

ENROLLED SENATE  
BILL NO. 1025

BY: WILLIAMS (Penny), HANEY,  
CAIN and MILES-LaGRANGE of  
the SENATE

and

LARASON, HUDSON, BOYD and  
ROSS of the HOUSE

AN ACT RELATING TO SCHOOLS; AMENDING 70 O.S.  
1991, SECTIONS 1210.531, 1210.541 AND 1210.561,  
WHICH RELATE TO THE OKLAHOMA EDUCATIONAL  
INDICATORS PROGRAM, LOW ACHIEVING SCHOOLS, AND  
AT RISK GRANTS; CLARIFYING LANGUAGE; CHANGING  
CERTAIN REPORT DATE; PLACING CERTAIN  
REQUIREMENTS ON CERTAIN SCHOOL DISTRICTS;  
AUTHORIZING USE OF CERTAIN TEST SCORES FOR  
CERTAIN PURPOSES; REQUIRING STATE BOARD OF  
EDUCATION TO ADOPT RULES; DELETING CERTAIN  
REFERENCES TO AT RISK SCHOOLS; DESIGNATING HIGH  
CHALLENGE SCHOOLS; MODIFYING CONTENTS OF CERTAIN  
REPORT; DESIGNATING CERTAIN GRANTS; PROVIDING  
CRITERIA FOR AWARD OF CERTAIN GRANTS; PROVIDING  
STANDARDS FOR ALTERNATIVE EDUCATION PROGRAMS;  
PROHIBITING STATE-FUNDED GRANTS TO CERTAIN  
PROGRAMS; DELETING OBSOLETE LANGUAGE; PROVIDING  
FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE;  
AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 1210.531, is amended to read as follows:

Section 1210.531 A. The State Board of Education shall establish an Oklahoma Educational Indicators Program. The purpose of the Program shall be to develop and implement a system of measures whereby the performance of public schools and school districts is assessed and reported without undue reliance upon any single type of indicator, and whereby the public, including students and parents, may be made aware of the proper meaning and use of any tests administered under the Oklahoma School Testing Program Act, relative accomplishments of the public schools, and of progress being achieved. The Board shall involve representatives of various organizations of school teachers and of school administrators in the development of the Program. The Program shall be so designed that use of standardized definitions and measures and opportunities for coordination with national reports, including those of the National Assessment of Educational Progress, are maximized.

B. ~~Initially, the~~ The Oklahoma Educational Indicators Program shall present information for comparisons of graduation rates, dropout rates, pupil-teacher ratios, and test results in the contexts of socioeconomic status and the finances of school districts. Information shall be provided individually for all

public schools and school districts in a format that facilitates comparisons. As the necessary data becomes available, comparisons shall also be provided individually for all schools and school districts on a historical basis. Reports of first-grade readiness assessments and of all tests administered pursuant to the Oklahoma School Testing Program Act, Section 1210.505 et seq. of Title 70 of the Oklahoma Statutes, shall be a part of the Oklahoma Educational Indicators Program and shall be provided for each grade and each test subject or section. The State Board of Education shall seek to develop and incorporate additional indicators of comparative standing and accomplishment.

C. Additionally, the State Board of Education, with the cooperation of the Oklahoma State Regents for Higher Education, the State Board of Vocational and Technical Education, and the Oklahoma Employment Security Commission, shall develop procedures for obtaining and reporting data to the high schools and to the general public regarding the employment of graduates of each of Oklahoma's high schools and regarding the performance of each high school's graduates in Oklahoma's institutions of higher education and in postsecondary vocational-technical education. ~~Not later than the 1991-92 school year, the~~ The State Board of Education shall begin including include such data in the report of the Oklahoma Educational Indicators Program.

D. By ~~January~~ February 1 of each year the State Board of Education shall publish a summary report to the people of Oklahoma of the information provided by the Oklahoma Educational Indicators Program. Immediately following the publication of the summary report each year, all data gathered pursuant to the Oklahoma Educational Indicators Program shall be made available for public inspection at the offices of the State Board or State Department of Education; provided, confidentiality of individual student records shall be preserved as required by law.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 1210.541, is amended to read as follows:

Section 1210.541 A. ~~Each~~ Except as otherwise provided, each school with a student average score in the lowest quartile of Oklahoma students and whose student average score falls below the national average score on any ~~norm-referenced~~ test administered pursuant to the Oklahoma School Testing Program Act, Section 1210.505 et seq. ~~of Title 70 of the Oklahoma Statutes of this title,~~ shall cooperate with the State Department of Education to develop a program of action to address such low achievement and shall implement such program by the beginning of the fall semester of the school year following the school year for which such low achievement is reported. For schools that test fewer than fifteen (15) pupils in any grade, the median or mean score may be used for purposes of this section.

