

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1064

By: Nollan

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2011, Section 1210.545, as last amended by Section 2, Chapter 163, O.S.L. 2014 (70 O.S. Supp. 2014, Section 1210.545), which relates to the annual reports for the Oklahoma School Testing Program; excluding certain students from the calculation of the bottom quartile of students; excluding certain student from the calculation of the high school graduation rate used for determining school grades; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.545, as last amended by Section 2, Chapter 163, O.S.L. 2014 (70 O.S. Supp. 2014, 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 State Board of Education shall prepare annual reports of the results of the Oklahoma School Testing Program which describe student achievement in the state and each school site. The Board shall prescribe the design and content of the reports, which shall

1 include, without limitation, descriptions of the performance of all
2 schools participating in the Oklahoma School Testing Program and all
3 of the major student populations as determined by the Board, and
4 shall also include the median scores of all eligible students who
5 scored at or in the lowest twenty-fifth percentile of the state in
6 the previous school year. The confidentiality of individual student
7 records shall be preserved as required by law.

8 B. The annual report as required pursuant to subsection A of
9 this section shall identify school sites as having one of the
10 following grades, defined according to rules of the State Board of
11 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 site
19 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. For purposes of this calculation, the bottom quartile of
17 students shall not include those students who have an individualized
18 education program (IEP) pursuant to the Individuals with
19 Disabilities Education Act (IDEA) which indicates that the student
20 is to be assessed with alternative achievement standards through the
21 Oklahoma Alternate Assessment Program (OAAP).

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

1. For schools comprised of high school grades:

- a. five points for meeting the criteria for an "A" for the high school graduation rate of the school, as defined by rules adopted by the Board,
- b. one point for meeting the criteria for an "A" for performance or participation of students in College Board Advanced Placement courses, International Baccalaureate courses, concurrent enrollment courses, Advanced International Certificate of Education courses, or the achievement of students on national industry certification, as defined by rules adopted by the Board,
- c. one point for meeting the criteria for an "A" for participation or performance in SAT tests administered by the College Board or the American College Test (ACT), as defined by rules adopted by the Board,
- d. one point for meeting the criteria for an "A" for the high school graduation rate of students who scored at limited knowledge or unsatisfactory on the eighth-grade criterion-referenced tests in reading and mathematics,
- e. as valid data becomes available, one point for the performance of students on the end-of-instruction

1 tests administered under Section 1210.508 of this
2 title, as defined by rules adopted by the Board, and
3 f. one point for the growth or decline in the components
4 listed in subparagraphs a through e of this paragraph
5 from year to year, as defined by rules adopted by the
6 Board;

7 2. For schools comprised of middle school grades:

- 8 a. two points for meeting the criteria for an "A" for the
9 drop-out rate of the school, as defined by rules
10 adopted by the Board,
11 b. two points for meeting the criteria for an "A" for the
12 percentage of students who are taking higher level
13 coursework at a satisfactory or higher level, as
14 defined by rules adopted by the Board, and
15 c. six points for meeting the criteria for an "A" for
16 attendance, as defined by rules adopted by the Board;
17 and

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

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

23 1. 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

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

7 a. the high school graduation rate of the school as
8 calculated by the Department. The calculation of the
9 high school graduation rate for purposes of
10 determining school grades pursuant to this section
11 shall not include a student who has an individualized
12 education program (IEP) pursuant to the Individuals
13 with Disabilities Education Act (IDEA) which indicates
14 that the student is to be assessed with alternative
15 achievement standards through the Oklahoma Alternate
16 Assessment Program (OAAP) and whose IEP team
17 determines that for reasons related to the disability
18 of the student, the student should continue to attend
19 school beyond the graduation date of the student's
20 cohort,

21 b. the participation rate of all eligible students
22 enrolled in the school in College Board Advanced
23 Placement courses whether taught at a high school, a
24 technology center school, or a regional site of the

Oklahoma School of Science and Mathematics,
International Baccalaureate courses, concurrent
enrollment courses, Advanced International Certificate
of Education courses, courses or sequence of courses
leading to national industry certification identified
pursuant to rules adopted by the Board, courses or
sequence of courses granted cooperative college
alliance credit taken at a technology center school,
and science, technology, engineering and mathematics
courses taken at a regional site of the Oklahoma
School of Science and Mathematics,

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

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

- e. earning of a national industry certification identified pursuant to rules adopted by the Board,
- f. the aggregate scores of all eligible students enrolled in the school in reading, mathematics, and other subjects as measured by the SAT test administered by the College Board and the ACT,
- g. the high school graduation rate of all eligible students enrolled in the school who scored at limited knowledge or unsatisfactory on the eighth-grade criterion-referenced tests in reading and mathematics,
- h. the performance of students on statewide end-of-instruction tests administered under Section 1210.508 of this title, and
- i. the growth or decline in the data components listed in subparagraphs a through h of this paragraph from year to year.

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

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

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

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

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

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

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

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

9 8. Seventy-three percent (73%) to seventy-six percent (76%) =
10 C;

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

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

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

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

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

16 H. The annual report shall identify the performance of each
17 school as having improved, remained the same, or declined. This
18 school improvement rating shall be based on a comparison of the
19 student and school performance data of the current year to the
20 previous year data. Schools that improve at least one grade level
21 are eligible for school recognition as established by the Board
22 through the accountability system developed pursuant to Section
23 1210.541 of this title.
24

1 I. The State Department of Education shall annually develop, in
2 collaboration with school districts and the Office of Educational
3 Quality and Accountability, a school site report card to be
4 delivered to parents throughout each school district. The report
5 card shall include the grade for the school, information regarding
6 school improvement, an explanation of school performance as
7 evaluated in accordance with the Elementary and Secondary Education
8 Act of 2001 (ESEA), P.L. No. 107-110, also known as the No Child
9 Left Behind Act of 2001, and indicators of return on investment.
10 The report card for each school site shall be published annually by
11 the Department on its website, and every school district shall
12 provide the school site report card to the parent or guardian of
13 each student enrolled in the school site.

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

17 K. The State Board of Education shall promulgate rules to
18 implement the provisions of this section.

19 SECTION 2. This act shall become effective July 1, 2015.

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

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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