

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 416

By: Williams of the Senate

and

Hager and Roach of the
House

COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 1991, Sections 3-116, as last amended by Section 24, Chapter 322, O.S.L. 1995, 3-117, 3-118, and 1210.531, as last amended by Section 6, Chapter 232, O.S.L. 1994 (70 O.S. Supp. 1996, Sections 3-116 and 1210.531), which relate to the Education Oversight Board; modifying membership and appointments to such Board; providing for terms of certain members; modifying quorum count; exempting certain Legislators from dual office holding prohibitions; expanding the jurisdiction of the Education Oversight Board over the Office of Accountability; requiring the State Board of Education to include the Office of Accountability in its budget work program; providing for certain procedures; requiring certain approval and oversight; modifying employment personnel procedures of the Secretary of Education; requiring the Education Oversight Board to establish an Oklahoma Educational Indicators Program;

transferring certain powers and duties concerning such Program from the State Board of Education to the Education Oversight Board; specifying such Program; modifying the reporting of certain data; requiring certain report be available at the office of the Education Oversight Board or the Office of Accountability; 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 3-116, as last amended by Section 24, Chapter 322, O.S.L. 1995 (70 O.S. Supp. 1996, Section 3-116), is amended to read as follows:

Section 3-116. A. There is hereby created the Education Oversight Board. The membership of the Education Oversight Board shall consist of:

1. The Chairperson of the Education Committee of the Oklahoma House of Representatives;
2. The Chairperson of the Education Committee of the Senate;
3. ~~One member~~ Two members, who ~~is~~ are not ~~a legislator~~ legislators, appointed by the Governor;
4. ~~One member~~ Two members, who ~~is~~ are not ~~a legislator~~ legislators, appointed by the Speaker of the Oklahoma House of Representatives; ~~and~~
5. ~~One member~~ Two members, who ~~is~~ are not ~~a legislator~~ legislators, appointed by the President Pro Tempore of the Senate; and
6. One member, who is not a legislator, appointed jointly by the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

The two Education Committee Chairpersons shall serve as nonvoting members of the Board as long as each holds that position in such chairperson's respective house. The terms of the appointed members shall be staggered. The initial term of the first member appointed by the Governor shall expire on June 30, 1996. The initial term of the first member appointed by the President Pro Tempore of the Senate shall expire on June 30, 1995. The initial term of the first member appointed by the Speaker of the House of Representatives shall expire on June 30, 1994. ~~After expiration of the initial terms, the terms of the three appointed members shall be three (3) years and~~ The initial term of the second member appointed by the Governor shall expire on June 30, 2002. The initial term of the second member appointed by the President Pro Tempore of the Senate shall expire on June 30, 2001. The initial term of the second member appointed by the Speaker of the House of Representatives shall expire on June 30, 2000. The initial term of the member appointed jointly by the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall expire on June 30, 1999. The terms of the seven appointed members shall begin on July 1 of the year the preceding term expires. All terms scheduled to begin on or before June 30, 1997, shall be for three (3) years. Except for the initial terms of the second members appointed by the Governor, Speaker of the House of Representatives, and the President Pro Tempore of the Senate and the member appointed jointly, all terms scheduled to begin on or after July 1, 1997, shall be for five (5) years. No more than one appointed member may reside in any one Congressional District, county, city or town. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

B. A chairperson and vice-chairperson shall be elected annually from the membership of the Board. A quorum which shall consist of ~~three~~ four voting members must be present for the transaction of any

business. Members shall be reimbursed for travel in the performance of their official duties in accordance with the State Travel Reimbursement Act.

C. The Education Oversight Board shall have oversight over implementation of:

1. The provisions of Enrolled House Bill No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma Legislature; and

2. The provisions of the Oklahoma Teacher Preparation Act.

D. The Education Oversight Board shall govern the operation of the Office of Accountability created in Section 3-117 of this title. The Secretary of Education shall be the chief executive officer of the Office of Accountability.

E. Legislators who serve on the Education Oversight Board shall be exempt from the dual office holding prohibitions of Section 6 of Title 51 of the Oklahoma Statutes.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 3-117, is amended to read as follows:

Section 3-117. There is hereby created the Office of Accountability. ~~Said office shall be under the direction of the Education Oversight Board.~~ The State Board of Education is hereby directed to support the Office of Accountability from the budget of the State Board and ~~without cost to the Office of Accountability or the Education Oversight Board of Education.~~ The State Board of Education shall include the Office of Accountability in its budget work program to be submitted each fiscal year for the succeeding fiscal year to the Office of State Finance. Each year the Education Oversight Board shall submit a program budget for the Office of Accountability to the State Board of Education. Any amendments to the Office of Accountability program budget must first be approved by the Education Oversight Board. The Office of Accountability, its personnel, budget, and expenditure of funds shall be solely under the direction of the Education Oversight Board.

SECTION 3. AMENDATORY 70 O.S. 1991, Section 3-118, is amended to read as follows:

Section 3-118. The Secretary of Education shall:

1. Oversee the Office of Accountability;
2. Employ necessary personnel according to procedures established for the employment of personnel ~~for~~ by the State ~~Department of Education~~ Office of Personnel Management;
3. Monitor the efforts of the public school districts to comply with the provisions of this act and of Senate Bill No. 183 of the 1st Session of the 42nd Oklahoma Legislature which relate to common education;
4. Identify districts not making satisfactory progress toward compliance with said provisions and recommend appropriate corrective actions to the State Board of Education concerning each district so identified;
5. Have executive responsibility for the Oklahoma Educational Indicators Program and the annual report required ~~of the State Board of Education~~ pursuant to Section 1210.531 of ~~Title 70 of the Oklahoma Statutes~~ this title;
6. Review and make periodic public comment on the progress and effectiveness of the State Board and State Department of Education, the Office of the State Superintendent of Public Instruction, other bodies created by this act, and the public schools of this state concerning the implementation of the provisions of this act and of Enrolled Senate Bill No. 183 of the 1st Session of the 42nd Oklahoma Legislature which relate to common education;
7. Analyze the revenues for all systems of education and the expenditure of common education revenue, giving close attention to expenditures for administrative expenses relating to the common schools;
8. Make reports to the public concerning these matters whenever appropriate; and

9. Submit recommendations regarding funding for education or statutory changes to the Speaker of the House of Representatives, the President Pro Tempore of the Senate and the Governor whenever appropriate.

SECTION 4. AMENDATORY 70 O.S. 1991, Section 1210.531, as last amended by Section 6, Chapter 232, O.S.L. 1994 (70 O.S. Supp. 1996, Section 1210.531), is amended to read as follows:

Section 1210.531 A. The ~~State Board of~~ Education Oversight Board 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~~ this title, 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~~ Oversight Board shall seek to develop and incorporate additional indicators of comparative standing and accomplishment.

C. Additionally, the ~~State Board of Education~~ Oversight Board, with the cooperation of the State Department of Education, 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~~ Oversight Board 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~~ Oversight Board 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~~ Oversight Board or the Office of Accountability; provided, confidentiality of individual student records shall be preserved as required by law.

SECTION 5. This act shall become effective July 1, 1997.

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.

46-1-7206

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