

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1463

By: Dossett

4
5
6 AS INTRODUCED

7 An Act relating to student testing; amending 70 O.S.
8 2011, Section 11-103.6a, as amended by Section 3,
9 Chapter 430, O.S.L. 2014 (70 O.S. Supp. 2015, Section
10 11-103.6a), which relates to review of subject matter
11 standards; modifying the State Board of Education's
12 authority over certain assessments; amending 70 O.S.
13 2011, Section 1210.508, as last amended by Section 8,
14 Chapter 430, O.S.L. 2014 (70 O.S. Supp. 2015, Section
15 1210.508), which relates to criterion-referenced
16 tests; removing reference to certain subject matter
17 tests; removing language requiring field testing of
18 certain assessments; updating references; directing
19 students beginning with certain class to demonstrate
20 mastery on certain subject matter standards;
21 directing the State Board of Education to adopt
22 certain assessment or assessments; directing the
23 Commission for Educational Quality and Accountability
24 to set certain performance levels and cut scores;
providing for remediation and intervention of certain
students; providing for adoption of alternative
assessments; providing for assessment of students on
an individualized education program; directing the
Oklahoma School for the Blind and the Oklahoma School
for the Deaf to be considered certain agencies for
certain purpose; providing for assessment of English
language learners; allowing certain students to re-
enroll to obtain a diploma; authorizing the State
Board of Education to enter into certain contract;
directing the State Board of Education to promulgate
rules; providing for codification; and providing
effective dates.

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

2 SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-103.6a,
3 as amended by Section 3, Chapter 430, O.S.L. 2014 (70 O.S. Supp.
4 2015, Section 11-103.6a), is amended to read as follows:

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

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

21 2. ~~Upon the effective date of this act~~ On June 5, 2014, the
22 State Board of Education shall begin the process of adopting the
23 English Language Arts and Mathematics standards and shall provide
24 reasonable opportunity, consistent with best practices, for public

1 comment on the revision of the standards, including but not limited
2 to comments from students, parents, educators, organizations
3 representing students with disabilities and English language
4 learners, higher education representatives, career technology
5 education representatives, subject matter experts, community-based
6 organizations, Native American tribal representatives and business
7 community representatives.

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

14 4. Upon the effective date of this act, the State Board of
15 Education shall seek certification from the State Regents for Higher
16 Education that the subject matter standards for English Language
17 Arts and Mathematics which were in place prior to the revisions
18 adopted by the Board in June 2010 are college- and career-ready as
19 defined in the Federal Elementary and Secondary Education Act (ESEA)
20 Flexibility document issued by the United States Department of
21 Education and referenced in Option B of Principle 1: College and
22 Career-Ready Expectations for All Students. The State Regents shall
23 provide the Board a detailed description of the certification
24 process and results, including a list of deficiencies if the State

1 Regents conclude that the standards are not college- and career-
2 ready. The Board shall post all documents, materials, reports,
3 descriptions and correspondence produced by the State Regents or
4 used by the State Regents in the certification process on the
5 website for the State Department of Education.

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

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

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

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

22 3. The State Department of Education may participate in a
23 multistate or multigovernmental cooperative pursuant to the
24 requirements of the Oklahoma Central Purchasing Act, but shall not

1 bind the state, contractually or otherwise, to the authority of any
2 other state, organization or entity which may supersede the
3 authority of the State Board of Education.

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

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

3 G. 1. Upon completion of the adoption of English Language Arts
4 and Mathematics subject matter standards pursuant to subsection B of
5 this section, the State Board of Education shall compare such
6 English Language Arts and Mathematics standards with the English
7 Language Arts and Mathematics standards that were adopted by the
8 State Board of Education prior to implementation of this act. The
9 State Board of Education shall consider public comments, the use of
10 best practices, evidence and research in the evaluation of both sets
11 of standards. The State Board of Education shall compare the
12 standards in the areas of:

- 13 a. effective preparation for active citizenship and
14 postsecondary education or the workforce,
- 15 b. subject matter content,
- 16 c. sequencing of subject matter content and relationship
17 to measurement of student performance and the
18 application of subject matter standards,
- 19 d. developmental appropriateness of grade-level
20 expectations, academic content and instructional
21 rigor,
- 22 e. clarity for educators and parents,
- 23 f. exemplars tied to the standards,

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- 1 g. measurability of student proficiency in the subject
- 2 matter,
- 3 h. pedagogy,
- 4 i. development of critical thinking skills, and
- 5 j. demonstration of application of acquired knowledge and
- 6 skills.

