

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 516, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Stanislawski

Stanislawski-EB-FS-Req#1657
3/21/2017 1:46 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 516

By: Stanislawski of the Senate

and

Nollan of the House

7
8
9 FLOOR SUBSTITUTE

10 [Oklahoma School Testing Program - annual
11 accountability reports - ~~effective date~~ -
12 ~~emergency~~]

13
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.545, as
16 last amended by Section 10, Chapter 360, O.S.L. 2016 (70 O.S. Supp.
17 2016, Section 1210.545), is amended to read as follows:

18 Section 1210.545. A. 1. Except as otherwise provided, as part
19 of the accountability system developed as provided for in Section
20 1210.541 of this title, the State Board of Education shall prepare
21 annual reports of the results of the Oklahoma School Testing Program
22 which describe student achievement in the state and each school
23 site.

1 2. The Board shall study and may recommend revisions to the
2 Legislature to the calculation metrics of all components of the
3 school report cards to ensure that the evaluation system is clear,
4 transparent, statistically trustworthy, credible, and aligned with
5 the state assessment system. The Board shall seek certification
6 from the Oklahoma State Regents for Higher Education that
7 recommended revisions, if adopted, will improve the clarity,
8 transparency, statistical trustworthiness, credibility, and
9 alignment of the evaluation system. The State Regents shall provide
10 the Board a detailed description of the certification process and
11 results, including a list of any deficiencies the State Regents find
12 with the study or the resulting recommendations. The Board shall
13 issue a report by December 31, 2015, and submit a copy of the report
14 to the Governor, the Speaker of the House of Representatives, the
15 President Pro Tempore of the Senate, the Minority Leader of the
16 House of Representatives, and the Minority Leader of the Senate.
17 The Board shall prescribe the design and content of the reports,
18 which shall include, without limitation, descriptions of the
19 performance of all schools participating in the Oklahoma School
20 Testing Program and all of the major student populations as
21 determined by the Board, and shall also include the median scores of
22 all eligible students who scored at or in the lowest twenty-fifth
23 percentile of the state in the previous school year. The

24

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 sites as having one of the
5 following grades, defined according to rules of the State Board of
6 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 site
14 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 assessments administered under Section 1210.508 of
19 this title and alternative test scores administered to students
20 divided by the number of students taking the assessments;

21 2. Twenty-five percent (25%) on whole school growth, as
22 measured by allocating one point for each student who improves
23 proficiency levels or improves substantially within a proficiency
24

1 level on assessments administered under Section 1210.508 of this
2 title divided by the number of students taking the assessments; and

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

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

12 1. For schools comprised of high school grades:

13 a. five points for meeting the criteria for an "A" for
14 the four-year and five-year high school graduation
15 ~~rate~~ rates of the school, as defined by rules adopted
16 by the Board,

17 b. ~~one point~~

18 (1) five points for meeting the criteria for an "A"
19 for ~~performance or~~ participation of students in
20 College Board Advanced Placement courses,
21 International Baccalaureate courses, concurrent
22 enrollment courses, Advanced International
23 Certificate of Education courses, SAT tests
24 administered by the College Board, the American

1 College Test or the achievement of students on
2 national industry certification, as measured by
3 dividing the number of students participating by
4 the total enrollment of the high school, as
5 defined by rules adopted by the Board, and
6 (2) five points for meeting the criteria for an "A"
7 for performance of students in College Board
8 Advanced Placement courses, International
9 Baccalaureate courses, concurrent enrollment
10 courses, Advanced International Certificate of
11 Education courses, SAT tests administered by the
12 College Board, the American College Test or the
13 achievement of students on national industry
14 certification, as measured by dividing the number
15 of students earning a passing score by the number
16 of students who participated, as defined by rules
17 adopted by the Board,

18 c. ~~one point for meeting the criteria for an "A" for~~
19 ~~participation or performance in SAT tests administered~~
20 ~~by the College Board or the American College Test~~
21 ~~(ACT), as defined by rules adopted by the Board,~~

22 d. ~~one point for meeting the criteria for an "A" for the~~
23 ~~high school graduation rate of students who scored at~~
24 ~~limited knowledge or unsatisfactory on the eighth-~~

