

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1622
Page 2-14 Section 1-3 Lines Of the printed Bill
Of the Engrossed Bill

By striking all of Section 1 of the bill and by inserting new Sections 1, 2, 3 and 4 to read as follows:
(See Attached)

By striking the word "test" and inserting the word "assessment" on page 11 line 15, page 11 line 21 and page 12 line 6;

By restoring the stricken language and by deleting the new word "Section" on page 11 line 18 and on page 12 line 1;

By restoring the stricken language beginning with the number "4" on page 12 line 8 through the period on page 13 line 2;

By striking the words "criterion-referenced test" on page 13 line 6 and inserting in lieu thereof the word "assessment";

By striking all of the language beginning with the word "or" on page 13 line 8 through the word "eligible" on page 13 line 9 and by inserting in lieu thereof the language "or high school level";

By restoring all of the language beginning with the letter "D" on page 13 line 15 through the period on line 23;

By striking all of Section 3 and by renumbering the subsequent sections.

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: David Derby

Adopted: _____

Reading Clerk

1 "SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.508,
2 as last amended by Section 8, Chapter 430, O.S.L. 2014 (70 O.S.
3 Supp. 2014, Section 1210.508), is amended to read as follows:

4 Section 1210.508 A. 1. The State Board of Education shall
5 develop and administer a series of criterion-referenced ~~tests~~
6 assessments designed to indicate whether the subject matter
7 standards, as defined by the State Board of Education, which
8 Oklahoma public school students are expected to have attained have
9 been achieved. ~~The Board may develop and administer any criterion-~~
10 ~~referenced test in any subject not required by federal law,~~
11 ~~contingent upon the availability of funding.~~

12 2. The Board shall administer the criterion-referenced
13 assessment for grades three through eight as provided for in
14 subsection B of this section until the 2015-2016 school year.
15 Beginning with the 2016-2017 school year, the Board shall administer
16 the assessments in grades three through eight as provided for in
17 subsection E of this section.

18 3. The Board shall administer the end-of-instruction criterion-
19 referenced assessments for grades nine through twelve as provided
20 for in subsection C of this section until the 2015-2016 school year.
21 The Board shall continue to administer the end-of-instruction
22 criterion-referenced assessments to the cohort of students who start
23 the ninth grade during the 2015-2016 school year until those
24 students have graduated or are no longer enrolled in a public high

1 school. Beginning with the 2016-2017 school year, the Board shall
2 administer the assessments in grades nine through twelve as provided
3 for in subsection F of this section.

4 4. Students who do not perform at least at the proficient level
5 on ~~tests~~ assessments required pursuant to this section shall be
6 remediated, subject to the availability of funding.

7 ~~2.~~ B. 1. Contingent upon the availability of state and federal
8 funds, the Board, in accordance with federal law, shall administer
9 until the 2015-2016 school year criterion-referenced ~~tests~~
10 assessments for grades three and four in:

- 11 a. reading/English language arts, and
- 12 b. mathematics.

13 ~~3.~~ 2. Contingent upon the availability of funds, the Board
14 shall administer until the 2015-2016 school year criterion-
15 referenced ~~tests~~ assessments for grade five in:

- 16 a. reading/English language arts,
- 17 b. mathematics, and
- 18 c. science,
- 19 ~~d. social studies, which shall consist of the history,~~
20 ~~Constitution and government of the United States, and~~
21 ~~geography, and~~
- 22 ~~e. writing of English.~~

23 ~~4.~~ 3. Contingent upon the availability of state and federal
24 funds, the Board, in accordance with federal law, shall administer

1 until the 2015-2016 school year criterion-referenced ~~tests~~
2 assessments for grades six and seven in:

- 3 a. reading/English language arts, and
- 4 b. mathematics.

