

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL 1658

By: Denney of the House

and

Jolley of the Senate

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7  
8  
9 COMMITTEE SUBSTITUTE

10 An Act relating to schools; amending 70 O.S. 2011,  
11 Section 1210.545, as amended by Section 1, Chapter  
12 314, O.S.L. 2012 (70 O.S. Supp. 2012, Section  
13 1210.545), which relates to annual reports for the  
14 Oklahoma School Testing Program; directing the State  
15 Board of Education to establish testing sample size;  
16 modifying percentages of certain components used to  
17 calculate school grades; providing for calculation of  
18 bonus points; deleting certain testing improvement  
19 data used to determine school grades; deleting  
20 performance of certain students in the lowest twenty-  
21 fifth percentile in determining school grades;  
22 providing for calculation of grades; and declaring an  
23 emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.545, as  
amended by Section 1, Chapter 314, O.S.L. 2012 (70 O.S. Supp. 2012,  
Section 1210.545), is amended to read as follows:

Section 1210.545. A. As part of the accountability system  
developed as provided for in Section 1210.541 of this title, the

1 State Board of Education shall prepare annual reports of the results  
2 of the Oklahoma School Testing Program which describe student  
3 achievement in the state, each school district, and each school  
4 site. The Board shall prescribe the design and content of the  
5 reports, which shall include, without limitation, descriptions of  
6 the performance of all schools participating in the Oklahoma School  
7 Testing Program and all of the major student populations as  
8 determined by the Board, and shall also include the median scores of  
9 all eligible students who scored at or in the lowest twenty-fifth  
10 percentile of the state in the previous school year. The  
11 confidentiality of individual student records shall be preserved as  
12 required by law.

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

- 17 1. "A" means schools making excellent progress;
- 18 2. "B" means schools making above average progress;
- 19 3. "C" means schools making satisfactory progress;
- 20 4. "D" means schools making less than satisfactory progress;

21 and

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

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

4 1. A school shall not receive a school grade if the number of  
5 students tested and included in the school grading system is less  
6 than the minimum sample size necessary, ~~based on accepted~~  
7 ~~professional practice,~~ for statistical reliability and prevention of  
8 the unlawful release of personally identifiable student data. The  
9 State Board of Education is directed to establish the lowest minimum  
10 sample size necessary to meet the requirements of this paragraph;

11 and

12 2. A school that serves any combination of students in  
13 kindergarten through grade three which does not receive a school  
14 grade because the students are not tested and included in the school  
15 grading system shall receive the school grade designation of a  
16 feeder pattern school identified by the State Department of  
17 Education and verified by the school district. A school feeder  
18 pattern exists if at least sixty percent (60%) of the students in  
19 the school serving a combination of students in kindergarten through  
20 grade three are scheduled to be assigned to the graded school.

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

22 1. ~~Thirty-three percent (33%)~~ Fifty percent (50%) on ~~student~~  
23 ~~test scores, including achievement on all~~ whole school performance,  
24 as measured by allocating one point for each student who scores

1 proficient or advanced on the criterion-referenced tests and end-of-  
2 instruction tests administered under Section 1210.508 of this title  
3 and alternative test scores administered to students pursuant to  
4 Section 1210.523 of this title divided by the number of students  
5 taking the tests;

6 2. ~~Seventeen percent (17%)~~ Twenty-five percent (25%) on student  
7 ~~learning gains in reading and mathematics~~ whole school growth, as  
8 measured by allocating one point for each student who improves  
9 proficiency levels or improves substantially within a proficiency  
10 level on criterion-referenced tests and end-of-instruction tests  
11 administered under Section 1210.508 of this title divided by the  
12 number of students taking the tests; and

13 3. ~~Seventeen percent (17%) on improvement of the lowest twenty-~~  
14 ~~fifth percentile of students in the school in reading and~~  
15 ~~mathematics on the criterion-referenced tests and end-of-instruction~~  
16 ~~tests administered under Section 1210.508 of this title, unless~~  
17 ~~these students are exhibiting satisfactory performance; and~~

18 4. ~~Thirty-three percent (33%)~~ Twenty-five percent (25%) on  
19 ~~whole school improvement, which shall include:~~ growth in the bottom  
20 quartile of students, as measured by allocating one point for each  
21 student in the bottom quartile who improves proficiency levels or  
22 improves substantially within a proficiency level on criterion-  
23 referenced tests and end-of-instruction tests administered under

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1 Section 1210.508 of this title divided by the number of students  
2 taking the tests.

3 E. In addition to the components outlined in subsection D of  
4 this section, the following bonus points shall be considered in  
5 determining the grade of a school site:

6 a. ~~for~~

7 1. For schools comprised of high school grades:

8 ~~(1)~~

9 a. five points for meeting the criteria for an "A" for  
10 the high school graduation rate of the school, as  
11 defined by rules adopted by the Board,

12 ~~(2) the~~

13 b. one point for meeting the criteria for an "A" for  
14 performance ~~and~~ or participation of students in  
15 College Board Advanced Placement courses,  
16 International Baccalaureate courses, concurrent  
17 enrollment courses, Advanced International Certificate  
18 of Education courses, ~~and~~ or the achievement of  
19 students on national industry certification ~~identified~~  
20 ~~pursuant to,~~ as defined by rules adopted by the Board,

21 ~~(3) postsecondary readiness of students as measured~~  
22 ~~by the~~

23 c. one point for meeting the criteria for an "A" for  
24 participation or performance in SAT tests administered

1 by the College Board or the American College Test  
2 (ACT), as defined by rules adopted by the Board,