7 2. Upon completion of the comparison of the English Language
8 Arts and Mathematics subject matter standards, the State Board of
9 Education shall submit to the Governor, the Speaker of the House of
10 Representatives, the President Pro Tempore of the Senate, the
11 Minority Leader of the House of Representatives and the Minority
12 Leader of the Senate a report outlining the results of the
13 comparison of the standards.

14 H. All subject matter standards and corresponding statewide
15 student assessments adopted by the State Board of Education shall be
16 carefully circumscribed to reflect direct application to subject
17 matter proficiency and shall not include standards or assessment
18 questions that are designed to collect or measure noncognitive,
19 emotional or psychological characteristics, attributes or skills of
20 students.

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

3 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1210.508, as
4 last amended by Section 8, Chapter 430, O.S.L. 2014 (70 O.S. Supp.
5 2015, Section 1210.508), is amended to read as follows:

6 Section 1210.508. A. 1. The State Board of Education shall
7 develop and administer a series of criterion-referenced tests
8 designed to indicate whether the subject matter standards, as
9 defined by the State Board of Education, which Oklahoma public
10 school students are expected to have attained have been achieved.
11 The Board may develop and administer any criterion-referenced test
12 in any subject not required by federal law, contingent upon the
13 availability of funding. Students who do not perform at least at
14 the proficient level on tests shall be remediated, subject to the
15 availability of funding.

16 2. Contingent upon the availability of state and federal funds,
17 the Board, in accordance with federal law, shall administer
18 criterion-referenced tests for grades three and four in:

- 19 a. reading, and
- 20 b. mathematics.

21 3. Contingent upon the availability of funds, the Board shall
22 administer criterion-referenced tests for grade five in:

- 23 a. reading,
- 24 b. mathematics,

- 1 c. science,
- 2 d. social studies, which shall consist of the history,
- 3 Constitution and government of the United States, and
- 4 geography, and
- 5 e. writing of English.

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

- 9 a. reading, and
- 10 b. mathematics.

11 In addition, the Board shall administer a criterion-referenced
12 test in geography in grade seven.

13 5. Contingent upon the availability of funds, the Board shall
14 administer criterion-referenced tests for grade eight in:

- 15 a. reading,
- 16 b. mathematics,
- 17 c. science,
- 18 d. social studies, which shall consist of the history,
- 19 Constitution, and government of the United States, and
- 20 e. writing of English.

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

1 6. Except as otherwise provided for in Section ~~1210.523~~
2 1210.528 of this title, each student who completes the instruction
3 for English II, ~~English III, United States History,~~ Biology I, and
4 Algebra I, ~~Geometry, and Algebra II~~ at the secondary level shall
5 complete an ~~end-of-instruction test, when implemented,~~ assessment or
6 assessments adopted by the State Board of Education to measure for
7 attainment in the appropriate subject matter standards in order to
8 graduate from a public high school with a standard diploma. All
9 students shall take the tests prior to graduation, unless otherwise
10 exempt by law. The State Board of Education shall administer the
11 criterion-referenced tests. ~~The Board shall develop and field test~~
12 ~~the end-of-instruction tests in English III, Geometry, and Algebra~~
13 ~~II during the 2006-07 school year, implement the tests during the~~
14 ~~2007-08 school year, and administer them each year thereafter. The~~
15 ~~Board shall administer the multiple choice portion of the end-of-~~
16 ~~instruction tests online with raw score test results reported~~
17 ~~immediately and complete results reported in less than two (2) weeks~~
18 ~~beginning in the 2008-09 school year.~~

19 ~~The end-of-instruction tests shall serve the purpose of the~~
20 ~~criterion-referenced tests as provided in paragraph 1 of this~~
21 ~~subsection. The English II and English III end-of-instruction tests~~
22 assessment adopted by the State Board of Education shall include a
23 writing component. Students who do not score at least at the
24 proficient level shall be afforded the opportunity to retake each

1 test up to three (3) times each calendar year until at least
2 achieving at the proficient level. ~~In order to provide an~~
3 ~~indication of the levels of competency attained by the student in a~~
4 ~~permanent record for potential future employers and institutions of~~
5 ~~higher education, for students who enter the ninth grade in or prior~~
6 ~~to the 2007-08 school year, school districts shall report the~~
7 ~~highest-achieved state test performance level on the end-of-~~
8 ~~instruction tests on the student's high school transcript.~~

9 Beginning with students who enter the ~~ninth~~ twelfth grade in the
10 ~~2008-09~~ 2017-2018 school year, school districts shall report the
11 highest-achieved ~~state test~~ performance level on the ~~end-of-~~
12 ~~instruction tests~~ assessment or assessments adopted by the State
13 Board of Education and any business and industry-recognized
14 endorsements attained on the student's high school transcript. Any
15 student at the middle school level who completes the instruction in
16 a secondary course specified in this paragraph shall be administered
17 the appropriate ~~end-of-instruction test~~ assessment.

