

ENGROSSED HOUSE
BILL NO. 2317

By: Hager of the House

and

Long (Ed) of the Senate

(schools - amending 5 sections in Title 70 - child's
residence for school purposes - amending 74 O.S., Section
3111 - codification - effective date - emergency)

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 1-113, as last amended by Section 8, Chapter 231, O.S.L. 1995 (70 O.S. Supp. 1995, Section 1-113), is amended to read as follows:

Section 1-113. A. When used in this section, ~~unless the context otherwise requires,~~ the residence of any child for school purposes shall be:

1. The school district in which the parents, guardian, ~~or~~ person ~~having the care and~~ who has custody of the child or person who has assumed permanent care and custody of the child and has filed an affidavit with the school district attesting to that fact holds legal residence, ~~if the parents, guardian, or person contributes in major degree to the support of such child.~~ Any person who willfully makes a statement in the affidavit which the person knows to be false shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year or a fine of not more than Five Hundred Dollars (\$500.00) or both such fine and imprisonment; or

2. The foster home, as defined in Section 25 of Title 10 of the Oklahoma Statutes, except a therapeutic foster home as defined in subsection C of this section, in which the child has been placed:

- a. by the person or agency having legal custody of the child pursuant to a court order, or
- b. by a state agency having legal custody of the child pursuant to the provisions of Title 10 of the Oklahoma Statutes; or

3. Any orphanage or eleemosynary child care facility having full-time care and custody; or

4. Any state-operated institution in which a child has been placed by a parent or guardian or by a state agency having legal custody of the child pursuant to the provisions of Title 10 of the Oklahoma Statutes for care and treatment due to a physical or mental condition of the child; or

5. The district in which a child who is entirely self-supporting resides and attends school; or

6. The legal residence of the parents or guardian of a child who has been placed in an out-of-home placement under conditions enumerated in subsection C of this section.

B. Except as otherwise provided in this section no school district in which a public or private residential child care or treatment facility is located shall bear the costs of educating any child voluntarily placed by a parent or guardian in the facility unless a transfer has been approved for the child from the district in which the child has legal residence. No school district shall bear the costs of educating children placed in any state-operated institution; provided, a school district may furnish educational services pursuant to contract with such institution as elsewhere provided by law.

C. 1. When a child is placed out of the child's home and outside the school district in which the parent, guardian, or person having legal custody resides:

a. an emergency transfer shall be required if the child is placed by the parent, guardian, or person having legal custody:

(1) in a public or private child care facility or group home which provides residential psychiatric treatment,

(2) in a drug or alcohol treatment facility without a physician's written certificate that such treatment is needed, or

(3)—in a voluntary arrangement with an adult not having legal custody or guardianship of the child,

b.—a parent shall not be required to request a transfer but an emergency transfer shall be granted if the child is placed:

(1) pursuant to a court order,

(2)—in a public or private child care or treatment facility by a state agency having legal custody of the child,

(3) in a therapeutic foster home under the supervision of a state agency or a private licensed child placing agency,

(4)—in a drug or alcohol treatment facility by the parent, guardian, or person having legal custody upon written certification by a physician that such treatment is needed, or

(5) by the parent, guardian, or person having legal custody in a private, nonprofit children's home

or group home which does not provide residential psychiatric treatment.

2. a. For purposes of this section a therapeutic foster home is defined as a foster home which has been certified as meeting the standards set by the Department of Human Services for therapeutic foster homes.
- b. The agency placing a child in a therapeutic foster home shall be responsible for notifying the receiving district of the legal residence of the child's parent or guardian.
3. a. For purposes of this section a nonprofit children's home or group home is defined as a residential child care facility which is not operated by the state, a county, or a local government and which:
 - (1) is operated by an organization that qualifies as a nonprofit organization pursuant to Section 501(c) (3) of Title 26 of the United States Code,
 - (2) is in compliance with the Oklahoma Child Care Facilities Licensing Act, Section 401 et seq. of Title 10 of the Oklahoma Statutes, and
 - (3) does not provide residential psychiatric treatment.
- b. Each year the Department of Human Services shall provide to the State Department of Education a list of facilities that meet the definition of a nonprofit children's home or group home as provided in subparagraph a of this paragraph. The state Department of Education shall distribute the list of facilities to each school district.

