

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 2127

By: Shelton

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5  
6 AS INTRODUCED

7 An Act relating to schools; directing the State Board  
8 of Education to adopt and implement a standard  
9 graduation rate; providing formula for calculating  
10 graduation rate; listing certain definitions and  
11 principles for the graduation rate formula; requiring  
12 the Board to use graduation rate for certain  
13 reporting requirements; requiring school district to  
14 use the graduation rate; providing for codification;  
15 providing an effective date; and declaring an  
16 emergency.

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

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 3-163 of Title 70, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. The State Board of Education shall adopt and implement a  
22 standard, four-year adjusted cohort graduation rate. The graduation  
23 rate shall be calculated by dividing the number of on-time graduates  
24 in a given year by the number of first-time entering ninth graders  
four (4) years earlier. For purposes of calculating the graduation  
rate, the following definitions and principles shall be applied:

1        1. "Graduates" shall be defined as those students who earn a  
2 diploma;

3        2. "On-time" means graduating in four (4) years, including  
4 those students completing graduation requirements in the summer of a  
5 given year. Students with disabilities for whom the individualized  
6 education plan (IEP) contains an expectation of high school  
7 graduation more than four (4) years after entering grade nine shall  
8 be assigned to the appropriate cohort based on that expectation.  
9 Students with limited English proficiency who are in need of an  
10 additional year of English language instruction and students in  
11 programs that give them five (5) years to earn both a high school  
12 diploma and an associate's degree may also be assigned to the  
13 appropriate cohort based on the specific expectation;

14        3. In limited circumstances, students earning modified  
15 diplomas, such as special education diplomas, may count as graduates  
16 if the modified diploma is the appropriate standard that the school  
17 district set for the student;

18        4. Students earning high school credentials by passing General  
19 Educational Development (GED) tests shall not be considered  
20 graduates for purposes of this section. In addition, students who  
21 receive a certificate of completion or other alternative to a  
22 diploma, including special education students who receive a  
23 nondiploma credential, shall not be considered graduates for  
24 purposes of this section; and

1           5. Students who transfer to another school district shall be  
2 documented with a transcript request from a receiving school  
3 district. Death or incarceration of a student shall also be  
4 documented. Incarcerated students shall be counted as a transfer  
5 student when they reenroll in a school district. A student for whom  
6 there is no documented information shall be counted as a nongraduate  
7 or dropout.

8           B. Beginning with the 2009-2010 school year, the graduation  
9 rate calculated by the State Board of Education pursuant to this  
10 section shall be used for the reporting requirements of the  
11 Elementary and Secondary Education Act of 2001 (ESEA), P.L. No. 107-  
12 110, also known as the "No Child Left Behind Act of 2001".

13           C. Beginning with the 2009-2010 school year, each school  
14 district in the state shall use the standard graduation rate adopted  
15 by the State Board of Education pursuant to this section to  
16 calculate and report the graduation rate of the school district.

17           SECTION 2. This act shall become effective July 1, 2009.

18           SECTION 3. It being immediately necessary for the preservation  
19 of the public peace, health and safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

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23           52-1-5369           KB           01/02/09

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