5 ~~In addition, the Board shall administer a criterion-referenced~~
6 ~~test in geography in grade seven.~~

7 ~~5.~~ 4. Contingent upon the availability of funds, the Board
8 shall administer until the 2015-2016 school year criterion-
9 referenced ~~tests~~ assessments for grade eight in:

- 10 a. reading/English language arts,
- 11 b. mathematics, and
- 12 c. science,
- 13 ~~d. social studies, which shall consist of the history,~~
14 ~~Constitution, and government of the United States, and~~
- 15 ~~e. writing of English.~~

16 ~~The Board shall administer the tests for grade eight in reading~~
17 ~~and mathematics online with raw score test results reported~~
18 ~~immediately and complete results reported in less than two (2) weeks~~
19 ~~beginning in the 2007-08 school year.~~

20 ~~6.~~ C. 1. Except as otherwise provided for in Section 1210.523
21 of this title, each student who completes the instruction for
22 English II, English III, United States History, Biology I, Algebra
23 I, Geometry, and Algebra II at the secondary level shall complete an
24 end-of-instruction ~~test, when implemented,~~ criterion-referenced

1 assessment to measure for attainment in the appropriate subject
2 matter standards in order to graduate from a public high school with
3 a standard diploma. All students shall take the ~~tests~~ assessments
4 prior to graduation, unless otherwise exempt by law. The State
5 Board of Education shall develop and administer the end-of-
6 instruction criterion-referenced ~~tests~~ assessments until the date as
7 provided for in subsection A of this section. ~~The Board shall~~
8 ~~develop and field test the end-of-instruction tests in English III,~~
9 ~~Geometry, and Algebra II during the 2006-07 school year, implement~~
10 ~~the tests during the 2007-08 school year, and administer them each~~
11 ~~year thereafter. The Board shall administer the multiple choice~~
12 ~~portion of the end-of-instruction tests online with raw score test~~
13 ~~results reported immediately and complete results reported in less~~
14 ~~than two (2) weeks beginning in the 2008-09 school year.~~

15 ~~The end-of-instruction tests shall serve the purpose of the~~
16 ~~criterion-referenced tests as provided in paragraph 1 of this~~
17 ~~subsection.~~ The English II and English III end-of-instruction tests
18 shall include a writing component.

19 2. Students who do not score at least at the proficient level
20 shall be afforded the opportunity to retake each ~~test~~ assessment up
21 to three (3) times each calendar year until at least achieving at
22 the proficient level.

23 3. In order to provide an indication of the levels of
24 competency attained by the student in a permanent record for

1 potential future employers and institutions of higher education, ~~for~~
2 ~~students who enter the ninth grade in or prior to the 2007-08 school~~
3 ~~year, school districts shall report the highest-achieved state test~~
4 ~~performance level on the end-of-instruction tests on the student's~~
5 ~~high school transcript. Beginning with students who enter the ninth~~
6 ~~grade in the 2008-09 school year, school districts shall report the~~
7 ~~highest-achieved state test performance level on the end-of-~~
8 ~~instruction tests~~ criterion-referenced assessments and any business-
9 and industry-recognized endorsements attained on the student's high
10 school transcript.

11 4. Any student at the middle school level who completes the
12 instruction in a secondary course specified in this paragraph shall
13 be administered the appropriate end-of-instruction test.

14 ~~7. a. Each school district shall administer to each student~~
15 ~~in the school district in grades three through eight~~
16 ~~an assessment designed to assess the student in the~~
17 ~~fine arts area in which the student has received~~
18 ~~instruction.~~

19 ~~b. Each school district shall prepare an annual report~~
20 ~~for approval by the State Board of Education outlining~~
21 ~~the fine arts assessment strategies used by the~~
22 ~~district, when the assessments were administered, how~~
23 ~~many students were assessed during the previous year,~~
24 ~~and the results of the assessments.~~

