

1 **SENATE FLOOR VERSION**

2 March 20, 2012

3 As Amended

4 ENGROSSED HOUSE

5 BILL NO. 2494

6 By: Denney of the House

7 and

8 Halligan of the Senate

9 **[schools - Oklahoma School Testing Program - rules -**
10 **effective date -**
11 **emergency]**

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

13 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.545, is
14 amended to read as follows:

15 Section 1210.545 A. As part of the accountability system
16 developed as provided for in Section 1210.541 of ~~Title 70 of the~~
17 ~~Oklahoma Statutes~~ this title, the State Board of Education shall
18 prepare annual reports of the results of the Oklahoma School Testing
19 Program which describe student achievement in the state, each school
20 district, and each school site. The Board shall prescribe the
21 design and content of the reports, which shall include, without
22 limitation, descriptions of the performance of all schools
23 participating in the Oklahoma School Testing Program and all of the
24 major student populations as determined by the Board, and shall also
include the median scores of all eligible students who scored at or
in the lowest twenty-fifth percentile of the state in the previous

1 school year. The confidentiality of individual student records
2 shall be preserved as required by law.

3 B. The annual report as required pursuant to subsection A of
4 this section shall identify school districts and school sites as
5 having one of the following grades, defined according to rules of
6 the State Board of Education:

- 7 1. "A" means schools making excellent progress;
- 8 2. "B" means schools making above average progress;
- 9 3. "C" means schools making satisfactory progress;
- 10 4. "D" means schools making less than satisfactory progress;

11 and

- 12 5. "F" means schools failing to make adequate progress.

13 C. Each school that has students who are tested and included in
14 the school grading system as provided for in this section shall
15 receive a school grade, except as follows:

- 16 1. A school shall not receive a school grade if the number of
17 students tested and included in the school grading system is less
18 than the minimum sample size necessary, based on accepted
19 professional practice, for statistical reliability and prevention of
20 the unlawful release of personally identifiable student data; and

- 21 2. A school that serves any combination of students in
22 kindergarten through grade three which does not receive a school
23 grade because the students are not tested and included in the school
24 grading system shall receive the school grade designation of a

1 feeder pattern school identified by the State Department of
2 Education and verified by the school district. A school feeder
3 pattern exists if at least sixty percent (60%) of the students in
4 the school serving a combination of students in kindergarten through
5 grade three are scheduled to be assigned to the graded school.

6 D. The grade of a school shall be based on a combination of:

7 1. Thirty-three percent (33%) on student test scores, including
8 achievement on all criterion-referenced tests and end-of-instruction
9 tests administered under Section 1210.508 of ~~Title 70 of the~~
10 ~~Oklahoma Statutes~~ this title and alternative test scores
11 administered to students pursuant to Section 1210.523 of ~~Title 70 of~~
12 ~~the Oklahoma Statutes~~ this title;

13 2. Seventeen percent (17%) on student learning gains in reading
14 and mathematics as measured by criterion-referenced tests and end-
15 of-instruction tests administered under Section 1210.508 of ~~Title 70~~
16 ~~of the Oklahoma Statutes~~ this title;

17 3. Seventeen percent (17%) on improvement of the lowest twenty-
18 fifth percentile of students in the school in reading and
19 mathematics on the criterion-referenced tests and end-of-instruction
20 tests administered under Section 1210.508 of ~~Title 70 of the~~
21 ~~Oklahoma Statutes~~ this title, unless these students are exhibiting
22 satisfactory performance; and

23 4. Thirty-three percent (33%) on whole school improvement,
24 which shall include:

- 1 a. for schools comprised of high school grades:
- 2 (1) the high school graduation rate of the school,
- 3 (2) the performance and participation of students in
- 4 College Board Advanced Placement courses,
- 5 International Baccalaureate courses, concurrent
- 6 enrollment courses, Advanced International
- 7 Certificate of Education courses, and the
- 8 achievement of students on national industry
- 9 certification identified pursuant to rules
- 10 adopted by the Board,
- 11 (3) postsecondary readiness of students as measured
- 12 by the SAT tests administered by the College
- 13 Board or the American College Test (ACT),
- 14 (4) the high school graduation rate of students who
- 15 scored at limited knowledge or unsatisfactory on
- 16 the eighth-grade criterion-referenced tests in
- 17 reading and mathematics,
- 18 (5) as valid data becomes available, the performance
- 19 of students on the end-of-instruction tests
- 20 administered under Section 1210.508 of ~~Title 70~~
- 21 ~~of the Oklahoma Statutes~~ this title, and
- 22 (6) the growth or decline in the components listed in
- 23 divisions (1) through (5) of this subparagraph
- 24 from year to year, and

1 b. for schools comprised of middle school grades and
2 elementary school grades:

3 (1) the drop-out rate of the school,

4 (2) the percentage of students who are taking higher
5 level coursework at a satisfactory or higher
6 level, and

7 (3) any other factors selected by the State
8 Superintendent of Public Instruction.

