

CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES

SUBCHAPTER 1. GENERAL PROVISIONS

210:10-1-5. Audits

(a) **Financial audit.** All schools are required to make available to personnel of the State Department of Education all records pertaining to Federal programs, state aid appropriations, and expenditures from the general fund of the previous year, making it possible to complete an audit on all funds. Public officials, members of the boards of education, superintendents, principals, and any other persons whose duty it is to make appropriations and/or expenditures in accordance with the provisions of applicable state and federal law, the regulations of the State Department of Education, and the adopted policies of the State Board of Education will be held responsible for any misappropriation or illegal expenditure of such funds.

(b) **Penalty.** If it is discovered that a school district is unable to pay its current year's obligations through careless handling of funds by a school administrator, the State Board of Education may require the administrator to show cause why their administrator's certificate should not be revoked.

(c) **Student attendance record audits.**

(1) Regional Accreditation Officers of the State Department of Education are required to audit the student attendance records of all Oklahoma public school districts.

(2) In addition to the Statistical Report, the official document for student attendance accounting and auditing is the Student Attendance Register. All other student attendance documents, reports, and summaries only support the accuracy of the Student Attendance Register and the Statistical Report.

(3) A school or program within a district that has a different school year from the district must present a separate Statistical Report and Attendance information reflecting the different school year for that school or program. The school or program will be audited separately from the district.

(4) Each person who keeps a Student Attendance Register is required to make all entries in ink, record the attendance data for each pupil each day, keep the Register in a safe place and understand that the Register is subject to audit at any time. The Student Attendance Register may be maintained in an electronic format, provided that a school district maintaining its Student Attendance Register in an electronic format implements appropriate strategies for backing up data in the event of a potential system failure or other threat to digital record storage and retention.

(5) If the attendance records show that school was maintained for less than a full annual term without approval of the State Board of Education, state aid will be reduced accordingly unless it can be shown that the attendance records as originally presented were in error.

(6) When attendance, membership, or transportation is deducted for any reason by the audit, state aid will be reduced accordingly. Factual information may be presented by the school within ninety (90) calendar days from the date of the audit showing acceptable evidence that indicates the audit is in error.

(d) **Enrollment.**

(1) Enrollment means recording the name of a pupil on a class roll. Total Enrollment for an attendance period or for the year, whether for a class or for an entire school is the number of all enrollments so recorded. If a student is promoted or moves from one district or school to another during a school year, the student's name will be recorded on each class roll concerned. A record of that student's enrollment will be included in the original and every subsequent roll even though the pupil will be dropped from the original roll and every subsequent roll except the current one.

(2) All students attending any school within a school district shall have their names entered in the attendance register and have their attendance recorded. Students are to be placed on roll the first day that the student actually attends class or participates in their instructional program.

(3) All Entries and Exits are to be entered in the Student Attendance Register on the day that the transaction occurs. Students are not considered on roll until they actually attend class or participate in instructional activities. Students are always considered on roll until an exit code is entered.

(4) In order to assess statewide and local educational needs, including without limitation, student needs, language and cultural barriers, current and future needs for English as a Second Language ("ESL") teachers, tutors and tutoring programs, current and future transportation needs, programs, and anticipated future funding needs, a parent or a legal guardian of a child, or an emancipated minor, shall provide proof of United States ("U.S.") citizenship at the time of enrollment. Proof of U.S. Citizenship or legal immigration status may be shown through one of the following:

1. Certified U.S. birth certificate;
2. A valid, unexpired U.S. Passport;
3. A valid Oklahoma Driver License, originally issued after November 1, 2007;
4. A valid Oklahoma Identification Card, originally issued after November 1, 2007;
5. A Naturalization/Citizenship Certificate;
6. Consular Report of Birth Abroad;
7. Unexpired Permanent Resident Card;

8. Unexpired Employment Authorization Card; or
9. Valid, unexpired foreign passport with a valid U.S. visa and valid I-94 issued by DHS.

(5) Each school district shall record the number of students enrolled within the district for which a parent or a legal guardian of a child, or the emancipated minor could not provide proof of citizenship or legal immigration status as outlined in paragraph (d)(4) due to the lack of citizenship or legal immigration status of the student. The school district shall submit only information of the total number of students that lack of documentation, excluding any personally identifiable information to the Oklahoma State Department of Education (“OSDE”).

