

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1456

By: Denney

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5
6 AS INTRODUCED

7 An Act relating to schools; directing the State Board
8 of Education to prepare an annual report of school
9 achievement; specifying contents of the report;
10 requiring schools to be identified by grades; listing
11 grades; giving schools with a certain grade greater
12 authority over allocation of certain funds; requiring
13 certain schools to receive a school grade; providing
14 certain exceptions; establishing basis for the grade
15 of a school; specifying criteria; specifying criteria
16 for high schools; listing student test data used to
17 determine a school grade; specifying certain data to
18 be used to determine a high school grade; directing
19 the Board to adopt certain criteria for school
20 grades; requiring added weight for reading
21 achievement; requiring certain schools to demonstrate
22 adequate progress by certain students in order to
23 achieve certain grade; requiring reporting of school
24 improvement ratings; providing for certain
recognition; directing the State Department of
Education to develop a school report card; requiring
delivery of the school report card to parents;
specifying contents of the school report card;
requiring school report cards to be published on the
Department website; providing for calculation of
performance-based funding; requiring school district
grades to be included on school report cards;
providing for calculation of a school district grade;
directing the Board to promulgate rules; providing
for codification; providing an effective date; and
declaring an emergency.

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

2 SECTION 1. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 1210.545 of Title 70, unless
4 there is created a duplication in numbering, reads as follows:

5 A. As part of the accountability system developed as provided
6 for in Section 1210.541 of Title 70 of the Oklahoma Statutes, the
7 State Board of Education shall prepare annual reports of the results
8 of the Oklahoma School Testing Program which describe student
9 achievement in the state, each school district, and each school
10 site. The Board shall prescribe the design and content of the
11 reports, which shall include, without limitation, descriptions of
12 the performance of all schools participating in the Oklahoma School
13 Testing Program and all of the major student populations as
14 determined by the Board, and shall also include the median scores of
15 all eligible students who scored at or in the lowest twenty-fifth
16 percentile of the state in the previous school year. The
17 confidentiality of individual student records shall be preserved as
18 required by law.

19 B. The annual report as required pursuant to subsection A of
20 this section shall identify schools as having one of the following
21 grades, defined according to rules of the State Board of Education:

- 22 1. "A" means schools making excellent progress;
- 23 2. "B" means schools making above average progress;
- 24 3. "C" means schools making satisfactory progress;

1 4. "D" means schools making less than satisfactory progress;
2 and

3 5. "F" means schools failing to make adequate progress.

4 C. Each school designated with a grade of "A" making excellent
5 progress, or having improved at least two grade levels, shall have
6 greater authority over the allocation of the total budget of the
7 school that is generated from the State Aid formula, lottery funds,
8 grants, and local funds, as specified in Board rules. The rules
9 promulgated by the Board shall provide that the increased budget
10 authority shall remain in effect until the grade of the school
11 declines.

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

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

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

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

5 E. The grade of a school shall be based on a combination of:

6 1. Student test scores, including achievement on all criterion-
7 referenced tests and end-of-instruction tests administered under
8 Section 1210.508 of Title 70 of the Oklahoma Statutes and
9 alternative test scores administered to students pursuant to Section
10 1210.523 of Title 70 of the Oklahoma Statutes;

11 2. Student learning gains in reading and mathematics as
12 measured by criterion-referenced tests and end-of-instruction tests
13 administered under Section 1210.508 of Title 70 of the Oklahoma
14 Statutes;

15 3. Improvement of the lowest twenty-fifth percentile of
16 students in the school in reading and mathematics on the criterion-
17 referenced tests and end-of-instruction tests administered under
18 Section 1210.508 of Title 70 of the Oklahoma Statutes, unless these
19 students are exhibiting satisfactory performance;

20 4. For schools comprised of high school grades, fifty percent
21 (50%) of the school grade shall be based on a combination of the
22 factors listed in paragraphs 1 through 3 of this subsection and the
23 remaining fifty percent (50%) on the following factors:

24 a. the high school graduation rate of the school,

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

22 F. Student test data used in determining school grades shall
23 include:

1 1. The aggregate scores of all eligible students enrolled in
2 the school who have been administered the criterion-referenced tests
3 and end-of-instruction tests administered under Section 1210.508 of
4 Title 70 of the Oklahoma Statutes;