9 E. Student test data used in determining school grades shall
10 include:

11 1. The aggregate scores of all eligible students enrolled in
12 the school who have been administered the criterion-referenced tests
13 and end-of-instruction tests administered under Section 1210.508 of
14 ~~Title 70 of the Oklahoma Statutes~~ this title;

15 2. The aggregate scores of all eligible students enrolled in
16 the school who have been administered the criterion-referenced tests
17 and end-of-instruction tests administered under Section 1210.508 of
18 ~~Title 70 of the Oklahoma Statutes~~ this title, and who have scored at
19 or in the lowest twenty-fifth percentile of students in the school
20 in reading and mathematics, unless these students are exhibiting
21 satisfactory performance; and

22 3. For schools comprised of high school grades, the data listed
23 in paragraphs 1 ~~through 3~~ and 2 of this subsection, and the
24

1 following data as the State Department of Education determines the
2 data are valid and available:

- 3 a. the high school graduation rate of the school as
4 calculated by the Department,
- 5 b. the participation rate of all eligible students
6 enrolled in the school in College Board Advanced
7 Placement courses whether taught at a high school, a
8 technology center school, or a regional site of the
9 Oklahoma School of Science and Mathematics,
10 International Baccalaureate courses, concurrent
11 enrollment courses, Advanced International Certificate
12 of Education courses, ~~and~~ courses or sequence of
13 courses leading to national industry certification
14 identified pursuant to rules adopted by the Board,
15 courses or sequence of courses granted cooperative
16 college alliance credit taken at a technology center
17 school, and science, technology, engineering and
18 mathematics courses taken at a regional site of the
19 Oklahoma School of Science and Mathematics,
- 20 c. the aggregate scores of all eligible students enrolled
21 in the school in College Board Advanced Placement
22 courses whether taught at a high school, a technology
23 center school, or a regional site of the Oklahoma
24 School of Science and Mathematics, International

1 Baccalaureate courses, and Advanced International
2 Certificate of Education courses,

3 d. earning of college credit by all eligible students
4 enrolled in the school in concurrent enrollment
5 programs as provided for in Section 628.13 of ~~Title 70~~
6 ~~of the Oklahoma Statutes~~ this title and in cooperative
7 college alliance courses taken at a technology center
8 school,

9 e. earning of a national industry certification
10 identified pursuant to rules adopted by the Board,

11 f. the aggregate scores of all eligible students enrolled
12 in the school in reading, mathematics, and other
13 subjects as measured by the SAT test administered by
14 the College Board and the ACT,

15 g. the high school graduation rate of all eligible
16 students enrolled in the school who scored at limited
17 knowledge or unsatisfactory on the eighth-grade
18 criterion-referenced tests in reading and mathematics,

19 h. the performance of students on statewide end-of-
20 instruction tests administered under Section 1210.508
21 of ~~Title 70 of the Oklahoma Statutes~~ this title, and

22 i. the growth or decline in the data components listed in
23 subparagraphs a through h of this paragraph from year
24 to year,

1 j. the percentage of all eligible students enrolled in
2 the school pursuing career majors at technology center
3 schools, and

4 k. the percentage of all eligible students enrolled in
5 the school earning a score of four (4) or higher on
6 all tests required for a career-readiness certificate
7 program.

8 F. The annual report shall identify the performance of each
9 school as having improved, remained the same, or declined. This
10 school improvement rating shall be based on a comparison of the
11 student and school performance data of the current year to the
12 previous year data. Schools that improve at least one grade level
13 are eligible for school recognition as established by the Board
14 through the accountability system developed pursuant to Section
15 1210.541 of ~~Title 70 of the Oklahoma Statutes~~ this title.

16 G. The State Department of Education shall annually develop, in
17 collaboration with school districts and the Office of
18 Accountability, a school site report card to be delivered to parents
19 throughout each school district. The report card shall include the
20 grade for the school, information regarding school improvement, an
21 explanation of school performance as evaluated in accordance with
22 the Elementary and Secondary Education Act of 2001 (ESEA), P.L. No.
23 107-110, also known as the No Child Left Behind Act of 2001, and
24 indicators of return on investment. The report card for each school

1 site shall be published annually by the Department on its website,
2 and every school district shall provide the school site report card
3 to the parent or guardian of each student enrolled in the school
4 site.

5 H. The annual school site report card required by subsection G
6 of this section shall include school district grades, which shall
7 consist of weighted district average grades, by level, for all
8 school sites in the district. A weighted average grade for a school
9 district shall be calculated by weighting individual school grades
10 determined pursuant to this section by school enrollment.

11 I. The Legislature may factor in the performance of schools in
12 calculating any performance-based funding policy that is provided to
13 public school districts.

14 J. The State Board of Education shall promulgate rules to
15 implement the provisions of this section.

16 SECTION 2. This act shall become effective July 1, 2012.

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

21 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 3-19-12 - DO
22 PASS, As Amended.

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