1 ~~grade assessments in reading and mathematics~~
2 ~~administered pursuant to Section 1210.508 of this~~
3 ~~title,~~

4 ~~e.~~ as valid data becomes available, one point for the
5 performance of students on the high school assessments
6 administered under Section 1210.508 of this title, as
7 defined by rules adopted by the Board, and

8 ~~f.~~

9 d. one point for the growth or decline in the components
10 listed in subparagraphs a through c of this
11 paragraph from year to year, as defined by rules
12 adopted by the Board;

13 2. For schools comprised of middle school grades:

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

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

21 c. six points for meeting the criteria for an "A" for
22 attendance, as defined by rules adopted by the Board;
23 and
24

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

4 F. Student test data used in determining school grades shall
5 include:

6 1. The aggregate scores of all eligible students enrolled in
7 the school who have been administered the assessments ~~administered~~
8 ~~under~~ pursuant to Section 1210.508 of this title; and

9 2. For schools comprised of high school grades, the data listed
10 in paragraph 1 of this subsection, and the following data as the
11 State Department of Education determines the data are valid and
12 available:

13 a. the four-year and five-year high school graduation
14 ~~rate~~ rates of the school as calculated by the
15 Department,

16 b. the participation rate of all eligible students
17 enrolled in the school in College Board Advanced
18 Placement courses whether taught at a high school, a
19 technology center school, or a regional site of the
20 Oklahoma School of Science and Mathematics,
21 International Baccalaureate courses, concurrent
22 enrollment courses, Advanced International Certificate
23 of Education courses, courses or sequence of courses
24 leading to national industry certification identified

1 pursuant to rules adopted by the Board, courses or
2 sequence of courses ~~granted cooperative college~~
3 ~~alliance credit~~ taken at a technology center school,
4 that meets the requirements to be eligible for federal
5 student financial aid and science, technology,
6 engineering and mathematics courses taken at a
7 regional site of the Oklahoma School of Science and
8 Mathematics,

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

16 d. earning of college credit by all eligible students
17 enrolled in the school in concurrent enrollment
18 programs as provided for in Section 628.13 of this
19 title and in ~~cooperative college alliance~~ courses
20 taken at a technology center school that meet the
21 requirements to be eligible for federal student
22 financial aid,

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

1 f. the aggregate scores of all eligible students enrolled
2 in the school in reading, mathematics, and other
3 subjects as measured by the SAT test administered by
4 the College Board and the ACT,

5 ~~g. the high school graduation rate of all eligible~~
6 ~~students enrolled in the school who scored at limited~~
7 ~~knowledge or unsatisfactory on the eighth grade~~
8 ~~assessments in reading and mathematics administered~~
9 ~~under Section 1210.508 of this title,~~

10 ~~h.~~ the performance of students on statewide high school
11 assessments administered under Section 1210.508 of
12 this title, and

13 ~~i.~~

14 h. the growth or decline in the data components listed in
15 subparagraphs a through ~~h~~ g of this paragraph from
16 year to year.

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

23 1. Ninety-seven percent (97%) to one hundred percent (100%) =
24 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.

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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 1965 (ESEA), as reauthorized and amended by P.L. No. 114-95,
9 also known as the Every Student Succeeds Act (ESSA), and indicators
10 of return on investment. The report card for each school site shall
11 be published annually by the Department on its website, and every
12 school district shall provide the school site report card to the
13 parent or guardian of each student enrolled in the school site. In
14 order to provide information regarding school performance for school
15 site report cards issued during the 2016-2017 and 2017-2018 school
16 year, the Department shall include an explanation of the changes to
17 the statewide system of student assessments as required in Section
18 1210.508 of this title and how the transition in assessments may
19 impact school performance. The Department shall issue school site
20 report cards using the 2016-2017 school year assessment data that is
21 available.

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

1 K. The State Board of Education shall promulgate rules to
2 implement the provisions of this section. The rules shall include
3 the following provisions:

4 1. The baseline performance target shall be the same for all
5 student subgroups;

6 2. Interim benchmarks shall be established to measure
7 proficiency among students in an English language learner program;
8 and

9 3. The school grade components outlined by this section shall
10 not be artificially adjusted to result in more schools receiving an
11 "A" or a "B".

12 ~~SECTION 2. This act shall become effective July 1, 2017.~~

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

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