

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 HOUSE BILL 2947

 By: Henke

7 AS INTRODUCED

8 An Act relating to schools; amending 70 O.S. 2011,
9 Section 1210.545, as last amended by Section 1,
10 Chapter 362, O.S.L. 2015 (70 O.S. Supp. 2015, Section
11 1210.545), which relates to the annual reports of the
12 Oklahoma School Testing Program; modifying
13 description of purpose of the annual reports; adding
14 student achievement results and performance
15 descriptions from certain schools to annual reports;
16 providing an effective date; and declaring an
17 emergency.

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

17 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.545, as
18 last amended by Section 1, Chapter 362, O.S.L. 2015 (70 O.S. Supp.
19 2015, Section 1210.545), is amended to read as follows:

20 Section 1210.545 A. 1. Except as otherwise provided, as part
21 of the education accountability system developed as a way to inform
22 Oklahoma taxpayers, as provided for in Section 1210.541 of this
23 title, the State Board of Education shall prepare annual reports of
24 the results of the Oklahoma School Testing Program which describe

1 student achievement in the state and each school site. The reports
2 shall also include student achievement results of private schools
3 that directly or indirectly receive revenue from the state allocated
4 for the financial support of public schools.

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

1 determined by the Board, and shall also include the median scores of
2 all eligible students who scored at or in the lowest twenty-fifth
3 percentile of the state in the previous school year. The reports
4 shall also include student performance descriptions of private
5 schools that directly or indirectly receive revenue from the state
6 allocated for the financial support of public schools. The
7 confidentiality of individual student records shall be preserved as
8 required by law.

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

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

17 and

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

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

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

1 and prevention of the unlawful release of personally identifiable
2 student data. The State Board of Education is directed to establish
3 the lowest minimum sample size necessary to meet the requirements of
4 this paragraph;

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

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

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

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

1 tests administered under Section 1210.508 of this title and
2 alternative test scores administered to students pursuant to Section
3 1210.523 of this title divided by the number of students taking the
4 tests;

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

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

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

21 1. For schools comprised of high school grades:

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

- 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.

24

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.
24

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

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.

3 SECTION 2. This act shall become effective July 1, 2016.

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

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9 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/25/2016
10 - DO PASS.

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