

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1381

By: Paddack

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5  
6 AS INTRODUCED

7 An Act relating to school accountability; amending 70  
8 O.S. 2011, Section 1210.545, as last amended by  
9 Section 1, Chapter 321, O.S.L. 2013 (70 O.S. Supp.  
10 2013, Section 1210.545), which relates to the grading  
11 system for schools; directing the State Board of  
12 Education to retain the services of an agency or  
13 organization to conduct certain review and make  
14 recommendations regarding the A-F annual report card;  
15 directing submission of certain report; providing an  
16 effective date; and declaring an emergency.

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

18 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.545, as  
19 last amended by Section 1, Chapter 321, O.S.L. 2013 (70 O.S. Supp.  
20 2013, Section 1210.545), is amended to read as follows:

21 Section 1210.545. A. As part of the accountability system  
22 developed as provided for in Section 1210.541 of this title, the  
23 State Board of Education shall prepare annual reports of the results  
24 of the Oklahoma School Testing Program which describe student  
achievement in the state, each school district, and each school  
site. The Board shall prescribe the design and content of the  
reports, which shall include, without limitation, descriptions of

1 the performance of all schools participating in the Oklahoma School  
2 Testing Program and all of the major student populations as  
3 determined by the Board, and shall also include the median scores of  
4 all eligible students who scored at or in the lowest twenty-fifth  
5 percentile of the state in the previous school year. The  
6 confidentiality of individual student records shall be preserved as  
7 required by law.

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

- 12 1. "A" means schools making excellent progress;
- 13 2. "B" means schools making above average progress;
- 14 3. "C" means schools making satisfactory progress;
- 15 4. "D" means schools making less than satisfactory progress;

16 and

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

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

- 21 1. A school shall not receive a school grade if the number of  
22 students tested and included in the school grading system is less  
23 than the minimum sample size necessary for statistical reliability  
24 and prevention of the unlawful release of personally identifiable

1 student data. The State Board of Education is directed to establish  
2 the lowest minimum sample size necessary to meet the requirements of  
3 this paragraph;

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

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

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

21 1. Fifty percent (50%) on whole school performance, as measured  
22 by allocating one point for each student who scores proficient or  
23 advanced on the criterion-referenced tests and end-of-instruction  
24 tests administered under Section 1210.508 of this title and

1 alternative test scores administered to students pursuant to Section  
2 1210.523 of this title divided by the number of students taking the  
3 tests;

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

10 3. Twenty-five percent (25%) on growth in the bottom quartile  
11 of students, as measured by allocating one point for each student in  
12 the bottom quartile who improves proficiency levels or improves  
13 substantially within a proficiency level on criterion-referenced  
14 tests and end-of-instruction tests administered under Section  
15 1210.508 of this title divided by the number of students taking the  
16 tests.

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

20 1. For schools comprised of high school grades:

21 a. five points for meeting the criteria for an "A" for  
22 the high school graduation rate of the school, as  
23 defined by rules adopted by the Board,

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- 1           b.    one point for meeting the criteria for an "A" for  
2                    performance or participation of students in College  
3                    Board Advanced Placement courses, International  
4                    Baccalaureate courses, concurrent enrollment courses,  
5                    Advanced International Certificate of Education  
6                    courses, or the achievement of students on national  
7                    industry certification, as defined by rules adopted by  
8                    the Board,
- 9           c.    one point for meeting the criteria for an "A" for  
10                    participation or performance in SAT tests administered  
11                    by the College Board or the American College Test  
12                    (ACT), as defined by rules adopted by the Board,
- 13           d.    one point for meeting the criteria for an "A" for the  
14                    high school graduation rate of students who scored at  
15                    limited knowledge or unsatisfactory on the eighth-  
16                    grade criterion-referenced tests in reading and  
17                    mathematics,
- 18           e.    as valid data becomes available, one point for the  
19                    performance of students on the end-of-instruction  
20                    tests administered under Section 1210.508 of this  
21                    title, as defined by rules adopted by the Board, and
- 22           f.    one point for the growth or decline in the components  
23                    listed in subparagraphs a through e of this paragraph  
24

1 from year to year, as defined by rules adopted by the  
2 Board;

3 2. For schools comprised of middle school grades:

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

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

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 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. For schools comprised of high school grades, the data listed  
24 in paragraph 1 of this subsection, and the following data as the

1 State Department of Education determines the data are valid and  
2 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, courses or sequence of courses  
13 leading to national industry certification identified  
14 pursuant to rules adopted by the Board, courses or  
15 sequence of courses granted cooperative college  
16 alliance credit taken at a technology center school,  
17 and science, technology, engineering and mathematics  
18 courses taken at a regional site of the Oklahoma  
19 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 this  
6 title and in cooperative college alliance courses  
7 taken at a technology center school,

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

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

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

18 h. the performance of students on statewide end-of-  
19 instruction tests administered under Section 1210.508  
20 of this title, and

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

1 G. Grades shall be calculated by combining the points earned  
2 for whole school performance, whole school growth and growth in the  
3 bottom quartile of students, measured pursuant to subsection D of  
4 this section, and any bonus points earned pursuant to subsection E  
5 of this section. Grades shall be assigned based on the following  
6 scale:

- 7 1. Ninety-seven percent (97%) to one hundred percent (100%) =  
8 A+;
- 9 2. Ninety-three percent (93%) to ninety-six percent (96%) = A;
- 10 3. Ninety percent (90%) to ninety-two percent (92%) = A-;
- 11 4. Eighty-seven percent (87%) to eighty-nine percent (89%) =  
12 B+;
- 13 5. Eighty-three percent (83%) to eighty-six percent (86%) = B;
- 14 6. Eighty percent (80%) to eighty-two percent (82%) = B-;
- 15 7. Seventy-seven percent (77%) to seventy-nine percent (79%) =  
16 C+;
- 17 8. Seventy-three percent (73%) to seventy-six percent (76%) =  
18 C;
- 19 9. Seventy percent (70%) to seventy-two percent (72%) = C-;
- 20 10. Sixty-seven percent (67%) to sixty-nine percent (69%) = D+;
- 21 11. Sixty-three percent (63%) to sixty-six percent (66%) = D;
- 22 12. Sixty percent (60%) to sixty-two percent (62%) = D-; and
- 23 13. Fifty-nine percent (59%) and below = F.

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

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

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

7 L. The State Board of Education, for the purposes of conducting  
8 reliability and validity studies, shall retain the services of an  
9 established, independent agency or organization that is nationally  
10 recognized for its expertise in psychometrics and statistics.

11 Beginning October 1, 2014, and on October 1 of any subsequent year  
12 in which a change to the grade calculation contained in this section  
13 is made, the independent agency or organization shall review and  
14 make recommendations regarding the calculation metrics of all  
15 components of the A-F annual report card and the clarity,  
16 transparency, statistical trustworthiness and credibility of the A-F  
17 annual report card. The independent agency or organization shall  
18 report its findings to the Governor, President Pro Tempore of the  
19 Senate and the Speaker of the House of Representatives.

20 M. The State Board of Education shall promulgate rules to  
21 implement the provisions of this section.

22 SECTION 2. This act shall become effective July 1, 2014.

23 SECTION 3. It being immediately necessary for the preservation  
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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