

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2427

By: Condit

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5
6 AS INTRODUCED

7 An Act relating to schools; directing the State Board
8 of Education to readopt the Academic Performance
9 Index by a certain date; listing indicators to be
10 included in the index; requiring data to be
11 disaggregated; requiring certain test score to
12 constitute certain value; directing the State Board
13 to adopt growth targets; providing for the separate
14 reporting of certain online students; amending 70
15 O.S. 2011, Section 1210.545, as last amended by
16 Section 1, Chapter 321, O.S.L. 2013 (70 O.S. Supp.
17 2013, Section 1210.545), which relates to the
18 Oklahoma School Testing Program annual reports;
19 deleting certain components for calculating school
20 grades; deleting certain components used for granting
21 bonus points; changing calculation of school grades
22 to be based on the Academic Performance Index score;
23 changing basis for the grading scale; deleting
24 obsolete language; providing for codification;
providing an effective date; and declaring an
emergency.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 3-150.1 of Title 70, unless
there is created a duplication in numbering, reads as follows:

1 A. By January 1, 2015, the State Board of Education shall
2 readopt the Academic Performance Index (API) which was in effect
3 prior to July 1, 2013, and which shall be used to measure
4 performance of schools, including the academic performance of
5 students. The index shall consist of a variety of indicators
6 including, but not limited to:

- 7 1. Attendance rates for students;
- 8 2. Dropout rates;
- 9 3. Results of the Oklahoma School Testing Program administered
10 pursuant to Section 1210.508 of this title;
- 11 4. Advanced Placement participation and scores;
- 12 5. Graduation rates for secondary school students;
- 13 6. Scores of the American College Test (ACT) and SAT test
14 administered by the College Board; and
- 15 7. College remediation rates.

16 B. The data collected for the API shall be disaggregated, when
17 available, by socioeconomic status and ethnic group. Oklahoma
18 School Testing Program results shall constitute no less than sixty
19 percent (60%) of the value of the index.

20 C. Based on the API, the State Board of Education shall adopt
21 expected annual percentage growth targets for the state level,
22 school districts, and all school sites based on their API baseline
23 score. The minimum percentage growth target shall be five percent
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1 (5%) annually. However, the State Board of Education may set
2 differential growth targets based on grade level of instruction.

3 D. The academic performance of students who are enrolled full-
4 time in an online program that is offered by a school district or
5 charter school that is not the district of residence or is not
6 located in the district of residence of the student shall be
7 reported separately by the school district or charter school and
8 shall not be included when determining the Academic Performance
9 Index of the school district or charter school.

10 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1210.545, as
11 last amended by Section 1, Chapter 321, O.S.L. 2013 (70 O.S. Supp.
12 2013, Section 1210.545), is amended to read as follows:

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

1 confidentiality of individual student records shall be preserved as
2 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 for statistical reliability
19 and prevention of the unlawful release of personally identifiable
20 student data. The State Board of Education is directed to establish
21 the lowest minimum sample size necessary to meet the requirements of
22 this paragraph;

23 2. A school that serves any combination of students in
24 kindergarten through grade three which does not receive a school

1 grade because the students are not tested and included in the school
2 grading system shall receive the school grade designation of a
3 feeder pattern school identified by the State Department of
4 Education and verified by the school district. A school feeder
5 pattern exists if at least sixty percent (60%) of the students in
6 the school serving a combination of students in kindergarten through
7 grade three are scheduled to be assigned to the graded school; and

8 3. The academic performance of students who are enrolled full-
9 time in an online program that is offered by a school district or
10 charter school that is not the district of residence or is not
11 located in the district of residence of the student shall be
12 reported separately by the school district or charter school and
13 shall not be included when determining the grade of the school
14 district or charter school.

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

16 1. ~~Fifty percent (50%) on whole school performance, as measured~~
17 ~~by allocating one point for each student who scores proficient or~~
18 ~~advanced on the criterion-referenced tests and end-of-instruction~~
19 ~~tests administered under Section 1210.508 of this title and~~
20 ~~alternative test scores administered to students pursuant to Section~~
21 ~~1210.523 of this title divided by the number of students taking the~~
22 ~~tests;~~

23 2. ~~Twenty-five percent (25%) on whole school growth, as~~
24 ~~measured by allocating one point for each student who improves~~

~~1 proficiency levels or improves substantially within a proficiency
2 level on criterion-referenced tests and end-of-instruction tests
3 administered under Section 1210.508 of this title divided by the
4 number of students taking the tests; and~~

~~5 3. Twenty-five percent (25%) on growth in the bottom quartile
6 of students, as measured by allocating one point for each student in
7 the bottom quartile who improves proficiency levels or improves
8 substantially within a proficiency level on criterion-referenced
9 tests and end-of-instruction tests administered under Section
10 1210.508 of this title divided by the number of students taking the
11 tests.~~

~~12 E. In addition to the components outlined in subsection D of
13 this section, the following bonus points shall be considered in
14 determining the grade of a school site:~~

~~15 1. For schools comprised of high school grades:~~

~~16 a. five points for meeting the criteria for an "A" for
17 the high school graduation rate of the school, as
18 defined by rules adopted by the Board,~~

~~19 b. one point for meeting the criteria for an "A" for
20 performance or participation of students in College
21 Board Advanced Placement courses, International
22 Baccalaureate courses, concurrent enrollment courses,
23 Advanced International Certificate of Education
24 courses, or the achievement of students on national~~

