

1 **SENATE FLOOR VERSION**

2 March 7, 2011

3 As Amended

4 SENATE BILL NO. 348

5 By: Jolley, Ford and
6 Stanislawski of the Senate

7 and

8 Denney of the House

9 [school performance - requiring reports - exception
10 - criteria for grading - parental notification -
11 rules - codification - effective date -
12 emergency]

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 5-149 of Title 70, unless there
16 is created a duplication in numbering, reads as follows:

17 A. The State Department of Education shall prepare annual
18 reports of the results of the statewide assessment program to
19 describe student achievement in the state, each district, and each
20 district and charter school. The State Department of Education
21 shall prescribe the design of these reports, which shall include
22 descriptions of the performance of all schools participating in the
23 assessment program and all of their major student populations as
24 determined by the State Department of Education. These reports must

1 also include the median scores of all eligible students who scored
2 at or in the lowest 25th percentile of the state in the previous
3 school year; provided, however, that the provisions of Family
4 Educational Rights and Privacy Act (FERPA), 20 U.S.C. Section 1232g
5 pertaining to student records and any similar state legislation
6 apply to this section.

7 B. The annual report shall identify schools and districts as
8 having one of the following grades:

- 9 1. "A," schools making excellent progress;
- 10 2. "B," schools making above average progress;
- 11 3. "C," schools making satisfactory progress;
- 12 4. "D," schools making less than satisfactory progress;
- 13 5. "F," schools failing to make adequate progress.

14 C. Designation of School Grades. Each school that has students
15 who are tested and included in the school grading system shall
16 receive a school grade, except as follows: A school shall not
17 receive a school grade if the number of its students tested and
18 included in the school grading system is less than the minimum
19 sample size necessary, based on accepted professional practice, for
20 statistical reliability and prevention of the unlawful release of
21 personally identifiable student data under 20 U.S.C. Section 1232g
22 and similar state privacy laws.

23 D. A school's grade shall be based:
24

1 1. Fifty percent (50%) on student achievement scores on the
2 state annual accountability assessment for all students;

3 2. Twenty-five percent (25%) on gains in student achievement
4 scores for all students **in reading and mathematics** as measured by
5 the state annual accountability assessments; and

6 3. Twenty-five percent (25%) on gains in student achievement
7 scores of the lowest 25th percentile of students in the school in
8 reading and mathematics on the state annual accountability
9 assessment;

10 E. Student assessment data used in determining school grades
11 shall include:

12 1. The aggregate scores of all eligible students enrolled in
13 the school who have been assessed on the state annual accountability
14 assessment;

15 2. The gains in student achievement scores of all eligible
16 students enrolled in the school who have been assessed on the state
17 annual accountability assessment and who have scored at or in the
18 lowest 25th percentile of students in the school in reading and
19 mathematics;

20 3. The gains in student achievement scores of all eligible
21 students;

22 4. The term "eligible students" in this subparagraph does not
23 include students attending an alternative school who are subject to
24 district school board policies for expulsion for repeated or serious

1 offenses, who are in dropout retrieval programs serving students who
2 have officially been designated as dropouts, or who are in programs
3 operated or contracted by the Office of Juvenile Affairs.

4 F. The State Department of Education shall develop school
5 awards for schools that improve at least one grade level or maintain
6 an A school grade.

7 SECTION 2. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 5-149.1 of Title 70, unless
9 there is created a duplication in numbering, reads as follows:

10 A. The State Department of Education shall annually develop, in
11 collaboration with the school districts and the Office of
12 Accountability, a single school report card to be delivered to
13 parents throughout each school district. The report card shall
14 include the school's grade, the district's grade, information
15 regarding school improvement, an explanation of school performance
16 as evaluated by the federal No Child Left Behind Act of 2001, and
17 indicators of return on investment. The department on its website
18 shall publish each school's report card annually, and the school
19 district shall provide the school report card to each parent.

20 B. The Legislature may consider the performance of schools in
21 calculating any performance-based funding policy.

22 C. In any year in which eighty percent (80%) or more of the
23 statewide aggregate of elementary, middle and/or high schools earn a
24 grade of A or B, the Department shall raise the number of points

1 required to earn a school grade for that level of school by five
2 percent (5%) statewide.

3 SECTION 3. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 5-149.2 of Title 70, unless
5 there is created a duplication in numbering, reads as follows:

6 The State Board of Education shall promulgate rules to implement
7 the provisions of this act.

8 SECTION 4. This act shall become effective July 1, 2011.

9 SECTION 5. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-2-11 - DO
14 PASS, As Amended and Coauthored.

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