

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1539

By: Thomsen

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 1210.545, as last amended by Section 2,
9 Chapter 163, O.S.L. 2014 (70 O.S. Supp. 2014, Section
10 1210.545), which relates to the annual report of the
11 Oklahoma School Testing Program; directing the State
12 Board of Education to not calculate school site
13 grades and designation for certain school year;
14 specifying the grade and designation to be used in
15 certain annual report; directing the Board to study
16 and revise the calculation metrics of the school
17 report cards; providing for grades in multiple
18 categories; listing categories; modifying grades and
19 information to be included on the school report
20 cards; providing an effective date; and declaring an
21 emergency.

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

23 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.545, as
24 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:

21 Section 1210.545 A. ~~As~~ 1. Except as otherwise provided, as
22 part of the accountability system developed as provided for in
23 Section 1210.541 of this title, the State Board of Education shall
24 prepare annual reports of the results of the Oklahoma School Testing

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

11 2. In order to improve the school grading system, the Board
12 shall not calculate school site grades or determine school
13 performance designations during the 2015-2016 school year using the
14 accountability system reports developed pursuant to this section and
15 in place on the effective date of this act. For school site report
16 cards issued during the 2015-2016 school year, the school site grade
17 and designation reported shall be the grade and designation the
18 school site received during the 2014-2015 school year. During the
19 2015-2016 school year the Board shall study and revise the
20 calculation metrics of all components of the school report cards to
21 insure that the system is clear, statistically trustworthy and
22 credible.

23 B. The annual report as required pursuant to subsection A of
24 this section shall identify school sites as having one of the

1 following grades in multiple categories, defined according to rules
2 of the State Board of Education:

- 3 1. "A" means schools making excellent progress;
- 4 2. "B" means schools making above average progress;
- 5 3. "C" means schools making satisfactory progress;
- 6 4. "D" means schools making less than satisfactory progress;

7 and

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

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

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

- 19 2. A school that serves any combination of students in
20 kindergarten through grade three which does not receive a school
21 grade because the students are not tested and included in the school
22 grading system shall receive the school grade designation of a
23 feeder pattern school identified by the State Department of
24 Education and verified by the school district. A school feeder

1 pattern exists if at least sixty percent (60%) of the students in
2 the school serving a combination of students in kindergarten through
3 grade three are scheduled to be assigned to the graded school; and

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

11 D. The overall grade of a school shall be based on a
12 combination of:

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

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

1 administered under Section 1210.508 of this title divided by the
2 number of students taking the tests; 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 criterion-referenced
7 tests and end-of-instruction tests administered under Section
8 1210.508 of this title divided by the number of students taking the
9 tests.

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

13 1. For schools comprised of high school grades:

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

17 b. one point for meeting the criteria for an "A" for
18 performance or participation of students in College
19 Board Advanced Placement courses, International
20 Baccalaureate courses, concurrent enrollment courses,
21 Advanced International Certificate of Education
22 courses, or the achievement of students on national
23 industry certification, as defined by rules adopted by
24 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 tests administered under Section 1210.508 of this title, as defined by rules adopted by the Board, and
- f. one point for the growth or decline in the components listed in subparagraphs a through e of this paragraph from year to year, as defined by rules adopted by the Board;

2. For schools comprised of middle school grades:

- a. two points for meeting the criteria for an "A" for the drop-out rate of the school, as defined by rules adopted by the Board,
- b. two points for meeting the criteria for an "A" for the percentage of students who are taking higher level

1 coursework at a satisfactory or higher level, as
2 defined by rules adopted by the Board, and

3 c. six points for meeting the criteria for an "A" for
4 attendance, as defined by rules adopted by the Board;
5 and

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

9 F. Student test data used in determining school grades shall
10 include:

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

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

19 a. the high school graduation rate of the school as
20 calculated by the Department,

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

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

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

19 d. earning of college credit by all eligible students
20 enrolled in the school in concurrent enrollment
21 programs as provided for in Section 628.13 of this
22 title and in cooperative college alliance courses
23 taken at a technology center school,
24

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

17 G. Overall Grades shall be calculated by combining the points
18 earned for whole school performance, whole school growth and growth
19 in the bottom quartile of students, measured pursuant to subsection
20 D of this section, and any bonus points earned pursuant to
21 subsection E of this section. Grades shall be assigned based on the
22 following 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. In addition to the overall grade, the annual report as
17 required pursuant to subsection A of this section shall include
18 grades for multiple categories as defined by rules adopted by the
19 Board, including, but not limited to, the following categories:

- 20 1. High school graduation rates;
- 21 2. Performance or participation of students in College Board
22 Advance Placement courses, International Baccalaureate courses and
23 concurrent enrollment courses;

24

1 3. Performance on or participation in SAT tests administered by
2 the College Board and the American College Test (ACT);

3 4. Drop-out rate of the school; and

4 5. Attendance rate of the school.

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

13 ~~I.~~ J. The State Department of Education shall annually develop,
14 in collaboration with school districts and the Office of Educational
15 Quality and Accountability, a school site report card to be
16 delivered to parents throughout each school district. The report
17 card shall include ~~the~~ :

18 1. The overall grade and the corresponding score as determined
19 pursuant to subsection G of this section for the school,
20 information;

21 2. The grades for each category listed in subsection H of this
22 section for the school;

23 3. Information regarding school improvement, ~~an~~ ;

1 4. An explanation of school performance as evaluated in
2 accordance with the Elementary and Secondary Education Act of 2001
3 (ESEA), P.L. No. 107-110, also known as the No Child Left Behind Act
4 of 2001~~;~~ and ~~indicators~~

5 5. Indicators of return on investment.

6 K. The report card for each school site shall be published
7 annually by the Department on its website, and every school district
8 shall provide the school site report card to the parent or guardian
9 of each student enrolled in the school site.

10 ~~J.~~ L. The Legislature may factor in the performance of schools
11 in calculating any performance-based funding policy that is provided
12 to public school districts.

13 ~~K.~~ M. The State Board of Education shall promulgate rules to
14 implement the provisions of this section.

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

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

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