18 7. a. Each school district shall administer to each student
19 in the school district in grades three through eight
20 an assessment designed to assess the student in the
21 fine arts area in which the student has received
22 instruction.

23 b. Each school district shall prepare an annual report
24 for approval by the State Board of Education outlining

1 the fine arts assessment strategies used by the
2 district, when the assessments were administered, how
3 many students were assessed during the previous year,
4 and the results of the assessments.

5 B. 1. All criterion-referenced tests required by this section
6 shall measure academic competencies in correlation with the subject
7 matter standards adopted by the Board pursuant to Sections 11-103.6
8 and 11-103.6a of this title. The State Board of Education shall
9 evaluate the subject matter standards to ensure the competencies
10 reflect high standards, are specific, well-defined, measurable,
11 challenging, and will prepare elementary students for next-grade-
12 level course work and secondary students for postsecondary studies
13 at institutions of higher education or technology center schools
14 without the need for remediation. All subject matter standards
15 shall reflect the goals as set forth in Section 11-103.6 of this
16 title and of improving the state average ACT score.

17 2. The State Department of Education shall annually evaluate
18 the results of the criterion-referenced tests. The State Board of
19 Education shall ensure that test results are reported to districts
20 in a manner that yields detailed, diagnostic information for the
21 purpose of guiding instruction and student remediation. As
22 improvements are made to the criterion-referenced tests required by
23 this section, the Board shall seek to increase the depth of
24 knowledge assessed for each subject. The State Board of Education

1 shall seek to ensure that data yielded from the tests required in
2 this section are utilized at the school district level to prescribe
3 reinforcement and/or remediation by requiring school districts to
4 develop and implement a specific program of improvement based on the
5 test results.

6 3. The State Board of Education in coordination with the Office
7 of Educational Quality and Accountability shall review, realign, and
8 recalibrate, as necessary, the tests in reading and mathematics in
9 third through eighth grade and the ~~end-of-instruction tests~~
10 assessments adopted by the State Board of Education. The Commission
11 for Educational Quality and Accountability shall determine the cut
12 scores for the performance levels on the ~~end-of-instruction tests~~
13 assessments developed pursuant to paragraph 6 of subsection A of
14 this section. The Commission shall conduct an ongoing review to
15 compare the ~~end-of-instruction test~~ assessment content and
16 performance descriptors with those of other states. Upon receipt of
17 the review, the Commission may adjust the cut scores as necessary.

18 4. The State Board of Education, for the purposes of conducting
19 reliability and validity studies, monitoring contractor adherence to
20 professionally accepted testing standards, and providing
21 recommendations for testing program improvement, shall retain the
22 services of an established, independent agency or organization that
23 is nationally recognized for its technical expertise in educational
24 testing but is not engaged in the development of aptitude or

1 achievement tests for elementary or secondary level grades. These
2 national assessment experts shall annually conduct studies of the
3 reliability and validity of the ~~end-of-instruction tests~~ assessments
4 administered pursuant to this section. Validity studies shall
5 include studies of decision validity and concurrent validity.

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

1 to the beginning of the next school year. The vendor shall provide
2 a final electronic data file of all school site, school district,
3 and state results to the State Department of Education and the
4 Office of Educational Quality and Accountability prior to September
5 1 of each year. The Department shall forward the final data files
6 for each school district and each school site in that district to
7 the school district. The Board shall ensure the contract with the
8 testing vendor includes a provision that the vendor report test
9 results directly to the Office of Educational Quality and
10 Accountability at the same time it is reported to the Board.

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

23 D. The State Board of Education shall be responsible for the
24 development, field-testing, and validation of the criterion-

1 referenced test series required in subsection A of this section. In
2 the interest of economy the Board may participate in a multistate or
3 multigovernmental cooperative pursuant to the requirements of The
4 Oklahoma Central Purchasing Act, but shall not bind the state,
5 contractually or otherwise, to the authority of any other state,
6 organization or entity which may supersede the authority of the
7 Board, for the purpose of adapting criterion-referenced tests, to
8 the extent that such tests are appropriate for use in the testing
9 program to be administered to Oklahoma students.

10 E. The State Board of Education shall develop, administer, and
11 incorporate as a part of the Oklahoma School Testing Program, other
12 testing programs or procedures, including appropriate accommodations
13 for the testing of students with disabilities as required by the
14 Individuals with Disabilities Education Act (IDEA), 20 USC, Section
15 1400 et seq.