3 ~~(4)~~

4 d. one point for meeting the criteria for an "A" for the  
5 high school graduation rate of students who scored at  
6 limited knowledge or unsatisfactory on the eighth-  
7 grade criterion-referenced tests in reading and  
8 mathematics,

9 ~~(5)~~

10 e. as valid data becomes available, one point for the  
11 performance of students on the end-of-instruction  
12 tests administered under Section 1210.508 of this  
13 title, as defined by rules adopted by the Board, and

14 ~~(6)~~

15 f. one point for the growth or decline in the components  
16 listed in ~~divisions (1)~~ subparagraphs a through (5) e  
17 of this ~~subparagraph~~ paragraph from year to year, and  
18 as defined by rules adopted by the Board;

19 ~~b. for~~

20 2. For schools comprised of middle school grades and elementary  
21 ~~school grades:~~

22 ~~(1)~~

1           a. two points for meeting the criteria for an "A" for the  
2           drop-out rate of the school, as defined by rules  
3           adopted by the Board,

4           ~~(2)~~

5           b. two points for meeting the criteria for an "A" for the  
6           percentage of students who are taking higher level  
7           coursework at a satisfactory or higher level, as  
8           defined by rules adopted by the Board, and

9           ~~(3) any other factors selected by the State~~  
10           ~~Superintendent of Public Instruction~~

11           c. six points for meeting the criteria for an "A" for  
12           attendance, as defined by rules adopted by the Board;  
13           and

14           3. For schools comprised of elementary school grades, ten  
15           points for meeting the criteria for an "A" for attendance, as  
16           defined by rules adopted by the Board.

17           ~~E.~~ F. Student test data used in determining school grades shall  
18 include:

19           1. The aggregate scores of all eligible students enrolled in  
20 the school who have been administered the criterion-referenced tests  
21 and end-of-instruction tests administered under Section 1210.508 of  
22 this title; and

23           2. ~~The aggregate scores of all eligible students enrolled in~~  
24 ~~the school who have been administered the criterion-referenced tests~~

1 ~~and end of instruction tests administered under Section 1210.508 of~~  
2 ~~this title, and who have scored at or in the lowest twenty-fifth~~  
3 ~~percentile of students in the school in reading and mathematics,~~  
4 ~~unless these students are exhibiting satisfactory performance; and~~

5 3. For schools comprised of high school grades, the data listed  
6 in ~~paragraphs~~ paragraph 1 and 2 of this subsection, and the  
7 following data as the State Department of Education determines the  
8 data are valid and available:

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

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1 courses taken at a regional site of the Oklahoma  
2 School of Science and Mathematics,

3 c. the aggregate scores of all eligible students enrolled  
4 in the school in College Board Advanced Placement  
5 courses whether taught at a high school, a technology  
6 center school, or a regional site of the Oklahoma  
7 School of Science and Mathematics, International  
8 Baccalaureate courses, and Advanced International  
9 Certificate of Education courses,

10 d. earning of college credit by all eligible students  
11 enrolled in the school in concurrent enrollment  
12 programs as provided for in Section 628.13 of this  
13 title and in cooperative college alliance courses  
14 taken at a technology center school,

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

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

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

1 h. the performance of students on statewide end-of-  
2 instruction tests administered under Section 1210.508  
3 of this title, and

4 i. the growth or decline in the data components listed in  
5 subparagraphs a through h of this paragraph from year  
6 to year.

7 ~~F.~~ G. Grades shall be calculated by combining the points earned  
8 for whole school performance, whole school growth and growth in the  
9 bottom quartile of students, measured pursuant to subsection D of  
10 this section, and any bonus points earned pursuant to subsection E  
11 of this section. Grades shall be assigned based on the following  
12 scale:

13 1. Ninety-seven percent (97%) to one hundred percent (100%) =

14 A+;

15 2. Ninety-three percent (93%) to ninety-six percent (96%) = A;

16 3. Ninety percent (90%) to ninety-two percent (92%) = A-;

17 4. Eighty-seven percent (87%) to eighty-nine percent (89%) =

18 B+;

19 5. Eighty-three percent (83%) to eighty-six percent (86%) = B;

20 6. Eighty percent (80%) to eighty-two percent (82%) = B-;

21 7. Seventy-seven percent (77%) to seventy-nine percent (79%) =

22 C+;

23 8. Seventy-three percent (73%) to seventy-six percent (76%) =

24 C;

1     9. Seventy percent (70%) to seventy-two percent (72%) = C-;

2     10. Sixty-seven percent (67%) to sixty-nine percent (69%) = D+;

3     11. Sixty-three percent (63%) to sixty-six percent (66%) = D;

4     12. Sixty percent (60%) to sixty-two percent (62%) = D-; and

5     13. Fifty-nine percent (59%) and below = F.

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

14     ~~G.~~ I. The State Department of Education shall annually develop,  
15 in collaboration with school districts and the Office of  
16 Accountability prior to July 1, 2013, and the Office of Educational  
17 Quality and Accountability after July 1, 2013, a school site report  
18 card to be delivered to parents throughout each school district.  
19 The report card shall include the grade for the school, information  
20 regarding school improvement, an explanation of school performance  
21 as evaluated in accordance with the Elementary and Secondary  
22 Education Act of 2001 (ESEA), P.L. No. 107-110, also known as the No  
23 Child Left Behind Act of 2001, and indicators of return on  
24 investment. The report card for each school site shall be published

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

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

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

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

15 SECTION 2. It being immediately necessary for the preservation  
16 of the public peace, health and safety, an emergency is hereby  
17 declared to exist, by reason whereof this act shall take effect and  
18 be in full force from and after its passage and approval.

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