(6) Nothing in this Section shall be construed to prohibit, or inhibit, any child from receiving the education they are entitled to receive under the United States Constitution, the Oklahoma Constitution, or state or federal law.

(7) No data outlined in this Section shall be used to record an individual student’s citizenship status or legal immigration status.

(e) Entry and exit.

(1) Entry codes will always be placed on the Student Attendance Register. An entry code indicates where the student is coming from, e.g., another school in the district, another school district in Oklahoma, another state or country, or a private school or other placement. The Basis of Admission will be entered on the date that the student begins school. A Basis of Admission code indicates why a student is enrolling, e.g., because they are a district resident, a transfer student, an out-of-home placement student, or another authorized basis for enrollment applies.

(2) Entry codes are recorded on the first day the student actually attends class or participates in instructional activities. Each different Basis of Admission must have its own unique code on the Student Attendance Register, and must be reported to the State Department of Education using the appropriate code from the most recent requirements document for the SIF (Schools Interoperability Framework)-compliant statewide student data system, available on the agency website.

(3) When a pupil enrolls in a public school in this state a second or succeeding time during the current school year, the entry must be reported to the State Department of Education using the appropriate entry code from the most recent requirements document for the SIF-compliant statewide student data system, available on the agency website.

(4) An exit code is recorded each time a student withdraws from school, and in certain other limited cases such as when a student changes grade level mid-year or changes to a different academic calendar through entrance into an alternative education program. Exit codes are to be recorded on the date when the exit occurred. A student is not considered to be off roll until an exit code is recorded. A student exit must be reported to the State Department of Education using the appropriate exit code from the most recent requirements document for the SIF-compliant statewide student data system, available on the agency website.

(f) Attendance and absence.

(1) A student is to be considered present only on those days when in actual attendance in school or when participating in scheduled school activities under the direction and supervision of a regular member of the faculty. A student who is excused from attending school because of sickness or for any other reason shall not be counted in attendance. Students authorized by law to attend a partial school day or partial school week schedule shall not be counted as absent if they are in attendance during their scheduled education program.

(2) All student attendance, absence and transportation information is compiled on a half-day basis with the exception of attendance, absence, and transportation information for half-day early childhood or kindergarten programs which are recorded on a full-day basis. A student must be in attendance for two-thirds (2/3) of the first half of the school day to be recorded present for one-half day; likewise, a student must be in attendance for two-thirds (2/3) of the second half of the school day to be recorded present for one-half day.

(3) As a condition of receiving accreditation from the State Board of Education, all students in grades nine (9) through twelve (12) shall enroll in a minimum of six (6) periods, or the equivalent in block scheduling, of rigorous academic and/or rigorous vocational courses each day, which may include arts, vocal and instrumental music, speech classes, and physical education classes.

(4) A student who is absent from instruction without excuse for ten (10) consecutive days is to be recorded as absent each day. On day eleven (11), the pupil is to be exited from the roll.

(5) A school day for kindergarten or early childhood can either be a half-day of at least two and one half (2 ½) hours, or the district's standard full school day. However, kindergarten and early childhood absence and attendance is always recorded on a full day basis. Three (3) year old students authorized to attend public school under the *Individuals with Disabilities Education Act* (IDEA) should not be indicated as absent if they are in attendance for their scheduled education program, including partial school day or partial school week instructional schedules.

(g) School activities. School activities may take place either on the school premises or off the school premises. In order for a student to be counted in attendance, the school activity must be under the direction and supervision of a teacher. Students dismissed and not under the direction and supervision of a teacher cannot be considered as participating in a school activity and cannot be counted in attendance. A student serving as a legislative page is to be counted in attendance at the school.

(h) Parent-teacher conference days. Only students active in membership are to be counted in attendance on parent-teacher conference days. For districts that use a one hundred eighty (180) day academic calendar, only one parent-teacher conference day per semester will be counted for attendance purposes as a regular school day and included as part of the one hundred eighty (180) days of required instruction. Other days are encouraged above the one day per semester for parent-teacher conferences, but will not

be counted for attendance purposes as regular school days. For a school district which has implemented a one thousand eighty (1,080) hour school year pursuant to 70 O.S. § 1-109, parent-teacher conferences may be counted as instructional time for no more than six (6) hours per semester, for a total of up to twelve (12) hours per school year.