1 ~~B.~~ D. 1. The State Board of Education in consultation with the
2 Oklahoma State Regents for Higher Education, the Commission for
3 Educational Quality and Accountability, the State Board of Career
4 and Technology Education and the Oklahoma Department of Commerce
5 shall develop recommendations for the assessment requirements
6 students shall meet in order to graduate from a public high school
7 with a standard diploma. In developing the high school graduation
8 assessment requirements, the State Board of Education in
9 consultation with the Oklahoma State Regents for Higher Education,
10 the Commission for Educational Quality and Accountability, the State
11 Board of Career and Technology Education and the Oklahoma Department
12 of Commerce shall:

- 13 a. hold public meetings and solicit public input,
14 b. adopt an assessment that is augmented with items
15 developed to align with the Oklahoma subject matter
16 standards as adopted by the State Board of Education
17 and which yields both norm-referenced scores and
18 criterion-referenced scores,
19 c. consider other criteria to be used in conjunction with
20 the adopted assessment,
21 d. consider the alternative assessments as authorized in
22 Section 1210.523 of this title and other alternative
23 assessments that may be used in place of the adopted
24 assessment, and

1 e. ensure that the adopted assessment meets the
2 requirements of the Elementary and Secondary Education
3 Act of 2011, P.L. No. 107-110, also known as the No
4 Child Left Behind Act of 2011, as amended or
5 reauthorized.

6 2. The Board shall make a report of the recommendations by
7 March 1, 2016.

8 3. By April 1, 2016, the Board shall promulgate rules setting
9 out the assessment requirements, including when a student is
10 eligible to take the assessment, that students shall meet in order
11 to graduate from a public high school with a standard diploma as
12 recommended pursuant to this subsection.

13 E. 1. The State Board of Education shall adopt and develop
14 assessments for grades three through eight that are augmented with
15 items developed to align with the Oklahoma subject matter standards
16 as adopted by the Board and which yields both norm-referenced scores
17 and criterion-referenced scores. The Board shall administer the
18 assessments beginning with the 2016-2017 school year.

19 2. Contingent upon the availability of state and federal funds,
20 the Board, in accordance with federal law, shall administer the
21 assessments for grades three and four in:

- 22 a. reading/English language arts, and
23 b. mathematics.
24

1 3. Contingent upon the availability of funds, the Board shall
2 administer assessments for grade five in:

- 3 a. reading/English language arts,
- 4 b. mathematics, and
- 5 c. science.

6 4. Contingent upon the availability of state and federal funds,
7 the Board, in accordance with federal law, shall administer
8 assessments for grades six and seven in:

- 9 a. reading/English language arts, and
- 10 b. mathematics.

11 5. Contingent upon the availability of funds, the Board shall
12 administer assessments for grade eight in:

- 13 a. reading/English language arts,
- 14 b. mathematics, and
- 15 c. science.

16 F. 1. The State Board of Education shall adopt and develop an
17 assessment for grades nine through twelve that is augmented with
18 items developed to align with the Oklahoma subject matter standards
19 as adopted by the Board and which yields both norm-referenced scores
20 and criterion-referenced scores. The Board shall administer the
21 assessment beginning with the 2016-2017 school year.

22 2. Beginning with students entering the ninth grade in the
23 2016-2017 school year, each student by the end of the eleventh grade
24 shall take the assessment to measure for attainment in the

1 appropriate subject matter standards and shall meet any other
2 assessment requirements adopted by the Board pursuant to subsection
3 D of this section in order to graduate from a public high school
4 with a standard diploma. All students shall take the assessment
5 prior to graduation, unless otherwise exempt by law.

6 3. In order to provide an indication of the levels of
7 competency attained by the student in a permanent record for
8 potential future employers and institutions of higher education
9 school districts shall report the highest-achieved composite score
10 on the assessment and any business- and industry-recognized
11 endorsements attained on the student's high school transcript.