4. The district in which the child has legal residence for school purposes shall bear the financial responsibility as defined

in Section 18-110 of this title for the child for whom an emergency transfer is granted pursuant to the provisions of this subsection.

D. Except for children for whom transfer is automatic pursuant to subsection C of this section, whenever a child is voluntarily placed without a transfer in a public or private residential child care or treatment facility or day treatment program as defined ~~by~~ in Section ~~4~~ 175.20 of ~~this act~~ Title 10 of the Oklahoma Statutes by a parent or guardian, the facility or program shall, if the child contends he or she resides in a district other than the district where the facility or program is located, immediately upon admittance:

1. Inform the parent or guardian that the parent or guardian must immediately apply for a transfer from the school district in which the child contends he or she resides to the school district in which the facility or program is located; and

2. Notify the district in which the facility is located of the admittance.

The district of residence shall be responsible for the educational costs as defined in Section 18-110 of this title until the district of residence acts to approve or disapprove the transfer. Action to approve or disapprove the transfer shall be taken within thirty (30) days of the child's admittance to the facility or program.

If, however, from failure of the parent or guardian to make proper application for transfer, no transfer is approved within thirty (30) days of the child's admittance to the facility or day treatment program, the district of residence shall not be required to pay the educational costs for any time beyond thirty (30) days that the child remains in the facility or program or for any costs if the child has been admitted more than once during the school year to such facilities or programs without a transfer being granted by the school district; rather, such costs shall be the responsibility

of the facility or parent or guardian. Access to the due process procedure guaranteed to children with disabilities shall be available to resolve disagreements about the appropriateness of placements of children with disabilities.

E. The governing body of any state institution operated pursuant to the provisions of Sections 1401 through 1424 of Title 10 of the Oklahoma Statutes or Sections 31 through 36 and Section 50 of Title 43A of the Oklahoma Statutes and the board of education of the school district in which the institution is located or any other school district in the state willing to provide necessary educational services may enter into a contract whereby the district will maintain a school for the children of the institution, in which event the residence of such children for school purposes will be considered as being in the district maintaining the school. The governing body of the state institutions specified in this subsection shall pay the costs for educating students placed in the state institution less any amount of funds received for such students by the school district contracting with the state institution to provide necessary educational services.

F. 1. The school district in which a public or private residential child care or treatment facility or day treatment program is located shall, upon request of the individual or agency operating the facility or program, contract to provide the educational services to which the children in the facility or program are entitled. No individual or agency operating a public or private residential child care or treatment facility may contract for the provision of educational services with any school district other than the school district in which the facility is located unless the school district in which the facility is located agrees in writing to allow another school district to provide the educational services.

2. Prior to location in a school district, the individual or agency operating a public or private residential child care or treatment facility or day treatment program shall contact the local board of education for the purpose of assessing the impact of such location upon the school district. An impact statement shall be filed by the individual or agency with the State Board of Education prior to the establishment of such a facility or program within the school district. In no case shall a school district be required to provide educational services for residents in the facility or participants in the program until at least ninety (90) days have elapsed from the time in which the impact statement was initially filed with the State Board of Education.

3. If the local board of education is in disagreement with information contained in the impact statement required in paragraph 2 of this subsection, or if the local board of education and the individual or agency operating a public or private residential child care or treatment facility or day treatment program are unable to arrive at a mutually agreeable contract for educational services, either party may request assistance for a coordinated review from the State Department of Education and from the state agency which owns or contracts with the facility for services.

4. No school district shall be responsible for any expenses which are not directly related to the provision of educational services subject to the provisions of the Individuals with Disabilities Education Act. No school district shall contract for the provision of educational services to the residents of a public or private residential child care or treatment facility or to the participants in a day treatment program unless so approved by the State Board of Education.

G. Any question as to the place of residence of any child for school purposes shall be decided ~~pursuant to procedures adopted~~ by the State ~~Board~~ Department of Education. If the place of residence

for any child as defined in paragraph 6 of subsection A of this section cannot be determined, the legal residence of such child for school purposes shall be the district in which the out-of-home placement is located.

H. The receiving district shall notify the sending district immediately upon finding that the student requires special education and related services and the sending district shall participate in planning the student's Individualized Education Program (IEP) and in subsequent reviews of the program in accordance with the Individuals with Disabilities Education Act (IDEA).

