

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3510

By: Johns

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8 COMMITTEE SUBSTITUTE

9 An Act relating to school reports; amending 70 O.S.
10 2021, Section 3-151.1, which relates to high school
11 graduation rates; modifying calculation of the four-
12 year and extended-year adjusted cohort graduation
13 rates; amending 70 O.S. 2021, Section 1210.545, which
14 relates to annual school reports; including
15 additional statewide measures for quality or success;
16 excluding chronic absenteeism data from measures and
17 reports; expanding items to include in postsecondary
18 opportunities; providing an effective date; and
19 declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-151.1, is
amended to read as follows:

Section 3-151.1 A. For purposes of establishing a uniform and
accurate definition of high school graduation rate for school
districts and secondary schools in the state, the State Board of
Education shall adopt and implement a four-year adjusted cohort
graduation rate and an extended-year adjusted cohort graduation

1 rate. The Board shall utilize and report the four-year adjusted
2 cohort graduation rate and the extended-year adjusted cohort
3 graduation rate at the secondary school site, the school district
4 and the state level, and the graduation rates shall be reported in
5 the aggregate as well as disaggregated by subgroups as required in
6 the Elementary and Secondary Education Act of 2001 (ESEA), P.L. No.
7 107-110, also known as the No Child Left Behind Act of 2001.

8 B. The Board shall use the four-year adjusted cohort graduation
9 rate for purposes of determining the high school graduation rate
10 indicator for the academic performance data calculation beginning
11 with state and district report cards providing results of
12 assessments administered in the 2011-2012 school year. The Board
13 shall use the four-year adjusted cohort graduation rate for
14 establishing the high school graduation rate for measuring alternate
15 year percentage growth targets as set forth in Section 3-151.2 of
16 this title beginning with the 2012-2013 school year.

17 C. The four-year adjusted cohort graduation rate shall be
18 defined as the number of students who graduate in four (4) years
19 with a standard high school diploma divided by the number of
20 students who entered high school four (4) years earlier, ~~adjusted~~
21 ~~for transfers.~~ Students who transfer in and out of the school,
22 ~~émigrés~~ emigrate to another country, and deceased students shall not
23 be included in the adjusted cohort graduation rate. Students who
24 graduate in four (4) years shall include students who earn a

1 standard high school diploma at the end of their fourth year, before
2 the end of their fourth year, and during a summer session
3 immediately following their fourth year. To remove a student from a
4 cohort, a school district shall confirm in writing or by electronic
5 means that a student has transferred out of the school site or
6 school district, has emigrated to another country, or is deceased.
7 For a student who transfers out of a school site or school district,
8 the written or electronic confirmation shall be official and
9 document that the student has enrolled in another school site or
10 school district or in an educational program that culminates in a
11 high school diploma recognized by a state or private higher
12 educational institution accredited or recognized by the Oklahoma
13 State Regents for Higher Education for purposes of admission to the
14 institution. Students who are not enrolled in a program which
15 culminates in the award of a credential recognized by a state or
16 private higher educational institution for purposes of admissions
17 shall not be included in the graduation rate calculation as set
18 forth in this subsection as a student who graduated in four (4)
19 years with a standard high school diploma but shall be included in
20 the number of students who entered high school four (4) years
21 earlier.

22 D. The extended-year adjusted cohort graduation rate shall be
23 defined as the number of students who graduate in four (4) years or
24 five (5) years with a high school diploma divided by the number of

1 students who form the adjusted cohort for the four-year graduation
2 rate as calculated as provided for in subsection C of this section,
3 ~~provided that the adjustments add to the cohort all students who~~
4 ~~transfer into the cohort by the end of the year of graduation being~~
5 ~~considered and subtract students who transfer out, emigrate to~~
6 ~~another country or are deceased by the end of that year. The~~
7 extended-year adjusted cohort graduation rate shall be reported
8 separately from the four-year adjusted cohort graduation rate.

9 SECTION 2. AMENDATORY 70 O.S. 2021, Section 1210.545, is
10 amended to read as follows:

11 Section 1210.545 A. Except as otherwise provided, as part of
12 the accountability system developed as provided for in Section
13 1210.541 of this title, the State Board of Education shall prepare
14 annual reports of the results of the Oklahoma School Testing Program
15 which describe student achievement in the state, and each school
16 site, pursuant to the Elementary and Secondary Education Act of 1965
17 (ESEA) as reauthorized by P.L. No. 114-95, also known as the Every
18 Student Succeeds Act (ESSA), and any related federal regulations.

