210.508 of this title~~ meet  
16 the requirements adopted by the State Board of Education in Section  
17 1 of this act.

18 C. Notwithstanding any other provision of law, students who do  
19 not ~~attain at least a proficient score on any end-of-instruction~~  
20 ~~test~~ meet the requirements adopted by the State Board of Education  
21 shall be provided remediation or intervention and the opportunity  
22 additional opportunities to retake the test until at least a  
23 proficient score is attained on the tests of Algebra I, English II  
24 and two of the tests required in paragraph 3 of subsection A of this

1 ~~section or an approved alternative test~~ meet the requirements  
2 adopted by the State Board of Education. Technology center schools  
3 shall be authorized to provide intervention and remediation in  
4 Algebra I, Algebra II, Geometry, English II, English III, United  
5 States History, and Biology I to students enrolled in technology  
6 center schools, with the approval of the independent school district  
7 board.

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

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

21 3. Students who score ten percent (10%) above the cut scores  
22 approved by the State Board of Education for the American College  
23 Testing Program (ACT), the Scholastic Aptitude Test (SAT), ACT Plan  
24 or Preliminary Scholastic Aptitude Test/National Merit Scholarship

1 Qualifying Test (PSAT/NMSQT) alternate tests shall be deemed to have  
2 satisfactorily demonstrated mastery of state academic content  
3 standards in the subject areas for which alternative tests have been  
4 approved and shall be exempt from ~~taking the end-of-instruction~~  
5 ~~criterion-referenced tests in the subject areas of Algebra II,~~  
6 ~~English III, Geometry or United States History as listed in~~  
7 ~~paragraph 3 of subsection A of this section~~ meeting the requirements  
8 adopted by the State Board of Education.

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

20 5. The State Board of Education shall adopt rules providing for  
21 implementation of paragraphs 3 and 4 of this subsection. The rules  
22 shall provide for the designation of students as proficient or  
23 advanced based on the scores obtained pursuant to paragraphs 3 and 4  
24 of this subsection for the purposes of calculating the grade of a

1 school as part of the accountability system developed pursuant to  
2 Section 1210.545 of this title, evaluating teachers and  
3 administrators as part of the Teacher and Leader Effectiveness  
4 Evaluation System developed pursuant to Section 6-101.16 of this  
5 title and for any other purpose provided for by law.

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

16 2. The State Board of Education shall collect data by school  
17 site and school district on the number of students petitioning for  
18 an appeal and the number of appeals approved by the State Board of  
19 Education pursuant to this subsection. Beginning October 1, 2012,  
20 the State Board of Education shall provide an annual report of this  
21 data to the Governor, President Pro Tempore of the Senate and  
22 Speaker of the House of Representatives.

23 F. 1. Students who have individualized education programs  
24 pursuant to the Individuals with Disabilities Education Act (IDEA)

1 shall have an appropriate statement on the student's individualized  
2 education program ~~requiring administration of the assessment~~  
3 regarding administration of the requirements adopted by the State  
4 Board of Education with or without accommodations or an alternate  
5 assessment. Any accommodations normally ~~employed for the assessment~~  
6 shall be approved by the State Board of Education and be provided  
7 for in the individualized education program. All documentation for  
8 each student shall be on file in the school prior to administration  
9 of the ~~assessment~~ requirements adopted by the State Board of  
10 Education.

11 2. Students with disabilities whose individualized education  
12 program (IEP) pursuant to the Individuals with Disabilities  
13 Education Act (IDEA) indicates that the student is to be assessed  
14 with alternate achievement standards through the Oklahoma Alternate  
15 Assessment Program (OAAP) may be eligible to graduate from a public  
16 high school with a standard diploma after failing to meet the  
17 requirements of subsection A of this section upon the determination  
18 of the school district that the student meets the following  
19 criteria:

- 20 a. obtains a written recommendation from the student's  
21 teacher of record in consultation with the teacher in  
22 each subject in which the student failed to meet the  
23 requirements of subsection A of this section. The  
24 recommendation shall be supported by the principal and

- by documentation demonstrating the acquired knowledge of the student by alternate measures as required by the individualized education program (IEP),
- b. completes remediation opportunities to the extent required by the individualized education program (IEP),
  - c. ~~retakes the exam in each subject in which the student failed to meet the requirements of subsection A of this section~~ any assessment or assessments designated by the State Board of Education if the individualized education program (IEP) requires retake opportunities,
  - d. maintains at least a C average or the equivalent in each subject in which the student failed to meet the requirements of subsection A of this section, and
  - e. meets all other graduation requirements of the school district in which the student is enrolled.

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

4. Students identified as English language learners shall be assessed in a valid and reliable manner with the state academic assessments with acceptable accommodations as necessary or, to the extent practicable, with alternate assessments aligned to the state



1 assessment provided by the school district in the language and form  
2 most likely to yield accurate data of the student's knowledge of the  
3 content areas.

4 G. Students who have been denied a standard diploma by the  
5 school district in which the student is or was enrolled for failing  
6 to meet the requirements of this section may re-enroll in the school  
7 district that denied the student a standard diploma following the  
8 denial of a standard diploma. The student shall be provided  
9 remediation or intervention and ~~the opportunity to retake the test~~  
10 additional opportunities to meet the requirements adopted by the  
11 State Board of Education until ~~at least a proficient score is~~  
12 ~~attained on the test or tests~~ the requirements or alternative  
13 criteria adopted by the State Board of Education necessary to obtain  
14 a standard diploma are met. Students who re-enroll in the school  
15 district to meet the graduation requirements of this section shall  
16 be exempt from the hourly instructional requirements of Section 1-  
17 111 of this title and the six-period enrollment requirements of  
18 Section 11-103.6 of this title.

19 H. The State Board of Education shall be authorized to contract  
20 with an entity to develop and advise on the implementation of a  
21 communications campaign to build public understanding of and support  
22 for the testing requirements of this section.

1       SECTION 4.       NEW LAW       A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1210.529 of Title 70, unless  
3 there is created a duplication in numbering, reads as follows:

4       The State Board of Education shall promulgate rules necessary to  
5 implement the provisions of this act.

6       ~~SECTION 5. Section 3 of this act shall become effective July 1,~~  
7 ~~2016.~~

8       ~~SECTION 6. Sections 1, 2 and 4 of this act shall become~~  
9 ~~effective July 1, 2015.~~

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

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