B. ~~Each~~ Beginning with the 1993-94 school year, the State Board of Education shall promulgate rules to identify high challenge schools on the basis of indicators reported through the Oklahoma Educational Indicators Program. Except as otherwise provided, each school with a student average score in the lowest quartile of Oklahoma students and whose student average score falls below the national average score for three (3) consecutive years on any ~~norm-referenced~~ test of the Oklahoma School Testing Program shall be declared ~~academically at risk~~ a high challenge school by the State Board of Education. For schools that test fewer than fifteen (15) pupils in any grade, the median or mean score may be used for purposes of this section. The State Board of Education shall report to the Legislature by November 1, ~~1989, and every November 1~~

~~thereafter, any and all such districts in which have at least one school has been declared "academically at risk" a high challenge school.~~ The annual report to the Legislature shall include test scores and other indicators for each school declared to be ~~at risk a high challenge school~~ for the prior three (3) years and shall include ~~recommendations~~ intervention actions that have been taken and are planned by the district board of education and the State Board of Education as to appropriate means of intervention to ensure the proper education of the students of each such school. ~~Recommendations as to means~~ Means of intervention which may be exercised by the State Board of Education may include but are not necessarily limited to: provision of guidance and assistance to the school and school district; special funding; reassignment of district personnel; transfer of students; operation of the school by personnel employed by the State Department of Education; and mandatory annexation of all or part of the local school district.

SECTION 3. AMENDATORY 70 O.S. 1991, Section 1210.561, is amended to read as follows:

Section 1210.561 A. Contingent upon the provision of appropriated funds designated for ~~At-Risk~~ Alternative Approaches grants, the State Board of Education is authorized to award one or more such competitive grants to local education agencies or nonprofit organizations for programs providing services to high challenge children and youth. High challenge children and youth are those at risk of failing to complete a satisfactory education and. Alternative Approaches grants shall include high challenge grants and grants for alternative education. Alternative Approaches grants shall be awarded to local education agencies or nonprofit organizations for programs serving school districts identified by the Board as having high percentages of children who are considered to be high challenge students. Such competitive grants shall be of local and state significance and shall be replicable across the state. Beginning July 1, 1993, at least twenty percent (20%) of the total dollar amount of Alternative Approaches grants shall be awarded to districts replicating state-validated programs. State validation is a process carried out by the Alternative Approaches Programs Technical Assistance Center by which grant-funded programs are evaluated for effectiveness in reaching the targeted population, local and state significance, and replicability. The Technical Assistance Center shall report to the State Department of Education the name and description of any program which receives state validation.

B. The State Board of Education is further authorized to award one competitive grant for operation of an ~~At-Risk~~ Alternative Approaches Programs Technical Assistance Center. Said programs shall not supplant programs or activities funded by the United States Government pursuant to Chapter 1 of Title I of the Elementary and Secondary Education Act of 1965, as amended. Neither shall they supplant programs funded by State Board of Education grants for alternative education or regional summer school programs. The High Challenge Programs Technical Assistance Center grant recipient shall have priority, if its operations are deemed satisfactory by the State Board of Education and if funds are available, for annual renewal of the grant.

~~B. C.~~ C. Service program grant recipients shall have priority, if recommended by the Technical Assistance Center and if funds are available, for annual renewal of grants by the State Board of Education in amounts and on conditions as provided in this section. If a district has received grants for an at risk or high challenge program for three consecutive school years and if the program upon

evaluation by the Technical Assistance Center meets the criteria set forth in subsection A of this section and satisfies criteria set forth in rules adopted by the State Board of Education pursuant to subsection D of this section, funding shall be as follows:

1. Funding for the fourth consecutive school year shall be in the amount of fifty percent (50%) of the average amount of grants awarded for the program pursuant to this section for the first three (3) consecutive school years;

2. Except as otherwise provided, funding for the fifth consecutive school year shall be awarded only if the program has been state-validated and replicated by another district; for programs that have received funding for three (3) years prior to the effective date of this act, funding will be awarded only if the program is state-validated and the grantee documents attempts to have the program replicated; if funding is awarded, it shall be in the amount of twenty-five percent (25%) of the average amount of grants awarded to the program pursuant to this section for the first three (3) consecutive school years.

