

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE
FOR
4 HOUSE BILL NO. 1412

By: Johns

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7 COMMITTEE SUBSTITUTE

8 An Act relating to school reports; amending 70 O.S.
9 2021, Section 3-151.1, which relates to high school
graduation rates; modifying calculation of the four-
10 year and extended-year adjusted cohort graduation
rates; amending 70 O.S. 2021, Section 1210.545, which
11 relates to annual school reports; excluding chronic
absenteeism data from measures and reports; adding
12 instructional time to grade measures; expanding items
to include in postsecondary opportunities; requiring
the State Board of Education to amend the current
13 State ESSA Plan; establishing submission date;
clarifying need of certain approval from the U.S.
14 Department of Education; requiring replacement of
certain student measures if amendment is approved;
15 providing start date for measure changes; clarifying
application of points on state report card; providing
16 measure's weighted subcomponents; providing an
effective date; and declaring an emergency.

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

20 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-151.1, is

21 amended to read as follows:

22 Section 3-151.1. A. For purposes of establishing a uniform and
23 accurate definition of high school graduation rate for school
24 districts and secondary schools in the state, the State Board of

1 Education shall adopt and implement a four-year adjusted cohort
2 graduation rate and an extended-year adjusted cohort graduation
3 rate. The Board shall utilize and report the four-year adjusted
4 cohort graduation rate and the extended-year adjusted cohort
5 graduation rate at the secondary school site, the school district
6 and the state level, and the graduation rates shall be reported in
7 the aggregate as well as disaggregated by subgroups as required in
8 the Elementary and Secondary Education Act of 2001 (ESEA), P.L. No.
9 107-110, also known as the No Child Left Behind Act of 2001.

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

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

1 | be included in the adjusted cohort graduation rate. Students who
2 | graduate in four (4) years shall include students who earn a
3 | standard high school diploma at the end of their fourth year, before
4 | the end of their fourth year, and during a summer session
5 | immediately following their fourth year. To remove a student from a
6 | cohort, a school district shall confirm in writing or by electronic
7 | means that a student has transferred out of the school site or
8 | school district, has emigrated to another country, or is deceased.
9 | For a student who transfers out of a school site or school district,
10 | the written or electronic confirmation shall be official and
11 | document that the student has enrolled in another school site or
12 | school district or in an educational program that culminates in a
13 | high school diploma recognized by a state or private higher
14 | educational institution accredited or recognized by the Oklahoma
15 | State Regents for Higher Education for purposes of admission to the
16 | institution. Students who are not enrolled in a program which
17 | culminates in the award of a credential recognized by a state or
18 | private higher educational institution for purposes of admissions
19 | shall not be included in the graduation rate calculation as set
20 | forth in this subsection as a student who graduated in four (4)
21 | years with a standard high school diploma but shall be included in
22 | the number of students who entered high school four (4) years
23 | earlier.
24 |

1 D. The extended-year adjusted cohort graduation rate shall be
2 defined as the number of students who graduate in four (4) years or
3 five (5) years with a high school diploma divided by the number of
4 students who form the adjusted cohort for the four-year graduation
5 rate as calculated as provided for in subsection C of this section,
6 ~~provided that the adjustments add to the cohort all students who~~
7 ~~transfer into the cohort by the end of the year of graduation being~~
8 ~~considered and subtract students who transfer out, emigrate to~~
9 ~~another country or are deceased by the end of that year.~~ The
10 extended-year adjusted cohort graduation rate shall be reported
11 separately from the four-year adjusted cohort graduation rate.

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

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

22 B. The annual report as required pursuant to subsection A of
23 this section shall identify school sites as having one of the
24 following grades for each indicator, separately, and by a single

1 overview grade of all indicators, defined according to rules of the
2 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; and

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

1 shall not be included when determining the grade of the school site
2 or charter school.

3 D. The State Board of Education may adopt alternate systems of
4 accountability for statewide virtual charter schools, alternative
5 education programs as defined in Section 1210.568 of this title, and
6 schools serving only grades prekindergarten or kindergarten through
7 two.

8 E. The grade of a school shall be based on a multimeasures
9 approach to accountability in accordance with the Elementary and
10 Secondary Education Act of 1965 (ESEA) as reauthorized by P.L. No.
11 114-95, also known as the Every Student Succeeds Act (ESSA) and any
12 federal regulations that include, but are not limited to, the
13 following indicators:

14 1. Statewide assessments, including the establishment of
15 student performance bands;

16 2. Graduation rates for high schools;

17 3. Statewide academic measures for elementary and middle
18 schools;

19 4. English language proficiency for English learners; and

20 5. At least one additional statewide measure of school quality
21 or student success, including, but not limited to, school climate,
22 school safety, student engagement, educator engagement, and/or
23 advanced coursework and postsecondary readiness. Chronic

1 absenteeism shall not be included as any statewide measure of school
2 quality or student success.