12 G. All ~~critierion-referenced tests~~ assessments required by this
13 section shall measure academic competencies in correlation with the
14 subject matter standards adopted by the Board pursuant to Sections
15 11-103.6 and 11-103.6a of this title. The State Board of Education
16 shall evaluate the subject matter standards to ensure the
17 competencies reflect high standards, are specific, well-defined,
18 measurable, challenging, and will prepare elementary students for
19 next-grade-level course work and secondary students for
20 postsecondary studies at institutions of higher education or
21 technology center schools without the need for remediation. All
22 subject matter standards shall reflect the goals as set forth in
23 Section 11-103.6 of this title, prepare secondary students for
24 taking and achieving high scores on any assessment used by

1 institutions of higher education to determine college readiness and
2 ~~of improving~~ improve the state average ACT score.

3 2. H. The State Department of Education shall annually evaluate
4 the results of the ~~critierion-refereneed tests~~ assessments required
5 by this section. The State Board of Education shall ensure that
6 ~~test~~ the results of assessments required by this section are
7 reported to districts in a manner that yields detailed, diagnostic
8 information for the purpose of guiding instruction and student
9 remediation. As improvements are made to the ~~critierion-refereneed~~
10 ~~tests~~ assessments required by this section, the Board shall seek to
11 increase the depth of knowledge assessed for each subject. The
12 State Board of Education shall seek to ensure that data yielded from
13 the ~~tests~~ assessments required in this section are utilized at the
14 school district level to prescribe reinforcement ~~and/or~~ or
15 remediation by requiring school districts to develop and implement a
16 specific program of improvement based on the ~~test~~ assessment
17 results.

18 3. I. The State Board of Education in coordination with the
19 Office of Educational Quality and Accountability shall review,
20 realign, and recalibrate, as necessary, the ~~tests~~ assessments in
21 reading and mathematics ~~in third through eighth grade and the end-~~
22 ~~of-instruction tests~~ as required in this section. The Commission
23 for Educational Quality and Accountability shall determine the cut
24 scores for the performance levels on the end-of-instruction ~~tests~~

1 ~~developed~~ criterion-referenced assessments and the criterion-
2 referenced assessment portion and scores of the assessments
3 administered pursuant to paragraph 6 of subsection A of this
4 section. The Commission shall conduct an ongoing review to compare
5 the ~~end-of-instruction test~~ content and performance descriptors of
6 the assessments required in this section with those of other states.
7 Upon receipt of the review, the Commission may adjust the cut scores
8 as necessary.

9 ~~4.~~ J. The State Board of Education, for the purposes of
10 conducting reliability and validity studies, monitoring contractor
11 adherence to professionally accepted testing standards, and
12 providing recommendations for testing program improvement, shall
13 retain the services of an established, independent agency or
14 organization that is nationally recognized for its technical
15 expertise in educational testing but is not engaged in the
16 development of aptitude or achievement tests for elementary or
17 secondary level grades. These national assessment experts shall
18 annually conduct studies of the reliability and validity of the ~~end-~~
19 ~~of-instruction tests~~ assessments administered in grades nine through
20 twelve pursuant to this section. Validity studies shall include
21 studies of decision validity and concurrent validity.

22 ~~C.~~ K. 1. The State Board of Education shall set the testing
23 window dates for each ~~criterion-referenced test~~ assessment required
24 in ~~paragraphs 1 through 5 of subsection A of this section for grades~~

1 ~~three through eight~~ so that, ~~with the exception of the writing~~
2 ~~assessments,~~ the ~~tests~~ assessments are administered to students no
3 earlier than April 10 each year and so that the ~~test~~ assessment
4 results are reported back to school districts in a timely manner.
5 ~~Each criterion-referenced test required in paragraph 6 of subsection~~
6 ~~A of this section may be administered to students at a time set by~~
7 ~~the State Board of Education as near as possible to the end of the~~
8 ~~course; provided, if a school district is unable to administer the~~
9 ~~tests online to all students taking the test for the first time and~~
10 ~~all students retaking the test during the testing window time set by~~
11 ~~the Board, the school district may elect to administer any of the~~
12 ~~tests to students retaking the test at any time not more than two~~
13 ~~(2) weeks prior to the start of the testing window time set by the~~
14 ~~Board.~~ All results and reports of the ~~criterion-referenced test~~
15 ~~series~~ assessments required in ~~paragraphs 1 through 5 of subsection~~
16 ~~A of this section for grades three through eight~~ shall be returned
17 to each school district prior to the beginning of the next school
18 year. The vendor shall provide a final electronic data file of all
19 school site, school district, and state results to the State
20 Department of Education and the Office of Educational Quality and
21 Accountability prior to September 1 of each year. The Department
22 shall forward the final data files for each school district and each
23 school site in that district to the school district. The Board
24 shall ensure the contract with the ~~testing~~ vendor includes a