5 2. The aggregate scores of all eligible students enrolled in
6 the school who have been administered the criterion-referenced tests
7 and end-of-instruction tests administered under Section 1210.508 of
8 Title 70 of the Oklahoma Statutes, and who have scored at or in the
9 lowest twenty-fifth percentile of students in the school in reading
10 and mathematics, unless these students are exhibiting satisfactory
11 performance;

12 3. For schools comprised of high school grades, the data listed
13 in paragraphs 1 through 3 of this subsection, and the following data
14 as the State Department of Education determines the data are valid
15 and available:

16 a. the high school graduation rate of the school as
17 calculated by the Department,

18 b. the participation rate of all eligible students
19 enrolled in the school in College Board Advanced
20 Placement courses, International Baccalaureate
21 courses, concurrent enrollment courses, Advanced
22 International Certificate of Education courses, and
23 courses or sequence of courses leading to national
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1 industry certification identified pursuant to rules
2 adopted by the Board,

3 c. the aggregate scores of all eligible students enrolled
4 in the school in College Board Advanced Placement
5 courses, International Baccalaureate courses, and
6 Advanced International Certificate of Education
7 courses,

8 d. earning of college credit by all eligible students
9 enrolled in the school in concurrent enrollment
10 programs as provided for in Section 628.13 of Title 70
11 of the Oklahoma Statutes,

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

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

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

22 h. the performance of students on statewide end-of-
23 instruction tests administered under Section 1210.508
24 of Title 70 of the Oklahoma Statutes, and

1 i. the growth or decline in the data components listed in
2 subparagraphs a through h of this paragraph from year
3 to year.

4 G. The State Board of Education shall adopt appropriate
5 criteria for each school grade. The criteria shall also give added
6 weight to student achievement in reading. Schools designated with a
7 grade of "C", making satisfactory progress, shall be required to
8 demonstrate that adequate progress has been made by students in the
9 school who are in the lowest twenty-fifth percentile in reading and
10 mathematics on the criterion-referenced tests and end-of-instruction
11 tests administered under Section 1210.508 of Title 70 of the
12 Oklahoma Statutes, unless these students are exhibiting satisfactory
13 performance. For schools comprised of high school grades, the
14 criteria for school grades shall also give added weight to the
15 graduation rate of all students in the school who are in the lowest
16 twenty-fifth percentile in reading and mathematics end-of-
17 instruction tests administered under Section 1210.508 of Title 70 of
18 the Oklahoma Statutes, unless these students are exhibiting
19 satisfactory performance. In order for a high school to be
20 designated as having a grade of "A", making excellent progress, the
21 school shall demonstrate that students as described above are making
22 adequate progress.

23 H. The annual report shall identify the performance of each
24 school as having improved, remained the same, or declined. This

1 school improvement rating shall be based on a comparison of the
2 student and school performance data of the current year to the
3 previous year data. Schools that improve at least one grade level
4 are eligible for school recognition as established by the Board
5 through the accountability system developed pursuant to Section
6 1210.541 of Title 70 of the Oklahoma Statutes.

7 I. The Department of Education shall annually develop, in
8 collaboration with school districts, a school site report card to be
9 delivered to parents throughout each school district. The report
10 card shall include the grade for the school, information regarding
11 school improvement, an explanation of school performance as
12 evaluated in accordance with the Elementary and Secondary Education
13 Act of 2001 (ESEA), P.L. No. 107-110, also known as the No Child
14 Left Behind Act of 2001, and indicators of return on investment.
15 Each report card for a school site shall be published annually by
16 the Department on its website, and the school district shall provide
17 the school report card to each parent.

18 J. The Legislature may factor in the performance of schools in
19 calculating any performance-based funding policy that is provided to
20 public school districts.

21 K. The annual school report card required by subsection I of
22 this section shall include district grades, which shall consist of
23 weighted district average grades, by level, for all school sites in
24 the district. A weighted average grade for a school district shall

1 be calculated by weighting individual school grades determined
2 pursuant to this section by school enrollment.

3 L. The State Board of Education shall promulgate rules to
4 implement the provisions of this section.

5 SECTION 2. This act shall become effective July 1, 2011.

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

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