SECTION 2. AMENDATORY 70 O.S. 1991, Section 18-110, as amended by Section 3, Chapter 168, O.S.L. 1994 (70 O.S. Supp. 1995, Section 18-110), is amended to read as follows:

Section 18-110. A. If any district, or a part of a district, becomes a part of another district by consolidation, annexation, or otherwise, the following procedure shall be followed, except as otherwise provided by law, in calculating aid to the new district or districts so formed:

1. If the action occurs after budgets have been approved by the county excise board and the tax levies approved, the State Aid for the current year shall be calculated for each district as it existed prior to the annexation and prorated to the annexing district or districts on the basis of average daily attendance.

2. If the action occurs prior to approval of the school district budgets by the county excise board, the annexed district shall be merged with the annexing district or districts and State Aid shall be calculated according to the formula provided by this title.

B. Any school district that does not maintain school for a full term pursuant to Section 1-109 of this title shall have its State Aid reduced proportionately unless it has received written approval to maintain school for less than a full term from the State Board of

Education. The State Board of Education shall not approve any request to maintain school for less than a full term unless such request meets the requirements of Section 1-109 of this title.

~~C. 1. If a school district operates a school located in a state institution for pupils of school age, the attendance of such children shall be included in the attendance of such school district for the purpose of calculating State Aid of the district.~~

~~2.~~ If a school district operates a school located in a state institution for the pupils of school age residing in such institution, the attendance of such children shall be included in the attendance of such school district for the purpose of calculating State Aid of the district. Provided, such attendance shall not be used for apportioning other miscellaneous revenue; and such school district State Aid shall be paid in the amount of the Foundation Program Aid and Incentive Aid of such school as provided in this title.

D. 1. If a public school district in this state provides educational services to a child who resides in the district as a result of the child's placement in an out-of-home living situation within the district under any circumstances enumerated in subsection C of Section 1-113 of this title, the providing district shall receive from the district in which the child has residence a fee in the amount of the per capita cost of the providing district for current expenditures for the education of such resident. The amount of the expenditures shall be determined based upon the cost of teachers, equipment, material, and other direct education and special education costs associated with the education of such child prorated by the number of days the child has been enrolled in the providing district.

2. Immediately upon beginning to provide such services, the providing district shall send to the district of residence as defined in paragraph 6 of subsection A of Section 1-113 of this

title, and to the Finance Division of the State Department of Education, an enrollment form which shall include an estimate of the number of school days such services are to be provided to said child and an itemized estimate of the cost per day of providing said services. The district of residence shall acknowledge receipt of the enrollment form within ten (10) days, notifying both the providing district and the Finance Division. If a dispute is anticipated, the providing district and the district of residence shall begin discussion of points in dispute. Immediately upon cessation of the provision of said services, the providing district shall send to the district of residence and to the Finance Division a final attendance report and an itemized claim for payment. Within sixty (60) days of receipt of the claim, the district of residence shall deliver payment to the providing district and both districts shall immediately notify the Finance Division that payment has been made; provided, any unsettled disputes as to the appropriateness of the charges shall be referred within said sixty-day period to the Finance Division for resolution. Only upon verification that the payment has been received by the providing district shall the Finance Division credit to the district of residence the average daily attendance (ADA) of the child or include the child in the average daily membership (ADM) of the district of residence for the days the child received services from the providing district. Further, if payment still has not been made within sixty (60) days from the time of resolution of the dispute by the Finance Division or one hundred twenty (120) days from the date of receipt of the original claim, whichever is later, the Finance Division shall settle the matter by withholding the entire amount of the claim from State Aid or other payments otherwise due the district of residence and transmitting such amount to the providing district.

E. Upon determination by the Finance Division of the State Department of Education that a legal residence for a child placed in

an out-of-home placement cannot be identified, the district in which the placement is located shall be the district of residence and the average daily attendance of such child shall be credited to such district.

F. If any school district shall fail, neglect or refuse, for any reason whatsoever, to provide special education and related services for a child with disabilities, certified as such by competent authorities and residing in such district, as directed in Section 13-101 of this title, the following is hereby authorized:

1. Such child shall be entitled, upon petition by the child's parent or guardian, without consent or approval of the school district not providing special education and related services, to transfer to any adjacent or nearby school district which will accept the child with disabilities and provide the special education and related services which such child is entitled to receive. The school district in which a child transferring under this section resides shall pay to the district receiving and educating such child, as tuition, a special education transfer fee as provided in paragraph 2 of this subsection. Provided the average daily attendance of such child shall be credited to the home district of such transferee.