(i) **Concurrent enrollment.** A school district may receive full average daily attendance on a high school student who is participating in concurrent enrollment. In determining a legal school day for a student who is concurrently enrolled the district can use a combination of local school enrollment, college enrollment, and travel time. A student participating in concurrent enrollment is considered present when traveling to or from and while attending the college.

(j) **Professional meeting day.**

(1) The State Board of Education has defined a professional meeting day to be any day on which the faculty of a school district is engaged in the educational planning for improvement of the local school system; or that the faculty engages in a local, county, district or state education planning workshop or teacher's meeting. Such a day shall be identified as a professional day in each attendance register on the day the meeting occurred.

(2) Days used to work at the beginning or at the end of the school year shall not be counted as professional development activities. Preparing the classroom for instruction, grading papers, recording grades, completing report cards or enrolling students are not examples of professional development activities.

(3) A school district may not count more than thirty (30) hours each school year that are used for attendance of professional meetings toward the one hundred eighty (180) days or one thousand eighty (1,080) hours of classroom instruction time that school is required to be in session.

(k) **Transportation.**

(1) A student must reside one and one-half (1 ½) miles or more by commonly traveled road from the school attended to be considered transported. Students living less than one-and one-half miles from the school may be transported but shall not be counted as transported pupils on the Transportation Report for state aid purposes.

(2) Transportation may be provided for early childhood and kindergarten students to and from school during the normally scheduled morning and afternoon bus operation. Districts may also provide additional transportation, at local expense, for either early childhood or kindergarten students at midday. However, the school district is not required to provide midday transportation to either early childhood or kindergarten students. Midday transportation for early childhood and kindergarten pupils shall not be recorded on the Transportation Report.

(3) A legally transferred or tuition student residing outside of the school district's approved transportation area may be transported to the school provided the student meets the bus within the transporting district's approved transportation area. However, tuition students may not be counted as transported students on the Transportation Report.

(l) **Authority for birth.**

(1) Documentation that can be used to verify school age. Examples of Authority for Birth are:

- (A) Birth certificate
- (B) Attending physician's certificate
- (C) Permanent school record
- (D) Family bible
- (E) Parent statement
- (F) Last year's attendance register
- (G) Other official scholastic record

(2) Birth certificates, if available, must be provided for early childhood, kindergarten, and first grade students who are first-time enrollees. Each different Authority for Birth must have its own unique code on the Student Attendance Register.

(m) **Career and Technology Center.** Students are considered in attendance when traveling to or from and while attending a Career and Technology Center.

(n) **Home-based program.** An educational program for special education students who are unable to participate in a full-day educational program at school, or for students who are unable to attend school in person for a period of time due to extended medical or other issues, and who receive education services from the school district at their home or an equivalent non-school site such as a hospital, provided by one or more certified teachers. Home-based pupils are considered on roll and in attendance for the duration of the time period they receive offsite education services from the school district.

(o) **Out-of-home placement.** A student who is not a resident of the district but is housed and educated in a residential child facility or a treatment center located in the district. Out-of-home placement students are carried on roll and are considered in attendance if they are present for their scheduled education program, whether at a school site or through offsite services provided by the district.

210:10-1-18. Transfers

(a) **Definitions.** The following words and terms, when used in this subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

(1) **"Student of a Deployed Parent"** means a student whose Parent or Guardian ~~is the dependent child of~~ a member of the active uniformed military services of the United States on full-time active duty status and for whom Oklahoma is the home of record or a student whose Parent or Guardian ~~is the dependent children of~~ a member of the military reserve on active duty orders and for whom Oklahoma is the home of record.

(2) **"Open Transfer(s)"** means the transfer of a student from the district in which the student resides to another school district furnishing the grade the student is entitled to pursue.

(3) **"Parent" and/or "Guardian"** means the parent, legal guardian, foster parent, or person having custody of the student seeking a transfer, whose residence is used to determine the residence of the student in accordance with the provisions of 70 O.S. § 1-113(A)(1). For purposes of the Individuals with Disabilities Education Act at 20 U.S.C. § 1400 et seq. (IDEA), the definition of "Parent" set forth in 34 C.F.R. § 300.30 shall supersede the definition of "Parent" set forth in this subsection.

