

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
FOR

5 HOUSE BILL NO. 1412

By: Johns and Pogemiller of the
House

6 and

7 **Pugh** of the Senate

10 COMMITTEE SUBSTITUTE

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

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

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

3 Section 3-151.1. A. For purposes of establishing a uniform and
4 accurate definition of high school graduation rate for school
5 districts and secondary schools in the state, the State Board of
6 Education shall adopt and implement a four-year adjusted cohort
7 graduation rate and an extended-year adjusted cohort graduation
8 rate. The Board shall utilize and report the four-year adjusted
9 cohort graduation rate and the extended-year adjusted cohort
10 graduation rate at the secondary school site, the school district
11 and the state level, and the graduation rates shall be reported in
12 the aggregate as well as disaggregated by subgroups as required in
13 the Elementary and Secondary Education Act of 2001 (ESEA), P.L. No.
14 107-110, also known as the No Child Left Behind Act of 2001.

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

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

1 shall not be included in the graduation rate calculation as set
2 forth in this subsection as a student who graduated in four (4)
3 years with a standard high school diploma but shall be included in
4 the number of students who entered high school four (4) years
5 earlier.

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

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

19 Section 1210.545. A. Except as otherwise provided, as part of
20 the accountability system developed as provided for in Section
21 1210.541 of this title, the State Board of Education shall prepare
22 annual reports of the results of the Oklahoma School Testing Program
23 which describe student achievement in the state, and each school
24 site, pursuant to the Elementary and Secondary Education Act of 1965

1 (ESEA) as reauthorized by P.L. No. 114-95, also known as the Every
2 Student Succeeds Act (ESSA), and any related federal regulations.

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 for each indicator, separately, and by a single
6 overview grade of all indicators, defined according to rules of the
7 State Board of Education:

- 8 1. "A" means schools making excellent progress;
- 9 2. "B" means schools making above average progress;
- 10 3. "C" means schools making satisfactory progress;
- 11 4. "D" means schools making less than satisfactory progress;

12 and

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

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

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

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

8 D. The State Board of Education may adopt alternate systems of
9 accountability for statewide virtual charter schools, alternative
10 education programs as defined in Section 1210.568 of this title, and
11 schools serving only grades prekindergarten or kindergarten through
12 two.

13 E. The grade of a school shall be based on a multimeasures
14 approach to accountability in accordance with the Elementary and
15 Secondary Education Act of 1965 (ESEA) as reauthorized by P.L. No.
16 114-95, also known as the Every Student Succeeds Act (ESSA) and any
17 federal regulations that include, but are not limited to, the
18 following indicators:

19 1. Statewide assessments, including the establishment of
20 student performance bands;

21 2. Graduation rates for high schools;

22 3. Statewide academic measures for elementary and middle
23 schools;

24 4. English language proficiency for English learners; and

1 5. At least one additional statewide measure of school quality
2 or student success, including, but not limited to, school climate,
3 school safety, student engagement, educator engagement, and/or
4 advanced coursework and postsecondary readiness. Chronic
5 absenteeism shall not be included as any statewide measure of school
6 quality or student success.

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

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

17 H. The grade of a high school site shall include, but not be
18 limited to, a measure of status for English language arts (ELA),
19 math and science status, English Language Proficiency Assessment
20 (ELPA) progress, graduation rate, chronic absenteeism, and
21 postsecondary opportunities, and instructional time as described in
22 subsection M of this section. For purposes of this section,
23 postsecondary opportunities shall include Advanced Placement,
24 International Baccalaureate, dual and concurrent enrollment, scoring

1 Silver Level or above on American College Testing (ACT) WorkKeys,
2 internships, mentorships and apprenticeships, military readiness as
3 evidenced by being accepted for enlistment into any branch of the
4 military within the first year after high school graduation or
5 earning a military readiness score on the Armed Services Vocational
6 Aptitude Battery (ASVAB), and industry certifications. The Board
7 shall adopt a time line for moving from completion of such
8 opportunities to crediting achievement of such opportunities.

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

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

1 student enrolled in the school site. In order to provide
2 information regarding school performance for school report cards
3 issued during the 2016-2017 and 2017-2018 school year, the
4 Department shall include an explanation of the changes to the
5 statewide system of student assessments as required in Section
6 1210.508 of this title and how the transition in assessments may
7 impact school performance. The Department shall issue school report
8 cards using the 2016-2017 school year assessment data that is
9 available.

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

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

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

21 If the amended state plan is approved by the United States
22 Department of Education, beginning with the 2025-2026 school year,
23 the grade for an elementary, middle, and high school site shall
24 include a measure of instructional time in lieu of chronic

1 absenteeism. This measure shall account for a total of ten (10)
2 possible points out of ninety (90) points on a school's report card.

3 The measure of instructional time shall comprise the following
4 weighted subcomponents:

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

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

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

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

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

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4 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION OVERSIGHT, dated
03/05/2025 - DO PASS, As Amended and Coauthored.