



**JANET BARRESI**  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION  
STATE OF OKLAHOMA

**MEMORANDUM**

**TO:** The Honorable Members of the State Board of Education

**FROM:** Janet Barresi

**DATE:** August 20, 2013

**SUBJECT:** Achieving Classroom Excellence (ACE) Appeal- Dismissal based upon verified evidence meeting the criteria for granting an exception to ACE graduation requirements.

On April 18th, 2012, Title 70 O.S. § 1210.523 E.1., was amended to read as follows:

*70 O.S. § 1210.523*

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

*Oklahoma Administrative Code 210: 10-13-16*

*(2) The State Board of Education shall appoint a committee consisting of employees of the State Department of Education to review the appeal and identify the basis for which the standard diploma was denied. The committee shall make a recommendation of action on the appeal to the State Board of Education based on the following criteria:*

- (A) Completion and scores of end-of-instruction (EOI) exams;*
- (B) Remediation and retests of end-of-instruction (EOI) exams;*
- (C) Completion and scores of Alternate tests approved by the State Board of Education;*
- (D) Completion of End of Course Projects approved by the State Board of Education;*
- (E) Completion or scores of alternative methods approved by the State Board of Education;*
- (F) The existence of an extenuating circumstance, as defined in section (a) of this rule;*
- (G) The availability of testing opportunities;*
- (H) Other methods identified by the student, which demonstrate mastery of state academic content standards, referenced in section (b) of this rule, not to include completion of the course;*
- (I) The exhaustion of reasonable alternative methods and exemptions and exceptions approved by the State Board of Education, including the existence of extenuating circumstances; and*
- (J) Whether action is appropriate based on the statutory language of 70 O.S. § 1210.523.*

August 20, 2013  
Page 2

The ACE Appeal Committee is recommending dismissal of the following appeal application based upon verified evidence meeting the criteria contained in OAC 210:10-13-16.

OKC13-0006

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