(4) **"Receiving School District"** means the school district to which the student is seeking to be transferred.

(5) **"Resident School District"** means the school district in which the Parent, ~~g~~ or Guardian, ~~or person having custody~~ of the student resides, as defined in 70 O.S. § 1-113(A)(1).

(b) **Governing statutes.** Open Transfers shall be governed by the Oklahoma Education Open Transfer Act, 70 O.S. § 8-101.1, et seq. In addition, the following types of transfers are governed by the following provisions of law:

(1) **Students with disabilities.** Transfers made for the purpose of providing a free appropriate public education (FAPE) to special education students shall be governed by 70 O.S. § 18-110 and 70 O.S. § 13-101, et seq. Such transfers shall not be considered Open Transfers subject to the provisions of (d) of this Section.

(2) **Gifted and talented students.** Transfers made for the purpose of providing gifted child educational programs shall be governed by 70 O.S. § 1210.307. Such transfers shall not be subject to the provisions of (d) of this Section.

(3) **Parents who are teachers.** Transfers for the purpose of allowing a student to attend school in a district in which the student's Parent or Guardian is employed as a teacher shall be governed by 70 O.S. § 8-113. Such transfers shall not be subject to the provisions of (d) of this Section.

(4) **Deployed Parents.** Transfers for the purpose of allowing a student of a deployed Parent or Guardian to transfer districts shall be governed by 70 O.S. § 8-103.1. Such transfers shall not be subject to the provisions of (d) of this Section.

(5) **Sibling transfers.** Transfers of siblings pursuant to the provisions of 70 O.S. § 8-101.2 shall be processed as Open Transfers in accordance with the requirements of 70 O.S. § 8-103 and (d) of this Section. Transfers of multiple-birth siblings shall be processed as Open Transfers, provided that if multiple birth siblings are transferred to the same receiving district, ~~a~~ the Parent or Guardian may request placement at the same school and/or in the same classroom under the provisions of 70 O.S. § 24-154(A).

(c) **District policies and procedures pertaining to student transfers.**

(1) Each school district board of education shall adopt a policy to determine the number of transfer students the school district has the capacity to accept in each grade level for each school site within a school district pursuant to 70 O.S. § 8-101.2. The policy may include the acts and reasons outlined in 70 O.S. § 24-101.3 and a history of absences as bases for denial of a transfer. "History of absences" means ten or more absences in one semester that are not excused for the reasons provided for in 70 O.S. § 10-105(B) or due to illness. The school district's policy shall not include any other basis for denying a transfer request.

(2) The transfer of a student from the district in which the student resides to another school district furnishing instruction in the grade the student is entitled to pursue shall be granted at any time in the year unless:

(A) The number of transfers exceeds the capacity of a grade level for each school site within a school district; or

(B) The transfer would violate the school's adopted transfer policy with respect to acts and reasons outlined in 70 O.S. § 24-101.3 or a student's history of absences.

(3) A school may not accept or deny a request based on the statutorily prohibited factors set forth in 70 O.S. § 8-103.1.

(4) If the grade a student is entitled to pursue is not offered in the district where the student resides, a transfer request shall be automatically approved by the Receiving School District. 70 O.S. § 8-101.

(d) **Open Transfers.** All Open Transfers ~~must~~ shall be initiated and processed in accordance with the following procedures:

(1) The Parent or Guardian of the student must complete an application form specified by the State Board of Education.

(2) The application shall be filed with the superintendent of the Receiving School District for transfers to school districts in this state and with the State Board of Education for transfers to school districts in another state.

(3) The Receiving School District shall approve or deny the application and notify the Parent of the student of the decision in writing within 30 days of receiving an application. Applications shall be processed in the order in which they are received. If the number of student transfer applications exceeds the capacity of a Receiving School District, the district shall select transfer students in the order in which the district received the student transfer applications.