19 B. The annual report as required pursuant to subsection A of
20 this section shall identify school sites as having one of the
21 following grades for each indicator, separately, and by a single
22 overview grade of all indicators, defined according to rules of the
23 State Board of Education:

24 1. "A" means schools making excellent progress;

1 2. "B" means schools making above average progress;

2 3. "C" means schools making satisfactory progress;

3 4. "D" means schools making less than satisfactory progress;

4 and

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

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

9 1. A school shall not receive a school grade if the number of
10 students tested and included in the school grading system is less
11 than the minimum sample size necessary for statistical reliability
12 and prevention of the unlawful release of personally identifiable
13 student data. The State Board of Education is directed to establish
14 the lowest minimum sample size necessary to meet the requirements of
15 this paragraph; and

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

23 D. The State Board of Education may adopt alternate systems of
24 accountability for statewide virtual charter schools, alternative

1 education programs as defined in Section 1210.568 of this title, and
2 schools serving only grades prekindergarten or kindergarten through
3 two.

4 E. The grade of a school shall be based on a multimeasures
5 approach to accountability in accordance with the Elementary and
6 Secondary Education Act of 1965 (ESEA) as reauthorized by P.L. No.
7 114-95, also known as the Every Student Succeeds Act (ESSA) and any
8 federal regulations that include, but are not limited to, the
9 following indicators:

10 1. Statewide assessments, including the establishment of
11 student performance bands;

12 2. Graduation rates for high schools;

13 3. Statewide academic measures for elementary and middle
14 schools;

15 4. English language proficiency for English learners; and

16 5. At least one additional statewide measure of school quality
17 or student success, including, but not limited to, school climate~~7~~i;
18 school safety~~7~~i; student engagement~~7~~ which may include, but not be
19 limited to, percentage of students enrolled in community service
20 learning, computer science, fine arts, physical education, and
21 health; educator engagement~~7~~i; and/or advanced coursework and
22 postsecondary readiness. Chronic absenteeism shall not be included
23 as any statewide measure of school quality or student success.
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1 F. Of the indicators included in subsection E of this section,
2 not less than seventy percent (70%) of the overview grade must be
3 given to indicators 1, 2, 3 and 4 and, in the aggregate, with not
4 more than thirty percent (30%) of the grade given to indicator 5.

5 G. Further, the grade of an elementary or middle school site
6 shall include, but not be limited to, a measure of status for
7 English language arts (ELA), math and science, growth in ELA and
8 math, and English Language Proficiency Assessment (ELPA) progress,
9 ~~and chronic absenteeism.~~

10 H. The grade of a high school site shall include, but not be
11 limited to, a measure of status for English language arts (ELA),
12 math and science status, English Language Proficiency Assessment
13 (ELPA) progress, graduation rate, ~~chronic absenteeism,~~ and
14 postsecondary opportunities. For purposes of this section
15 postsecondary opportunities shall include Advanced Placement,
16 International Baccalaureate, dual and concurrent enrollment, scoring
17 Silver Level or above on American College Testing (ACT) WorkKeys,
18 internships, mentorships and apprenticeships, military readiness as
19 evidenced by being accepted for enlistment into any branch of the
20 military within the first year after high school graduation or
21 earning a military-readiness score on the Armed Services Vocational
22 Aptitude Battery (ASVAB), and industry certifications. The Board
23 shall adopt a time line for moving from completion of such
24 opportunities to crediting achievement of such opportunities.

1 I. 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.

6 J. The State Department of Education shall annually develop a
7 school site report card to be delivered to parents throughout each
8 school district. The report card shall be in accordance with the
9 requirements of the Elementary and Secondary Education Act of 1965
10 (ESEA), as reauthorized and amended by P.L. No. 114-95, also known
11 as the Every Student Succeeds Act (ESSA) and includes the grade for
12 the school, information regarding school improvement, an explanation
13 of school performance, and indicators of return on investment. The
14 report card for each school site shall be published annually by the
15 Department on its website, and every school district shall provide
16 the school site report card to the parent or guardian of each
17 student enrolled in the school site. In order to provide
18 information regarding school performance for school report cards
19 issued during the 2016-2017 and 2017-2018 school year, the
20 Department shall include an explanation of the changes to the
21 statewide system of student assessments as required in Section
22 1210.508 of this title and how the transition in assessments may
23 impact school performance. The Department shall issue school report
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1 cards using the 2016-2017 school year assessment data that is
2 available.

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

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

8 SECTION 3. This act shall become effective July 1, 2024.

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

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14 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/27/2024
15 - DO PASS, As Amended.

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