



**SANDY GARRETT**  
**STATE SUPERINTENDENT OF PUBLIC INSTRUCTION**  
**STATE OF OKLAHOMA**

**MEMORANDUM**

**TO:** Administrators and Counselors

**FROM:** Sandy Garrett

**DATE:** June 4, 2009

**SUBJECT:** ACE Remediation – Oklahoma Administrative Code 210:10-13-2

The Oklahoma State Board of Education has approved amendments to Oklahoma Administrative Code (OAC) Title 210:10-13-2 relating to the *Achieving Classroom Excellence (ACE) Act of 2005 as Revised in 2006* and providing clarification to the Oklahoma School Testing Program. These rules have been approved by the Oklahoma State Legislature and Governor Henry; therefore, they carry the weight of law. A brief summary of the amended rules relating to ACE Remediation can be found below.

If you have questions regarding the clarification of the Oklahoma School Testing Program, please contact the Office of Accountability and Assessments at (405) 521-3341.

In order to help districts and schools implement the ACE Remediation requirements, an ACE Implementation Guide has been placed on the State Department of Education Web site, <[www.sde.state.ok.us](http://www.sde.state.ok.us)>. If you have already received or downloaded an ACE Implementation Guide, you will find revised pages on the Web site, including new frequently asked questions and answers and information related to the amendments to Oklahoma Administrative Code (OAC) 210:10-13-2. These pages should replace those of the July 2008 guide.

**Brief Overview of Amendments Related to ACE Remediation**

**OAC 210:10-13-2(a) and 210:10-13-2(g)**

- Explains remediation requirements beginning with students entering the ninth grade in 2008-2009;
- Explains who is qualified to provide remediation;
- Explains procedures and timelines for developing a local remediation plan and submitting the plan to the local board of education;
- Explains how remediation funds will be disbursed and how they can be used; and
- Explains district reporting responsibilities related to remediation.

OKLAHOMA STATE DEPARTMENT OF EDUCATION  
2500 NORTH LINCOLN BOULEVARD, OKLAHOMA CITY, OK 73105-4599  
(405) 521-3301, FAX: (405) 521-6205  
<http://sde.state.ok.us>



## **Summary of Amendments Related to ACE Remediation**

### **ACE Remediation Requirements**

School districts are required to offer remediation to any student who does not score at least at the satisfactory or proficient level on the seventh or eighth grade mathematics and/or reading portions of the Oklahoma Core Curriculum Tests. Additionally, beginning with students who entered the ninth grade in 2008-2009, school districts are required to offer remediation to any student who does not score at least at the satisfactory or proficient level on any of the required end-of-instruction (EOI) tests. This includes those students who participate in the Oklahoma Modified Alternate Assessment Program (OMAAP) or the Oklahoma Alternate Assessment Program (OAAP).

### **ACE Remediation Plan**

Each school district “shall submit an annual remediation plan to its local board of education at a regularly scheduled meeting prior to November 15 of each school year” (OAC 210:10-13-2(g)(4)). The plan should explain the ACE Remediation program that the district will provide for those students who qualify. Each district’s plan should include:

- How remediation funds will be spent,
- When and where remediation will be provided,
- What content will be addressed,
- How instruction will be delivered, and
- Who will provide the instruction, including whether the instructor is highly qualified or will be working under the supervision of a teacher who is highly qualified in the appropriate content area.

Information about best practices in remediation may be found on the State Department of Education Web site, <[www.sde.state.ok.us](http://www.sde.state.ok.us)>. A sample format for an ACE Remediation Plan is enclosed and may be used to guide the district in development of a local plan. This sample may be modified and utilized at the district’s discretion.

### **ACE Remediation Disbursement of Funds**

ACE Remediation funds will be disbursed by the Oklahoma State Department of Education to each district by September 1 of each year in accordance with state law. Allocations will be based on the most recent test results for each student based on the previous school year or summer test administration. For example, Student A scored unsatisfactory on the Algebra I EOI in December 2008. She retook the Algebra I EOI in May 2009 and scored limited knowledge. Her school will receive ACE Remediation funds based only on the May 2009 test when funds are disbursed by September 1, 2009.

### **ACE Remediation Allowable Uses of Funds**

ACE Remediation Funds “shall be utilized to provide intervention and remediation for qualifying students” (OAC 210:10-13-2(g)(6)). Allowable expenditures include:

- Salaries and stipends for highly qualified teachers and tutors under the supervision of highly qualified teachers;
- Instructional materials such as textbooks, workbooks, teacher-made materials, computer assisted instructional software, manipulatives, and classroom instructional tools necessary to provide remediation;
- Assessments designed to monitor the progress of students in remediation programs;
- Transportation to and from tutoring sessions held outside of the school day; and
- Training in best practices for providing remediation.

Funds for remediation “may not be used for salaries, materials, or administrative services not directly related to remediation or for students who do not qualify for remediation” (OAC 210:10-13-2(g)(6)).

### **ACE Remediation District Report**

School districts will continue to report annually through the Oklahoma School District Reporting Site (SDRS) on the use of ACE Remediation funds and the results of ACE Remediation as measured by periodic progress assessments and district student performance on state tests. Additionally, a designated school principal for each site in which ACE Remediation is offered will submit a report of this information to the local board of education at a regularly scheduled meeting.

If you have questions regarding ACE Remediation, please contact Kerri White, Executive Director of High School Reform, Office of Standards and Curriculum, at (405) 522-8618, or via e-mail at <Kerri\_White@sde.state.ok.us>.

SG:kw

Enclosure