(4) If the transfer application is accepted, the Parents of the student shall provide the receiving school district written notification that the student will be enrolling in the Receiving School District within ~~ten~~ twenty (20) days of receiving notice that the transfer application was approved. Failure of the Parents or Guardian to notify may result in the loss of the student's right to enroll in the school district for that year only. If a Parent or Guardian fails to notify the Receiving School District that a student will be enrolling, and the Receiving School District chooses to cancel the transfer, the Receiving School District shall provide a written notice of the cancellation to the Parent or Guardian of the student immediately upon cancellation.

(5) If a transfer application is denied, the Parents or Guardian of the student may appeal the Receiving School Districts decisions as set forth in 70 O.S. § 8-101.2(E) and Okla. Admin. Code § 210:10-1-18.1.

(6) If the Receiving School District receives notice that the transferring student will be enrolling in the Receiving School District, the Receiving School District shall notify the Resident School District within ten (10) days.

(7) Approval of the resident district is not required for an Open Transfer.

(3)

(e) **Deployed Parent or Guardian.**

- (1) If a transfer request is submitted on behalf of a student of a ~~d~~Deployed ~~p~~Parent or Guardian in accordance with 70 O.S. § 1-103.1 and this administrative rule, the application shall be approved regardless of the capacity of the receiving school district.
- (2) Local school district boards of education shall adopt a policy for transfer requests by students of a ~~d~~Deployed ~~p~~Parent or Guardian.
- (3) Transfer requests on behalf of Students of a Deployed Parent or Guardian shall be processed in accordance with 70 O.S. § 8-103.1.

(f) **Termination of Transfers.** A transfer may not be terminated in the middle of a school year. At the end of each school year, a school district may deny continued transfer of the student for the reasons outlined in 70 O.S. § 8-101.2(B)(1)-(2). Written notice of a receiving school district's intention to deny continued transfer of a student shall be given to the ~~p~~Parent or Guardian of a student by no later than July 15 and shall comply with Okla. Admin. Code § 210:10-1-18.1(b)(3). A receiving school district's denial of a continued transfer may be appealed in compliance with § 210:10-1-18.1.

(g) **Reporting transfers.**

- (1) On or before January 1, April 1, July 1, and October 1, the Superintendent of each Receiving School District shall file a statement with the State Board of Education and each Resident School District showing the name and grade level of each student granted a transfer to the Receiving School District and the Resident School District for each student.
- (2) On or before January 1, April 1, July 1, and October 1, each school district board of education shall submit to the State Department of Education the number of student transfers approved and denied and whether each denial was based on capacity, acts and reasons outlined in ~~Section 70 O.S. § 24-101.3 of this title~~ or a history of absences as provided for in paragraph 2 of subsection B of this section. The State Department of Education shall publish the data on its website and make the data available to the Office of Educational Quality and Accountability.
- (3) The State Department of Education, when publishing the aforementioned data on its website, shall include:
 - (A) the total number of transfers and denials within the public education system of Oklahoma within a given year - both aggregated and disaggregated by district;
 - (B) all prior year reports for year-on-year comparison both the quarter-by-quarter data and the compiled, yearly data;
 - (C) the number of new transfers versus continuing transfers aggregated and disaggregated by district;
 - (D) the reasons for transfer as declared by the Parent or Guardian under the application to transfer;
 - (E) the amount of funding that follows the student when a transfer is granted.

SUBCHAPTER 13. STUDENT ASSESSMENT AND SCHOOL ACCOUNTABILITY

210:10-13-1.1. Assessment system

(a) **Definitions.** The following terms, when used in this Section, shall have the following meaning, unless the context clearly indicates otherwise:

- (1) **"College and career readiness (CCR)"** means that students graduate from high school prepared to enter and succeed in postsecondary opportunities, whether college or career.
- (2) **"Criterion-referenced"** means an assessment that compares a student's performance to a predetermined standard.
- (3) **"Cut score"** means, for each assessment, the score which the Commission for Educational Quality and Accountability has established as the minimum score required to meet the state's performance target for students taking the assessment.
- (4) **"Lexile"** means a score used within the Lexile framework for reading, which represents either the difficulty of a text or a student's reading ability level.
- (5) **"Norm-referenced"** means an assessment that compares a student's performance to the performance of others who take the assessment.
- (6) **"Quantile"** means a score used within the Quantile framework for mathematics that represents a forecast of, or a measure of, a student's ability to successfully work with certain math skills and concepts.
- (7) **"Scale score"** means a raw score that has been adapted through a customized set of mathematical procedures (e.g., scaling and equating) to account for differences in difficulty across multiple forms, and to enable the score to represent the same level of difficulty from one year to the next.
- (8) **"Summative assessment"** means an assessment conducted at the end of a defined period, such as an academic term or school year, which evaluates student performance against a set of learning targets for the instructional period.