1 provision that the vendor report ~~test~~ assessment results directly to
2 the Office of Educational Quality and Accountability at the same
3 time it is reported to the Board.

4 2. State, district, and site-level results of all ~~tests~~
5 assessments required in this section shall be disaggregated by
6 gender, race, ethnicity, disability status, migrant status, English
7 proficiency, and status as economically disadvantaged, except that
8 such disaggregation shall not be required in a case in which the
9 number of students in a category is insufficient to yield
10 statistically reliable information or the results would reveal
11 personally identifiable information about an individual student.
12 Each school site shall notify the student's parents of the school's
13 performance levels in the Oklahoma School Testing Program as
14 reported in the Oklahoma Educational Indicators Program at the end
15 of each school year.

16 ~~D.~~ L. The State Board of Education shall be solely responsible
17 for, shall control and have discretion over the development, ~~field-~~
18 ~~testing, and validation~~ adoption, revision and administration of the
19 ~~criterion-referenced test series~~ assessments required in ~~subsection~~
20 ~~A of~~ this section. In the interest of economy the Board may
21 participate in a multistate or multigovernmental cooperative
22 pursuant to the requirements of The Oklahoma Central Purchasing Act,
23 but shall not bind the state, contractually or otherwise, to the
24 authority of any other state, organization or entity which may

1 supersede the authority of the Board, for the purpose of adapting
2 ~~criterion-referenced tests~~ or augmenting assessments, to the extent
3 that such ~~tests~~ assessments are appropriate for use in the testing
4 program to be administered to Oklahoma students.

5 ~~E.~~ M. The State Board of Education shall develop, administer,
6 and incorporate as a part of the Oklahoma School Testing Program,
7 other ~~testing~~ assessment programs or procedures, including
8 appropriate accommodations for the ~~testing~~ assessment of students
9 with disabilities as required by the Individuals with Disabilities
10 Education Act (IDEA), 20 USC, Section 1400 et seq.

11 ~~F.~~ N. For purposes of developing and administering alternate
12 assessments for students with the most significant cognitive
13 disabilities, the State Board of Education shall not be subject to
14 subsections D and E of Section 11-103.6a of this title.

15 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1210.521, is
16 amended to read as follows:

17 Section 1210.521 A. This act shall be known and may be cited
18 as the "Achieving Classroom Excellence Act of 2005".

19 B. For purposes of the Achieving Classroom Excellence Act of
20 2005:

21 1. "Remediation" means supplemental instruction or assistance
22 provided to those students who scored unsatisfactory or limited
23 knowledge on the seventh-grade ~~criterion-referenced tests~~
24 assessments in reading and mathematics, eighth-grade ~~criterion-~~

1 ~~referenced tests~~ assessments in reading and mathematics, or any ~~end~~
2 ~~of instruction test~~ assessments required of students in grade nine
3 through twelve pursuant to Section 1210.508 of this title; and

4 2. "Intervention" means supplemental instruction or assistance
5 provided to those students in grades ~~6~~ six through ~~12~~ twelve prior
6 to administration of ~~a criterion-referenced test or end of~~
7 ~~instruction test~~ any assessment required pursuant to Section
8 1210.508 of this title who are at risk of scoring unsatisfactory or
9 limited knowledge.