2. The special education transfer fee shall be the per capita cost of the receiving district for current expenditures for the special education and related services of such child with disabilities based upon the cost of teachers, equipment, material, and special costs associated with the special education class.

3. It shall be the duty of the school district from which such child with disabilities transfers to appropriate and pay such special education transfer fee to the district which receives and educates such child. If a school district owing such special education transfer fees shall fail, neglect or refuse for any reason whatsoever to appropriate and pay such special education transfer

fees, then the school district entitled to receive such fees shall certify such fact to the Finance Division of the State Department of Education. Upon receipt of such certification, the Finance Division shall deduct the amount of the special education fee from any State Foundation Program or Incentive Aid otherwise due the sending district and transmit such amount to the receiving district.

4. The sending school district shall also be obligated to pay the special education transfer fee whenever it has transferred a student to another school district for purposes other than to acquire special education, but where the student is subsequently found to require such special education and related services, is determined to be eligible by the Special Education Division of the State Department of Education, and is placed in an appropriate special education program by the receiving school district. For purposes of this paragraph, the special education transfer fee shall be as provided by paragraph 2 of this subsection, prorated by the receiving school district according to the number of days the student has been enrolled in the special education program. The receiving district shall notify the sending district immediately upon finding that the student requires special education and related services and the sending district shall participate in planning the student's Individualized Education Program (IEP) and in subsequent reviews of the program in accordance with the Individuals with Disabilities Education Act (IDEA).

SECTION 3. AMENDATORY 70 O.S. 1991, Section 1210.531, as last amended by Section 6, Chapter 232, O.S.L. 1994 (70 O.S. Supp. 1995, 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. The Oklahoma Educational Indicators Program shall present information for comparisons of graduation rates, dropout rates, pupil-teacher ratios, student enrollment gain and loss rates, 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. Provided, data relating to test results for students who reside in a state institution or public or private residential child care or treatment facility within a school district, or who participate in day treatment programs as defined in Section 175.20 of Title 10 of the Oklahoma Statutes, may be reported separately from that of other students who reside in the school district. Any such data so

reported shall be separately depicted on the school district's data for test results by the Oklahoma Educational Indicators Program.

C. Additionally, the State Board of Education, with the cooperation of the Oklahoma State Regents for Higher Education, and the State Board of Vocational and Technical Education, shall develop procedures for obtaining and reporting data to the high schools and to the general public regarding the performance of each high school's graduates in Oklahoma's institutions of higher education and in postsecondary vocational-technical education. The State Board of Education shall include such data in the report of the Oklahoma Educational Indicators Program.

D. By 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 4. AMENDATORY 70 O.S. 1991, Section 1210.541, as last amended by Section 13, Chapter 257, O.S.L. 1993 (70 O.S. Supp. 1995, Section 1210.541), is amended to read as follows:

Section 1210.541 A. 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 test administered pursuant to the Oklahoma School Testing Program Act, Section 1210.505 et seq. 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. 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 test of the Oklahoma School Testing Program shall be declared 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 all districts in which at least one school has been declared a high challenge school. The annual report to the Legislature shall include test scores and other indicators for each school declared to be a high challenge school for the prior three (3) years and shall include intervention actions that have been taken and are planned by the district board of education and the State Board of Education to ensure the proper education of the students of each such school. 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; mandatory annexation of all or part of the local school district; and placing operation of the school with an institution of higher education as a developmental research school pursuant to the provisions of Sections ~~4~~ 1210.571 through ~~9~~ 1210.579 of this ~~act~~ title if the high challenge school is within a single-

site district and is within ten (10) miles of a college of education within an institution of The Oklahoma State System of Higher Education.

C. 1. Beginning July 1, 1996, and for each year thereafter, any school district which receives State Aid pursuant to the economically disadvantaged pupil category weight provided in paragraph 2 of subsection B of Section 18-201 of this title and which has a school which has been declared as a high challenge school pursuant to the provisions of subsection B of this section shall allocate fifty percent (50%) of the State Aid generated by the economically disadvantaged weight for the district to those schools that are identified as high challenge schools. Such funds shall not be used to supplant any other funds heretofore allocated to such schools. For the purposes of this subsection, a high school in which the twelfth grade average on the criterion-referenced tests administered at the eleventh grade level is below fifty (50) on the Oklahoma Performance Index for any year shall be considered a high challenge school.