All grants for the fourth and fifth school years as provided above shall be matched with local funds or in-kind contributions. Programs which received grants continuously for five (5) consecutive school years shall not thereafter be eligible for grants pursuant to this section. The At-Risk Programs Technical Assistance Center grant recipient shall have priority, if its operations are deemed satisfactory by the State Board of Education and if funds are available, for annual renewal of the grant.

~~C. The State Superintendent of Public Instruction is authorized to utilize, in addition to personnel of the State Department of Education or other state agencies, the services of not more than five volunteers who are not state employees for assistance with the initial preparation of proposed rules and regulations for programs authorized by this act. Said volunteers shall be reimbursed by the State Board of Education for actual travel expenses incurred on or before May 31, 1989, pursuant to the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes. Rules and regulations necessary for the solicitation, acceptance, and evaluation of proposals for program and technical assistance center grants authorized by this act shall, if funded by the Legislature for operation during fiscal year 1990, be presented to the State Board of Education for emergency adoption not later than May 31, 1989.~~

D. Rules and regulations adopted by the State Board of Education shall incorporate or provide for, but not necessarily be limited to:

1. Definition of the children and youth deemed ~~at risk~~ high challenge for whom services are sought; provided the definition shall be consistent with the description of high challenge children and youth set forth in subsection A of this section;

2. The possibility of awards for one or more of a variety of program proposals targeted for services to limited portions of the ~~at-risk~~ high challenge population according to such distinctions as age groupings, rural or urban settings, other cultural characteristics, or innovative service delivery strategies;

3. Requirements that service program grant recipients have clear and measurable goals and objectives; show evidence of having given reasonable consideration to coordination with other community agencies and resources, where appropriate, in the development of their proposals; and agree to comply with all requirements of the Technical Assistance Center regarding use of assessment instruments,

provision of data, and provision of information necessary for program evaluation;

4. Requirements that the recipient of the Technical Assistance Center grant show command of relevant research and demonstrate capability for: Providing technical assistance, including operation of clearinghouse functions; coordinating with agencies such as the State Arts Council of Oklahoma; performing assessment of ~~at-risk~~ high challenge children and youth; evaluating programs for effectiveness; making program cost assessments; promoting replication of successful programs; and capability for assisting program providers in attaining national validation of their programs and qualifying for federal funding;

5. Utilization of a selection committee to review applications for program and Technical Assistance Center grants and make recommendations to the State Board of Education, said selection committee to include, to the greatest extent feasible under constraints of time and funding, nationally recognized experts in the education of high challenge children and youth ~~at-risk~~; and

6. Revocation of ~~the~~ any high challenge or at risk grant by awarded to, and ineligibility for award of any future high challenge grant pursuant to this act to, any grant recipient who ~~employs within two (2) years following the effective date of this act~~ has employed prior to May 24, 1991, any person serving who served as a volunteer pursuant to subsection C of this section assisting with the initial preparation of proposed rules for high challenge (formerly designated as at risk) grant programs or any person serving as a member of a selection committee during or within two (2) years following such person's service pursuant to paragraph 5 of this subsection.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.562 of Title 70, unless there is created a duplication in numbering, reads as follows:

Alternative Approaches grants for alternative education shall not be limited to alternative schools. Notwithstanding self-identification of a program as an alternative education program, a program shall not receive state-funded grants to provide alternative education administered through the State Department of Education unless the program meets the following criteria:

1. The program has an intake and screening process to determine eligibility of students;

2. The teaching faculty are certified teachers;

3. The program has entered into a service agreement with local agencies serving youth;

4. The program provides courses that meet the curricular standards adopted by the State Department of Education and remedial courses;

5. The program offers individualized instruction;

6. The program has clear and measurable program goals and objectives;

7. The school has counseling and social services components; however, providers of these services shall not be required to be certified school counselors;

8. A plan leading to graduation is developed for each child in the program;

9. The program offers life skills instruction; and

10. The program has an evaluation component requiring an annual written self-evaluation.

SECTION 5. This act shall become effective July 1, 1992.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 13th day of May, 1992.

President of the Senate

Passed the House of Representatives the 14th day of May, 1992.

Speaker of the House of Representatives