10 SECTION 3. AMENDATORY 70 O.S. 2011, Section 1210.522, is
11 amended to read as follows:

12 Section 1210.522 A. Except as provided in subsection D of this
13 section, every public school student shall demonstrate mastery of
14 the state academic content standards in reading and mathematics by
15 the end of the student's seventh-grade year, beginning in the 2006-
16 07 school year. To demonstrate mastery of reading and mathematics,
17 a student shall attain at least a proficient score on the seventh-
18 grade ~~criterion-referenced tests~~ assessments in reading and
19 mathematics administered pursuant to Section 1210.508 of this title.
20 Each student who does not score at least at the proficient level
21 shall be provided remediation or intervention for the purpose of
22 assisting the student in performing at least at the proficient level
23 on the eighth-grade ~~criterion-referenced tests~~ assessments in
24

1 reading and mathematics administered pursuant to Section 1210.508 of
2 this title.

3 B. Except as provided in subsection D of this section,
4 beginning in the 2007-08 school year, each student who does not
5 score at least at the proficient level on the eighth-grade
6 ~~critierion-refereneed tests~~ assessments in reading and mathematics
7 administered pursuant to Section 1210.508 of this title shall be
8 provided remediation or intervention for the purpose of assisting
9 the student in performing at least at the proficient level on the
10 ~~end-of-instruction tests~~ assessments administered ~~in high school to~~
11 students in grades nine through twelve pursuant to Section 1210.508
12 of this title.

13 C. Remediation and intervention may be provided by means which
14 may include, but are not limited to, extended time during the school
15 day, a summer academy, tutoring, online coursework, or other
16 supplementary services. The State Department of Education shall
17 provide information about best practices for remediation and
18 interventions. School districts will monitor results of the
19 remediation and interventions implemented and report the findings to
20 the State Department of Education.

21 D. 1. Students who have individualized education programs
22 pursuant to the Individuals with Disabilities Education Act (IDEA)
23 shall have an appropriate statement on the student's individualized
24 education program requiring administration of the assessment as

1 required pursuant to Section 1210.508 of this title with or without
2 accommodations or an alternate assessment. Any accommodations
3 normally employed for the assessment shall be approved by the State
4 Board of Education and be provided for in the individualized
5 education program. All documentation for each student shall be on
6 file in the school prior to administration of the assessment.

7 2. Students identified as English language learners shall be
8 assessed in a valid and reliable manner with the ~~state academic~~
9 assessments as required pursuant to Section 1210.508 of this title
10 with acceptable accommodations as necessary or, to the extent
11 practicable, with alternate assessments aligned to the ~~state~~
12 assessment provided by the school district in the language and form
13 most likely to yield accurate data of the student's knowledge of the
14 content areas.

15 SECTION 4. AMENDATORY 70 O.S. 2011, Section 1210.523, as
16 last amended by Section 26, Chapter 4, O.S.L. 2014 (70 O.S. Supp.
17 2014, Section 1210.523), is amended to read as follows:

18 Section 1210.523 A. 1. Except as provided in subsections ~~D~~ C
19 and E of this section, ~~beginning with~~ for students entering the
20 ninth grade ~~in prior to the 2008-2009~~ 2016-2017 school year, every
21 student shall demonstrate mastery of the state academic content
22 standards in the following subject areas in order to graduate from a
23 public high school with a standard diploma:

24 ~~1. a.~~ a. Algebra I ~~1.~~

~~2.~~ b. English II~~+~~I, and

~~3.~~ c. Two of the following five:

~~a.~~ (1) Algebra II,

~~b.~~ (2) Biology I,

~~c.~~ (3) English III,

~~d.~~ (4) Geometry, and

~~e.~~ (5) United States History.

~~B.~~ 2. To demonstrate mastery, the student shall attain at least a proficient score on the end-of-instruction criterion-referenced ~~tests~~ assessments administered pursuant to Section 1210.508 of this title. The Board shall continue to administer the end-of-instruction criterion-referenced assessments to the cohort of students who started the ninth grade prior to the 2016-2017 school year until that cohort of students has graduated or is no longer enrolled in a public high school.