2. Beginning with the 1998-99 school year and for each year thereafter, the State Board of Education shall assess any school district with a high challenge school in which the average test scores of students enrolled in the high challenge schools on the norm-referenced test in grades three and seven and on the criterion-referenced test for grade twelve are not improved over the previous year a financial penalty of Two Thousand Five Hundred Dollars (\$2,500.00).

D. For purposes of this section, test scores of students who reside in a state institution or public or private residential child care or treatment facility within a school district, or who participate in day treatment programs as defined in Section 175.20 of Title 10 of the Oklahoma Statutes, on tests administered pursuant to the Oklahoma School Testing Program shall be averaged and

reported separately from the test scores of the other students who reside in the school district and such students' test scores shall be exempt from calculation for the purposes of this section.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-129 of Title 70, unless there is created a duplication in numbering, reads as follows:

On or before January 1, 1997, the State Department of Education shall develop and have operating an electronic system to track students enrolled in the public schools in the state. The tracking system shall be used by the Department only to collect necessary data to determine student enrollment, to establish a student mobility rate, or for the allocation of State Aid Formula and midterm supplement funding. The tracking system shall utilize the social security account number of the student or an alternative student data number and shall comply with the provisions of Section 3111 of Title 74 of the Oklahoma Statutes.

SECTION 6. AMENDATORY 74 O.S. 1991, Section 3111, is amended to read as follows:

Section 3111. A. No state agency, board, commission or other unit or subdivision of state government shall request or require that any person reveal ~~his~~ the social security number of such person in order to obtain services or assistance, nor shall any state agency, board, commission or other unit or subdivision of state government use, for any purpose, numbers which correspond to the social security number of any person. Provided that any state agency, board, commission, unit or subdivision of state government using social security numbers for a particular purpose prior to January 1, 1974, may continue to use and require social security numbers for that purpose only and provided, further, that the provisions of this act, Section 3101 et seq. of this title, shall not be construed to prohibit the use or requirement of disclosure of one's social security number if the use of the number is related to

the Social Security Administration or benefits thereunder, or, subject to the provisions of Section 1-311.1 of Title 63 of the Oklahoma Statutes, to prohibit the use or requirement of disclosure of the social security numbers of the mother and father by the Vital Records Section of the State Department of Health in the administration of the issuance of birth records.

B. The provisions of this section shall not be construed to prohibit the Oklahoma Tax Commission from requiring the disclosure ~~by any person of his or her~~ of the social security number of any person in order to administer any state tax law, as defined by Section 202 of Title 68 of the Oklahoma Statutes or in order for the Commission to administer any provision of the Uniform Disposition of Unclaimed Property Act, Section 651 et seq. of Title 60 of the Oklahoma Statutes, if such administration requires the Commission to obtain the social security number of any person.

C. The provisions of this section shall not prohibit the State Department of Education or a board of education of a school district from requesting any student who wishes to enroll in or is enrolled in any public school in this state to disclose the social security account number of the student in order for the Department to administer any provision of the Oklahoma School Testing Program Act, ~~Sections 1210.505 through 1210.511 of Title 70 of the Oklahoma Statutes or~~ for the collection of appropriate and necessary data pursuant to the Oklahoma Educational Indicators Program, ~~Section 1210.531 of Title 70 of the Oklahoma Statutes~~ to collect necessary data to determine student enrollment, establish a student mobility rate or for the allocation of State Aid Formula and midterm supplement funding. The State Department of Education or a board of education of a school district shall not deny to any student any right, benefit, or privilege provided by law because of the refusal by the student to disclose the social security account number of the student. If the State Department of Education or a board of

education of a school district requests a student to disclose the student's social security account number, the State Department of Education or a board of education of a school district shall inform the student by what statutory or other authority ~~such~~ the number is solicited and what uses will be made of the number.