(b) **Requirements for a system of assessments.** House Bill 3218 (2016) directed the State Board of Education to study and develop recommendations for a statewide system of student assessments, which were then submitted to the Oklahoma Legislature for review. The full report of recommendations is available on the State Department of Education website. The assessment system recommended by the State Board of Education and subsequently approved by the Legislature was developed subject to the following requirements under 70 O.S. § 1210.508:

- (1) Alignment with the Oklahoma Academic Standards;
- (2) Comparability of Oklahoma student performance with the performance of students in other states;
- (3) Capability of yielding both norm-referenced and criterion-referenced scores;

(4) A track record of statistical reliability and accuracy; and

(5) For assessments administered in high school, a measure of future academic performance.

(c) **Goals.** Pursuant to the requirements to study and develop recommendations for a system of assessments, the State Department of Education convened an Assessment and Accountability Task Force that included educators, parents, tribal leaders, lawmakers, and business and community leaders from across the state. In consultation with experts in the fields of educational assessment and accountability, the Task Force identified the following as primary goals for Oklahoma's student assessment system:

(1) Provide instructionally useful information to teachers and students, with appropriate detail and timely reporting;

(2) Provide clear and accurate information to parents and students regarding achievement and progress toward college and career readiness (CCR);

(3) Provide meaningful information to support evaluation and enhancement of curriculum and programs; and

(4) Provide information to appropriately support federal and state accountability decisions.

(d) **Summative assessments for grades three (3) through eight (8).** The assessment system adopted by the State Board of Education and approved by the Legislature includes the following components for student assessment in grades three (3) through eight (8):

(1) Content alignment and timing.

(A) The Oklahoma Academic Standards ~~will~~ shall be maintained as the focus of state assessments, and assessments ~~will~~ shall continue to be administered at the ends of grades three (3) through grade eight (8).

(B) An adequate assessment of writing ~~will~~ shall be included to support coverage of the Oklahoma English Language Arts (ELA) standards.

(2) Intended purpose and use.

(A) Assessments ~~will~~ shall support the calculation of growth for students in at least grades four (4) through eight (8).

(B) Assessments ~~will~~ shall demonstrate sufficient technical quality to support the intended purposes and current uses of student accountability, for example grade three (3) promotion based on reading assessment and driver license eligibility based on grade eight (8) English Language Arts (ELA) assessment.

(3) Score interpretation.

(A) Assessments ~~will~~ shall provide a measure of performance indicative of whether students appear to be on track to college and career readiness (CCR).

(B) Assessments ~~will~~ shall support criterion-referenced interpretations which measure student performance against the Oklahoma Academic Standards, and report individual claims including but not limited to scale score, Lexile, Quantile, content cluster, and growth performance.

(C) Assessments ~~will~~ shall support norm-referenced information to help contextualize the performance of students statewide using a feature such as intra-state percentiles.

(4) Reporting and state comparability.

(A) Assessments ~~will~~ shall support aggregate (group) reporting on claims including but not limited to scale score, Lexile, Quantile, content cluster, and growth performance.

(B) The assessment system ~~will~~ shall utilize the existing National Assessment of Educational Progress (NAEP) data to establish statewide comparisons at grades four (4) and eight (8). NAEP data ~~will~~ shall also be used during standard-setting activities to ensure the College and Career Readiness (CCR) cut score is set using national and other state data.

(e) **Summative assessments for high school.** The assessment system adopted by the State Board of Education and approved by the Legislature includes the following components for student assessment in high school:

(1) **Content alignment and timing.** A commercial college-readiness assessment (e.g., SAT, ACT, CLT) ~~will~~ shall be used in lieu of state-developed high school assessments in grades nine (9) or ten (10), with alignment to standards and other peer review requirements being a consideration.

(2) Intended purpose and use.

(A) The assessment ~~will~~ shall demonstrate sufficient technical quality to support the need for multiple and differing uses of assessment results.