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

20 SECTION 3. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1210.528 of Title 70, unless
22 there is created a duplication in numbering, reads as follows:

23 A. Except as provided in subsections D and E of this section,
24 beginning with students in the 2017-2018 high school graduating

1 class, every student shall demonstrate mastery of the state academic
2 content standards outlined in Section 11-103.6 of Title 70 of the
3 Oklahoma Statutes in order to graduate from a public high school
4 with a standard diploma. To demonstrate mastery, the student shall
5 attain at least a proficient score on the assessment or assessments
6 adopted by the State Board of Education pursuant to subsection B of
7 this section.

8 B. The State Board of Education shall designate an assessment
9 or assessments used by institutions of higher education to determine
10 college readiness. The assessment or assessments shall fulfill the
11 requirements of the Elementary and Secondary Education Act of 2015,
12 P.L. No. 114-95, also known as the Every Student Succeeds Act of
13 2015, as amended or reauthorized.

14 C. The Commission for Educational Quality and Accountability
15 shall set the performance levels and corresponding cut scores for
16 the assessment or assessments adopted by the State Board of
17 Education.

18 D. Students who do not attain at least a proficient score on
19 the assessment or assessments adopted by the State Board of
20 Education shall be provided remediation or intervention and the
21 opportunity to take any alternative assessment or assessments
22 adopted by the State Board of Education pursuant to subsection E of
23 this section.

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1 E. Students who do not meet the requirements of subsection A of
2 this section may graduate from a public high school with a standard
3 diploma by demonstrating mastery of state academic content standards
4 by an alternative assessment or assessments approved by the State
5 Board of Education.

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

15 2. Students with disabilities whose IEP indicates that the
16 student is to be assessed with alternate achievement standards
17 through the Oklahoma Alternate Assessment Program (OAAP) may be
18 eligible to graduate from a public high school with a standard
19 diploma after failing to meet the requirements of subsection A of
20 this section upon the determination of the school district that the
21 student meets the following criteria:

22 a. obtains a written recommendation from the student's
23 teacher of record in consultation with the teacher in
24 each subject in which the student failed to meet the

1 requirements of subsection A of this section. The
2 recommendation shall be supported by the principal and
3 by documentation demonstrating the acquired knowledge
4 of the student by alternate measures as required by
5 the IEP,

6 b. completes remediation opportunities to the extent
7 required by the IEP,

8 c. retakes the exam in each subject in which the student
9 failed to meet the requirements of subsection A of
10 this section if the IEP requires retake opportunities,

11 d. maintains at least a C average or the equivalent in
12 each subject in which the student failed to meet the
13 requirements of subsection A of this section, and

14 e. meets all other graduation requirements of the school
15 district in which the student is enrolled.

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

20 4. Students identified as English language learners shall be
21 assessed in a valid and reliable manner with the state academic
22 assessments with acceptable accommodations as necessary or, to the
23 extent practicable, with alternate assessments aligned to the state
24 assessment provided by the school district in the language and form

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

3 G. 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 take any
9 alternative assessment or assessments adopted by the State Board of
10 Education pursuant to subsection E of this section. Students who
11 re-enroll in the school district to meet the graduation requirements
12 of this section shall be exempt from the hourly instructional
13 requirements of Section 1-111 of this title and the six-period
14 enrollment requirements of Section 11-103.6 of this title.

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

19 I. The State Board of Education shall promulgate rules
20 providing for implementation of this act, which shall include but
21 not be limited to:

22 1. Rules establishing a timeline for implementation; and

23 2. Rules establishing an appeal process for students who have
24 been denied a standard diploma by the school district in which the

1 student is or was enrolled for failing to meet the requirements of
2 this section. A student who has been denied a standard diploma
3 shall have thirty (30) days after denial of the standard diploma in
4 which to file a petition for an appeal to the State Board of
5 Education. The State Board of Education shall take action on a
6 petition for an appeal no later than forty-five (45) days after
7 receiving the petition. The State Board of Education shall collect
8 data by school site and school district on the number of students
9 petitioning for an appeal and the number of appeals approved by the
10 State Board of Education pursuant to this subsection. Beginning
11 October 1, 2018, and each October 1 thereafter, the State Board of
12 Education shall provide an annual report of the data to the
13 Governor, the President Pro Tempore of the Senate and the Speaker of
14 the House of Representatives.

15 SECTION 4. Sections 1 and 3 of this act shall become effective
16 November 1, 2016.

17 SECTION 5. Section 2 of this act shall become effective July 1,
18 2017.

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