~~C.~~ 3. Notwithstanding any other provision of law, students who do not attain at least a proficient score on any end-of-instruction ~~test~~ assessment shall be provided remediation or intervention and the opportunity to retake the test until at least a proficient score is attained on the tests of Algebra I, English II and two of the tests required in subparagraph c of paragraph 3 1 of this subsection ~~A of this section~~ or an approved alternative ~~test~~ assessment. Technology center schools shall be authorized to provide intervention and remediation in Algebra I, Algebra II, Geometry,

English II, English III, United States History, and Biology I to students enrolled in technology center schools, with the approval of the independent school district board.

~~D.~~ B. 1. Except as otherwise provided for in subsections C and E of this section, beginning with students entering the ninth grade in the 2016-2017 school year every student shall demonstrate mastery of the state academic content standards in the following subject areas in order to graduate from a public high school with a standard diploma:

- a. Mathematics, which at the least demonstrates mastery of Algebra I,
- b. English, which at the least demonstrates mastery of English II,
- c. Science, which at the least demonstrates mastery of Biology I, and
- d. United States History.

2. A student who has attained at least a proficient composite score on the assessment that is augmented with items developed to align with the Oklahoma subject matter standards as adopted and administered by the State Board of Education pursuant to Section 1210.508 of this title shall be deemed to have demonstrated mastery of the state academic content standards in the subject areas listed in paragraph 1 of this subsection.

1 3. If a student has not attained at least a proficient
2 composite score on the assessment, the student shall still be deemed
3 to have demonstrated mastery in an individual subject area by
4 attaining a proficient score on that subject area part of the
5 assessment.

6 4. If a student has not attained at least a proficient
7 composite score on the assessment or a proficient score on an
8 individual subject area part of the assessment, the student shall be
9 provided remediation or intervention and the opportunity to take and
10 obtain a proficient score on an alternative subject area assessment
11 specific to the subject area. The alternative subject area
12 assessments shall be adopted or developed by the Board for each
13 specific subject area with the following options:

14 a. Mathematics: Algebra I, Algebra II, Geometry, Pre-
15 Calculus, or any other mathematics course which the
16 Board determines is at least equivalent to mastery of
17 Algebra I,

18 b. English: any English course which the Board determines
19 is at least equivalent to mastery of English II,

20 c. Science: Biology I, Chemistry, Physics or any other
21 science course which the Board determines is at least
22 equivalent to mastery of Biology I, and

23 d. United States History.
24

1 5. Technology center schools shall be authorized to provide
2 intervention and remediation in any of the subject areas listed in
3 paragraph 1 of this subsection to students enrolled in technology
4 center schools, with the approval of the independent school district
5 board.

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

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

19 3. ~~Students~~ For students entering the ninth grade prior to the
20 2016-2017 school year and who score ten percent (10%) above the cut
21 scores approved by the State Board of Education for the American
22 College Testing Program (ACT), the Scholastic Aptitude Test (SAT),
23 ACT Plan or Preliminary Scholastic Aptitude Test/National Merit
24 Scholarship Qualifying Test (PSAT/NMSQT) alternate ~~tests~~ assessments

1 shall be deemed to have satisfactorily demonstrated mastery of state
2 academic content standards in the subject areas for which
3 alternative ~~tests~~ assessments have been approved and shall be exempt
4 from taking the end-of-instruction criterion-referenced ~~tests~~
5 assessments in the subject areas of Algebra II, English III,
6 Geometry or United States History as listed in subparagraph c of
7 paragraph 3 1 of subsection A of this section. Beginning with
8 students entering the ninth grade in the 2016-2017 school year,
9 students who score ten percent (10%) above the cut scores approved
10 by the State Board of Education for the American College Testing
11 Program (ACT), the Scholastic Aptitude Test (SAT), ACT Plan or
12 Preliminary Scholastic Aptitude Test/National Merit Scholarship
13 Qualifying Test (PSAT/NMSQT) alternate tests shall be deemed to have
14 satisfactorily demonstrated mastery of state academic content
15 standards in the subject areas for which alternative tests have been
16 approved and shall be exempt from taking the alternative subject
17 area assessment specific to the subject area as provided for in
18 paragraph 4 of subsection B of this section.