(B) The possibility of linking college-readiness scores to information of value for students and educators ~~will~~ shall be explored (e.g., readiness for postsecondary opportunities, remediation risk).

(C) A focus on rigorous expectations of college and career readiness ~~will~~ shall be maintained.

(D) The assessment ~~will~~ shall ensure that all students in Oklahoma can be provided with a reliable, valid, and fair score regardless of the accommodations provided or the amount of time needed for a student to take the test, and ~~will~~ shall further ensure that scores reflecting college and career readiness can be provided to the accepting institution or employer of each student.

(3) Score interpretation.

(A) The assessment ~~will~~ shall support criterion-referenced interpretations of student performance against the Oklahoma Academic Standards, and report individual claims appropriate for high school students.

(B) The assessment ~~will~~ shall provide evidence to support claims of college and career readiness (CCR). These claims should be supported using theoretically related data in standard-setting activities (e.g., measures of college

readiness and other nationally available data), and validated empirically using available postsecondary data linking to performance on the college-readiness assessment.

(C) The assessment ~~will~~ shall provide norm-referenced information to help contextualize the performance of students statewide using a feature such as intra-state percentiles.

(4) Reporting and state comparability.

(A) The assessment system ~~will~~ shall support aggregate (group) reporting on claims at appropriate levels of categorization for high school assessments (e.g., grade, subgroup, teacher, building/district administrator, state).

(B) The assessment system ~~will~~ shall support the ability to provide norm-referenced information based on other states that administer the same college-ready assessments, as long as unreasonable administration constraints do not inhibit those comparisons.

210:10-13-1.2. Make-up Assessments

(a) Purpose. Any public school district or public charter school may determine if a senior student is eligible for make-up assessments due to an incomplete graduation requirement, provided, the senior student has met all other state and local graduation requirements and would have otherwise been eligible to graduate except for one or more missing College and Career Ready Assessments: US History, Science, Math, ELA (ACT/SAT include both math and ELA) as required under 70 O.S. § 1210.508.F.1.

(b) Application. Any of the four (4) make up-assessments outlined in paragraph (a) of this section shall be part of the of the statewide student assessment system and shall be aligned to the Oklahoma Academic Standards as adopted by the State Board of Education. These assessments shall not be included in the state accountability system, nor are they intended to yield reportable data.

(c) Procedure. Upon administering any make-up assessment(s) to an impacted student, a public school district or public charter school may issue a standard diploma to the impacted student. The transcripts of an impacted student shall denote the student as having participated in the assessment in lieu of reporting an assessment score. The make-up assessment(s) shall be retained at the local school district as a record of student participation in fulfillment of the graduation requirement.

(d) Federal and state reporting. Any impacted student who takes one or more of make-up assessments outlined in paragraph (a) of this section shall not be added to the public school district's or public charter school's participation rate in assessments mandated by state and federal law.

210:10-13-25. Determination of the chronic absenteeism indicator

(a) Purpose of the chronic absenteeism indicator. Because chronic absenteeism has been linked to lower academic performance, higher dropout rates, and diminished success after high school, Oklahoma has included chronic absenteeism as an indicator in the school accountability system adopted under the requirements of the *Every Student Succeeds Act* (ESSA). By highlighting the importance of regular school attendance to student success in school and beyond, the State of Oklahoma encourages schools to actively engage with students and their families in eliminating barriers to regular attendance, and to ensure students receive the supports needed to attend school every day.

(b) Authorization of policy establishing a medical exemption from chronic absenteeism. A public school district or charter school may establish a policy providing that student absences which are due to a significant medical condition (a severe, chronic, or life-threatening physical or mental illness, injury, or trauma) may be exempted from inclusion in the calculation of the chronic absenteeism indicator of the applicable student's school site upon determination of eligibility by a medical exemption review committee formed by the district or charter school. A chronic absenteeism medical exemption policy adopted by a public school district or charter school shall be developed in accordance with the guidelines in this Section.

(c) Definitions. The following words and terms, when used in this Section, shall have the following meaning, unless the context clearly indicates otherwise:

(1) "**Chronic absenteeism**" means absence from school at least ten percent (10%) of the time that school is in session and the student is included in membership, eighteen (18) or more days on a 180 day school calendar or ten percent (10%) or more of school days on a 1,080 hours school calendar.