3 F. Of the indicators included in subsection E of this section,
4 not less than seventy percent (70%) of the overview grade must be
5 given to indicators 1, 2, 3 and 4 and, in the aggregate, with not
6 more than thirty percent (30%) of the grade given to indicator 5.

7 G. Further, the grade of an elementary or middle school site
8 shall include, but not be limited to, a measure of status for
9 English language arts (ELA), math and science, growth in ELA and
10 math, English Language Proficiency Assessment (ELPA) progress, and
11 ~~chronic absenteeism~~ instructional time as described in subsection M
12 of this section.

13 H. The grade of a high school site shall include, but not be
14 limited to, a measure of status for English language arts (ELA),
15 math and science status, English Language Proficiency Assessment
16 (ELPA) progress, graduation rate, ~~chronic absenteeism~~, and
17 postsecondary opportunities, and instructional time as described in
18 subsection M of this section. For purposes of this section,
19 postsecondary opportunities shall include Advanced Placement,
20 International Baccalaureate, dual and concurrent enrollment, scoring
21 Silver Level or above on American College Testing (ACT) WorkKeys,
22 internships, mentorships and apprenticeships, military readiness as
23 evidenced by being accepted for enlistment into any branch of the
24 military within the first year after high school graduation or

1 earning a military readiness score on the Armed Services Vocational
2 Aptitude Battery (ASVAB), and industry certifications. The Board
3 shall adopt a time line for moving from completion of such
4 opportunities to crediting achievement of such opportunities.

5 I. The annual report shall identify the performance of each
6 school as having improved, remained the same, or declined. This
7 school improvement rating shall be based on a comparison of the
8 student and school performance data of the current year to the
9 previous year data.

10 J. The State Department of Education shall annually develop a
11 school site report card to be delivered to parents throughout each
12 school district. The report card shall be in accordance with the
13 requirements of the Elementary and Secondary Education Act of 1965
14 (ESEA), as reauthorized and amended by P.L. No. 114-95, also known
15 as the Every Student Succeeds Act (ESSA) and includes the grade for
16 the school, information regarding school improvement, an explanation
17 of school performance, and indicators of return on investment. The
18 report card for each school site shall be published annually by the
19 Department on its website, and every school district shall provide
20 the school site report card to the parent or guardian of each
21 student enrolled in the school site. In order to provide
22 information regarding school performance for school report cards
23 issued during the 2016-2017 and 2017-2018 school year, the
24 Department shall include an explanation of the changes to the

1 statewide system of student assessments as required in Section
2 1210.508 of this title and how the transition in assessments may
3 impact school performance. The Department shall issue school report
4 cards using the 2016-2017 school year assessment data that is
5 available.

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

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

11 M. The State Board of Education shall amend the State ESSA Plan
12 in accordance with the requirements of the Every Student Succeeds
13 Act (ESSA) to replace the measure of chronic absenteeism with a
14 measure of instructional time as described in this subsection. The
15 Board shall submit the proposed amendment to the United States
16 Department of Education no later than August 1, 2025.

17 If the amended state plan is approved by the United States
18 Department of Education, beginning with the 2025-2026 school year,
19 the grade for an elementary, middle, and high school site shall
20 include a measure of instructional time in lieu of chronic
21 absenteeism. This measure shall account for a total of ten (10)
22 possible points out of ninety (90) points on a school's report card.

23 The measure of instructional time shall comprise the following
24 weighted subcomponents:

1 1. Total in-person school days. A school's total
2 instructional days shall be benchmarked against a one-hundred-
3 eighty-day school year with a weight of 0.50. A full school day
4 shall be at least five and one-half (5.5) hours. School days and
5 hours shall be calculated pursuant to Sections 1-109 and 1-109.1 of
6 this title. The total number of school days may not include virtual
7 days;

8 2. Total school hours for the academic year. A school's total
9 school hours shall be benchmarked against a one-thousand-two-
10 hundred-hour school year with a weight of 0.40. Total school hours
11 shall include all hours students are present, including lunch and
12 passing periods; and

13 3. Day length. A school's day length shall be benchmarked
14 against a seven-hour school day for middle and high schools and a
15 six-and-one-half-hour school day for elementary schools. This
16 subcomponent shall have a weight of 0.10.

17 SECTION 3. This act shall become effective July 1, 2025.

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

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