1 ~~industry certification, as defined by rules adopted by~~
2 ~~the Board,~~

3 e. ~~one point for meeting the criteria for an "A" for~~
4 ~~participation or performance in SAT tests administered~~
5 ~~by the College Board or the American College Test~~
6 ~~(ACT), as defined by rules adopted by the Board,~~

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

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

16 f. ~~one point for the growth or decline in the components~~
17 ~~listed in subparagraphs a through e of this paragraph~~
18 ~~from year to year, as defined by rules adopted by the~~
19 ~~Board,~~

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

21 a. ~~two points for meeting the criteria for an "A" for the~~
22 ~~drop-out rate of the school, as defined by rules~~
23 ~~adopted by the Board,~~

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1 ~~b. two points for meeting the criteria for an "A" for the~~
2 ~~percentage of students who are taking higher level~~
3 ~~coursework at a satisfactory or higher level, as~~
4 ~~defined by rules adopted by the Board, and~~

5 ~~e. six points for meeting the criteria for an "A" for~~
6 ~~attendance, as defined by rules adopted by the Board;~~
7 ~~and~~

8 ~~3. For schools comprised of elementary school grades, ten~~
9 ~~points for meeting the criteria for an "A" for attendance, as~~
10 ~~defined by rules adopted by the Board.~~

11 ~~F.~~ Student test data used in determining school grades shall
12 include:

13 1. The aggregate scores of all eligible students enrolled in
14 the school who have been administered the criterion-referenced tests
15 and end-of-instruction tests administered under Section 1210.508 of
16 this title; and

17 2. For schools comprised of high school grades, the data listed
18 in paragraph 1 of this subsection, and the following data as the
19 State Department of Education determines the data are valid and
20 available:

21 a. the high school graduation rate of the school as
22 calculated by the Department,

23 b. the participation rate of all eligible students
24 enrolled in the school in College Board Advanced

1 Placement courses whether taught at a high school, a
2 technology center school, or a regional site of the
3 Oklahoma School of Science and Mathematics,
4 International Baccalaureate courses, concurrent
5 enrollment courses, Advanced International Certificate
6 of Education courses, courses or sequence of courses
7 leading to national industry certification identified
8 pursuant to rules adopted by the Board, courses or
9 sequence of courses granted cooperative college
10 alliance credit taken at a technology center school,
11 and science, technology, engineering and mathematics
12 courses taken at a regional site of the Oklahoma
13 School of Science and Mathematics,

14 c. the aggregate scores of all eligible students enrolled
15 in the school in College Board Advanced Placement
16 courses whether taught at a high school, a technology
17 center school, or a regional site of the Oklahoma
18 School of Science and Mathematics, International
19 Baccalaureate courses, and Advanced International
20 Certificate of Education courses,

21 d. earning of college credit by all eligible students
22 enrolled in the school in concurrent enrollment
23 programs as provided for in Section 628.13 of this
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1 title and in cooperative college alliance courses
2 taken at a technology center school,

3 e. earning of a national industry certification

4 identified pursuant to rules adopted by the Board,

5 f. the aggregate scores of all eligible students enrolled

6 in the school in reading, mathematics, and other

7 subjects as measured by the SAT test administered by

8 the College Board and the ACT,

9 g. the high school graduation rate of all eligible

10 students enrolled in the school who scored at limited

11 knowledge or unsatisfactory on the eighth-grade

12 criterion-referenced tests in reading and mathematics,

13 h. the performance of students on statewide end-of-

14 instruction tests administered under Section 1210.508

15 of this title, and

16 i. the growth or decline in the data components listed in

17 subparagraphs a through h of this paragraph from year

18 to year.

19 ~~G. E.~~ Grades shall be calculated ~~by combining the points earned~~
20 ~~for whole school performance, whole school growth and growth in the~~
21 ~~bottom quartile of students, measured pursuant to subsection D of~~
22 ~~this section, and any bonus points earned pursuant to subsection E~~
23 ~~of this section~~ based on the student data as listed in subsection D
24 of this section as calculated in the Academic Performance Index

1 (API) scores of the school and school district as set forth in
2 Section 1 of this act. Grades shall be assigned based on the
3 following scale:

4 1. ~~Ninety-seven percent (97%) to one hundred percent (100%) =~~
5 ~~A+;~~

6 2. ~~Ninety-three percent (93%) to ninety-six percent (96%)~~ An
7 API score of 1,350-1,500 = A;

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

9 4. ~~Eighty-seven percent (87%) to eighty-nine percent (89%) =~~
10 ~~B+;~~

11 5. ~~Eighty-three percent (83%) to eighty-six percent (86%)~~

12 2. An API score of 1,200-1,349 = B;

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

14 7. ~~Seventy-seven percent (77%) to seventy-nine percent (79%) =~~
15 ~~C+;~~

16 8. ~~Seventy-three percent (73%) to seventy-six percent (76%)~~

17 3. An API score of 1,050-1,199 = C;

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

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

20 11. ~~Sixty-three percent (63%) to sixty-six percent (66%)~~

21 4. An API score of 900-1,049 = D;

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

23 13. ~~Fifty-nine percent (59%) and~~

24 5. An API score below 899 = F.

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

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

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1 ~~J.~~ H. The annual district report card required by subsection B
2 of this section shall be aggregated at the student level and
3 calculated pursuant to subsection ~~D~~ E of this section.

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

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

9 SECTION 3. This act shall become effective July 1, 2014.

10 SECTION 4. It being immediately necessary for the preservation
11 of the public peace, health and safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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