(2) "**Significant medical condition**" means, for the purposes of this Section, a severe, chronic, or life-threatening physical or mental illness, infection, injury, disease, or emotional trauma.

(d) Not all excused absences qualify for medical exemption. Certain student absences are classified as "excused" under state law and/or school policies, meaning that a student is considered absent for a valid reason under law or policy and the absence may not be associated with any penalties to the student. Examples include medically documented absences, which are considered excused under 70 O.S. § 10-105(B), and absences related to the military deployment activities of a student's parent or guardian, which are excused under 70 O.S. § 510.1(V)(E). If a student is absent in relation to their own or their household's homeless status, such related absences should be excused pursuant to the federal McKinney-Vento Act so the related absences do not serve as a barrier to enrollment or retention. These and other types of absences considered under law or policy as a valid basis to be absent from school should be indicated as "excused" in a school's student information system. However, the classification of an absence as "excused" such that no penalties accrue to a student in relation to the absence does not automatically qualify the absence for a medical exemption for purposes of the chronic absenteeism indicator. In order to be eligible for consideration under a chronic absenteeism medical exemption policy, an absence must fall under the definition of "significant medical condition" given in this Section.

(e) Absences from school that do not accrue toward chronic absentee status. A student with disabilities who is on an Individualized Education Program (IEP), or a student with a physical or mental impairment who is on a Section 504 Plan, is

considered in attendance and does not accrue absences while receiving offsite services outlined in the IEP or Section 504 plan. A student on an IEP or Section 504 Plan whose condition worsens or who requires more frequent treatments should have their IEP or Section 504 Plan updated accordingly. A student who is receiving homebound education services from their school district is considered in attendance and does not accrue absences while in homebound status. A student receiving disciplinary action, such as out-of-school suspension (“OSS”), in-house suspension (“ISS”), or expulsion, shall not accrue absences; provided the child attends ISS.

(f) **Effect of exempt absence.** If a student has been determined to have a significant medical condition under the district or charter school's medical exemption policy, only absences that are related to the student's identified condition(s) or qualifying circumstances may be exempted from inclusion in the calculation of the chronic absenteeism indicator. Absences that are not related to the student's qualifying condition(s) or circumstances, such as routine illnesses or medical appointments, are not eligible for exemption under a school district's medical exemption policy. The exempt absence(s) of a student who has been granted an exemption of one or more absences from school in accordance with the provisions of this Section shall not be included in the calculation of the chronic absenteeism indicator on the school site report card.

(g) **Reporting absences determined medically exempt to the State Department of Education.** A school district or charter school that has adopted a chronic absenteeism medical exemption policy in accordance with this Section, and has determined under the policy that one or more student absences are medically exempt from inclusion in the chronic absenteeism indicator, shall report such absences determined medically exempt to the Oklahoma State Department of Education (OSDE) Office of Accountability. To ensure that an absence which has been determined eligible for a medical exemption by a school district's medical exemption review committee is identified as exempt in sufficient time for the absence to be excluded from the chronic absenteeism calculation, the Office of Accountability may set an annual deadline for the reporting of such medically exempt absences. The reporting of absences identified under a district's policy as medically exempt may require the submission of the district's chronic absenteeism medical exemption policy and documentation of the medical exemption review committee's approval of the exempted absences. All documentation considered during the medical exemption review committee's consideration of potentially eligible absences shall be maintained by the school district or charter school and shall be available to regional accreditation officers for auditing purposes.

(h) **Effect of public health emergencies or other declared emergencies.** In the event of an emergency declared by a federal or state government entity that impacts the operation of public schools in Oklahoma, or upon an action taken by the State Board of Education declaring such an emergency, the Oklahoma school accountability system shall make any appropriate accommodations authorized under federal law to mitigate the effects of the emergency on school accountability determinations for the affected school year(s). Student absences related to a state of emergency shall not be included in the calculation of the chronic absenteeism indicator. If there is any period of time during a state of emergency when public school operations are suspended, interrupted, or otherwise affected by the emergency conditions, the affected dates shall be excluded from the calculation of the chronic absenteeism indicator.

Authority: Title 70 O.S. Section 1210.545.