D. The State Board of Education is authorized to develop an alternative ~~accountability~~ student data number system for tracking students to administer any provision of the Oklahoma School Testing Program Act, ~~Sections 1210.505 through 1210.511 of Title 70 of the Oklahoma Statutes or for the collection of~~ to collect appropriate and necessary data pursuant to the Oklahoma Educational Indicators Program, ~~Section 1210.531 of Title 70 of the Oklahoma Statutes to collect necessary data to determine student enrollment, to establish a student mobility rate, or for the allocation of State Aid Formula and midterm supplement funding.~~ The ~~accountability~~ alternative student data number system shall be developed ~~only if, in the determination of the Board, the provisions of subsection C of this section are not sufficient to allow for the adequate implementation of the provisions of the Oklahoma School Testing Program Act or the Oklahoma Educational Indicators Program~~ to assign an alternate student data number to those students who choose not to disclose their social security account number.

SECTION 7. AMENDATORY 70 O.S. 1991, Section 14-103, as last amended by Section 27, Chapter 2, O.S.L. 1994 (70 O.S. Supp. 1995, Section 14-103), is amended to read as follows:

Section 14-103. The State Board of Vocational and Technical Education shall have the following powers and duties:

1. Have the supervision of the Department of Vocational and Technical Education of the State Board of Vocational and Technical Education, which department shall keep its principal offices at Stillwater, and appoint and fix the compensation and duties of the Director and other personnel of such Department.

2. Have the supervision of the vocational and technical schools and colleges of Oklahoma, except Oklahoma State University of Technical Training at Okmulgee and the Oklahoma State University Technical Institutes at Oklahoma City and Stillwater, which, however, shall be eligible to participate in federal programs administered by the State Board of Vocational and Technical Education as hereinafter provided.

3. Cooperate with, and enter into agreements with, and administer programs of, and receive federal funds from, the United States Department of Education and other federal agencies in matters relating to vocational and technical education, youth apprenticeship programs, and manpower training, and be the sole state agency for such purposes. Provided that, programs and funds made available through the Job Training Partnership Act, or its successor programs, shall be excluded.

4. Provide for the formulation and adoption of curricula, courses of study, and other instructional aids necessary for the adequate instruction of students in the vocational and technical schools and colleges of this state. It is the intent of the Legislature that instructional models for vocational students should include higher standards of academic work with increased emphasis on communication, computation and applied science.

5. Develop a plan to provide adequate vocational offerings accessible to all students having the ability to benefit. The State Board of Vocational and Technical Education shall adopt rules to ensure the provision of vocational offerings in area vocational-technical school districts to students who are receiving educational services from a school district pursuant to the provisions of Section 1-113 of this title.

6. Purchase or otherwise acquire equipment, materials, supplies and other property, real or personal, as may be necessary for the operation of the vocational and technical schools of this state, and

provide for the maximum utilization of such property through a coordinated and cooperative use thereof, including transfer of title to real and personal property to an area vocational and technical school district for a reasonable cash consideration if said property is to be utilized in a vocational-technical program administered by the area vocational and technical district board of education. Any conveyance of real property for a reasonable consideration shall contain a reversionary clause by which the real property shall revert to the State Board of Vocational and Technical Education if the property ceases to be used in a vocational-technical program administered by the area vocational and technical district board of education.

7. Enter into such agreements and contracts with the State Board of Education, boards of trustees of community junior colleges, boards of education of independent and elementary school districts, boards of education of area school districts for vocational and/or technical schools, private educational or training institutions, public or private industry, and boards of directors of community action programs, as may be necessary or feasible for the furtherance of vocational and technical training within this state.

8. Cooperate and enter into agreements with the Oklahoma State Regents for Higher Education.

9. Cooperate with the State Department of Education in developing hands-on career exploration activities for students in grades 6 through 10, integrating academic competencies into vocational instruction, and ensuring counseling of all students in order to minimize the number of students graduating from high school without having completed either a vocational-technical program or college preparation.

10. Develop and periodically update a plan to allow teacher training and the purchase and installation of technological equipment necessary to modernize vocational educational programs.

11. Accept and provide for the administration of any land, money, buildings, gifts, funds, donations or other things of value which may be offered or bequeathed to the schools or colleges under the supervision or control of said Board.

12. Enter into cooperative arrangements with one or more other states for the conduct and administration of programs, services and activities.

13. Cooperate whenever possible, to avoid any duplication of training programs with any established training program registered by the Bureau of Apprenticeship and Training, United States Department of Labor.

SECTION 8. This act shall become effective July 1, 1996.

SECTION 9. 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 House of Representatives the 6th day of March, 1996.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1996.

President of the Senate