19 4. ~~Students~~ For students entering the ninth grade prior to the
20 2016-2017 school year and who have a score that is equal to or above
21 the cut scores approved by the State Board of Education for the
22 Advanced Placement course exams, ACT Workkeys job skills assessment,
23 College-Level Examination Program (CLEP) or International
24 Baccalaureate (IB) alternate ~~tests~~ assessments shall be deemed to

1 have satisfactorily demonstrated mastery of state academic content
2 standards in the subject areas for which alternate ~~tests~~ assessments
3 have been approved and shall be exempt from taking the end-of-
4 instruction criterion-referenced ~~tests~~ assessments in the subject
5 areas of Algebra II, English III, Geometry or United States History
6 as listed in subparagraph c of paragraph 3 1 of subsection A of this
7 section. Beginning with students entering the ninth grade in the
8 2016-2017 school year, students who have a score that is equal to or
9 above the cut scores approved by the State Board of Education for
10 the Advanced Placement course exams, ACT Workkeys job skills
11 assessment, College-Level Examination Program (CLEP) or
12 International Baccalaureate (IB) alternate tests shall be deemed to
13 have satisfactorily demonstrated mastery of state academic content
14 standards in the subject areas for which alternate tests have been
15 approved and shall be exempt from taking the alternative subject
16 area assessment specific to the subject area as provided for in
17 paragraph 4 of subsection B of this section.

18 5. The State Board of Education shall adopt rules providing for
19 implementation of paragraphs 3 and 4 of this subsection. The rules
20 shall provide for the designation of students as proficient or
21 advanced based on the scores obtained pursuant to paragraphs 3 and 4
22 of this subsection for the purposes of calculating the grade of a
23 school as part of the accountability system developed pursuant to
24 Section 1210.545 of this title, evaluating teachers and

1 administrators as part of the Teacher and Leader Effectiveness
2 Evaluation System developed pursuant to Section 6-101.16 of this
3 title and for any other purpose provided for by law.

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

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

21 ~~F.~~ E. 1. Students who have individualized education programs
22 pursuant to the Individuals with Disabilities Education Act (IDEA)
23 shall have an appropriate statement on the student's individualized
24 education program requiring administration of the assessment with or

1 without accommodations or an alternate assessment. Any
2 accommodations normally employed for the assessment shall be
3 approved by the State Board of Education and be provided for in the
4 individualized education program. All documentation for each
5 student shall be on file in the school prior to administration of
6 the assessment.

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

- 16 a. obtains a written recommendation from the student's
17 teacher of record in consultation with the teacher in
18 each subject in which the student failed to meet the
19 requirements of subsection A or B of this section.
20 The recommendation shall be supported by the principal
21 and by documentation demonstrating the acquired
22 knowledge of the student by alternate measures as
23 required by the individualized education program
24 (IEP),

- b. completes remediation opportunities to the extent required by the individualized education program (IEP),
- c. retakes the ~~exam~~ assessment in each subject in which the student failed to meet the requirements of subsection A or B of this section 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 or B 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~~ assessment 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 required pursuant to this section with acceptable accommodations as necessary or, to the extent practicable, with alternate assessments aligned to the ~~state~~ assessment required pursuant to this section provided by the school district in the

1 language and form most likely to yield accurate data of the
2 student's knowledge of the content areas.

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

16 ~~H.~~ G. The State Board of Education shall be authorized to
17 contract with an entity to develop and advise on the implementation
18 of a communications campaign to build public understanding of and
19 support for the ~~testing~~ assessment requirements of this section."

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