

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 13

By: Williams

COMMITTEE SUBSTITUTE

( Schools - creating Alternative Approaches Act -  
emergency )

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-130 of Title 70, unless there is created a duplication in numbering, reads as follows:

Sections 1 through 5 of this act shall be known and may be cited as the "Alternative Approaches Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-131 of Title 70, unless there is created a duplication in numbering, reads as follows:

The purpose of the Alternative Approaches Act is to:

1. Improve student learning;
2. Increase learning opportunities for students;
3. Encourage the use of different and innovative teaching methods;
4. Provide additional academic choices for parents and students;
5. Require the measurement of student learning and create different and innovative forms of measuring student learning;

6. Establish new forms of accountability for schools; and

7. Create new professional opportunities for teachers including the opportunity to be responsible for the learning program at the school site.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-132 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The Alternative Approaches Act shall only apply to schools formed and operated under the provisions of this act.

B. For purposes of the Alternative Approaches Act, the term "academy" shall mean a public school established by contract with a board of education of a school district to provide learning that will improve student achievement.

C. Any board of education of a school district in this state may sponsor one or more academies.

D. No more than twenty-five (25) academies may be authorized to operate in this state at any one time.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-133 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. An applicant seeking to establish an academy shall submit a written proposal to a proposed sponsor in the form and as prescribed by the State Board of Education.

B. A public school, public body, public or private college or university, private person, or private organization may contract with a sponsor to establish an academy.

C. The sponsor of an academy may be any board of education of a school district in this state.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-134 of Title 70, unless there is created a duplication in numbering, reads as follows:

The State Board of Education shall establish standards and requirements for academies. The State Board shall, in addition to any standards or requirements determined to be necessary, adopt standards and requirements that ensure compliance with the following:

1. An academy shall comply with all federal, state and local rules, regulations, and statutes relating to health, safety, civil rights, and insurance;

2. An academy shall be nonsectarian in its programs, admission policies, employment practices, and all other operations. A sponsor may not authorize a school or program that is affiliated with a nonpublic sectarian school or religious institution;

3. An academy shall provide a comprehensive program of instruction for at least a kindergarten program or any grade of grades one through twelve. Instruction may also be provided to students regardless of their age. An academy may offer a curriculum which emphasizes a specific learning philosophy or style or certain subject areas such as mathematics, science, fine arts, performance arts, or foreign language;

4. An academy shall design its programs to at least meet the core curriculum adopted by the State Board of Education pursuant to Section 11-103.6 of Title 70 of the Oklahoma Statutes. The academy shall also participate in the testing provided for in the Oklahoma School Testing Program Act;

5. Except as provided for in this act, an academy shall be exempt from all statutes and rules relating to schools, boards of education, and school districts;

6. An academy, to the extent possible, shall be subject to the same financial audits, audit procedures, and audit requirements as a school district. The State Department of Education or State Auditor and Inspector may conduct financial, program, or compliance audits;

7. An academy shall comply with all federal and state laws relating to the education of children with disabilities in the same manner as a school district;

8. An academy shall have a governing body which shall be responsible for the policy and operational decisions of the academy;

9. An academy shall not be used as a method of providing education or generating revenue for students who are being home-schooled;

10. An academy may not charge tuition;

11. An academy shall comply with the student suspension requirements provided for in Section 24-101 of Title 70 of the Oklahoma Statutes;

12. An academy is a school district for purposes of tort liability under the Governmental Tort Claims Act;

13. The governing body of an academy may not levy taxes or issue bonds; and

14. An academy shall not limit admission based on ethnicity, national origin, income level, disabling condition, proficiency in the English language, or athletic ability.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.565a of Title 70, unless there is created a duplication in numbering, reads as follows:

Not later than July 1 of each school year, the State Department of Education shall identify school districts eligible to receive Statewide Alternative Education Program Grants. The Department shall notify the eligible districts and require the districts to submit plans for Statewide Alternative Program Grants no later than September 1 of their initial year of funding. These plans shall include a budget demonstrating substantial local financial commitment to the program. School districts eligible to receive amounts less than Ten Thousand Dollars (\$10,000.00) may elect to defer their eligibility for funds until the 2000-2001 school year.

Programs shall be initiated no later than the beginning of the second academic quarter of the first school year for which the district is funded. Identified districts that do not submit plans for and implement effective programs, as determined by the technical assistance provider, shall be penalized in an amount equal to the amount of their 1997-1998 award, and shall not be eligible for an award in the following year. The penalty shall be enforced by reducing State Aid to the district during the following school year. The State Board of Education shall promulgate rules establishing an appeal process to the Board for districts which have been assessed a penalty.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.563a of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Contingent upon the provision of appropriated funds designated for Oklahoma Arts Academies pilot programs, the State Board of Education is authorized to award one or more competitive grants to establish arts academies in Oklahoma public schools.

B. The grant awards shall be made to establish Arts Academies in schools with minority student enrollment comprising at or above seventy (70) percent and a high percentage of students qualifying for Title 1 free lunch as reported by the State Department of Education for the school year preceding the year for which the grant is being sought.

C. If the grant award is to a nonprofit organization or entity formed by an interlocal cooperative agreement, the program to be funded shall serve students in school districts located in counties with a high percentage of minority enrollment and a high percentage of students qualifying for Title 1 free lunch. Programs eligible for funding shall include, but not be limited to programs provided:

1. Directly by a school;
2. Directly by a school district;

3. Pursuant to an interlocal cooperative agreement with another school district or districts or a higher education institution; or

4. Pursuant to a contract with a nonprofit organization.

D. In order to be eligible for an Oklahoma Arts Academy Grant, a program shall:

1. Allow class sizes and student/teacher ratios which are conducive to effective learning;

2. Incorporate appropriate structure, curriculum, and interaction and reinforcement strategies designed to provide effective instruction;

3. Include an intake and screening process to determine eligibility of students;

4. Demonstrate that teaching faculty consists of certified teachers;

5. Demonstrate that teaching faculty have been selected on the basis of a record of successful work with low income and minority students or personal and educational factors that qualify them for work with these students;

6. Reflect appropriate collaborative efforts with state agencies and local agencies serving youth;

7. Provide courses that meet the curricular standards adopted by the State Board of Education and remedial courses;

8. State clear and measurable program goals and objectives;

9. Provide arts education enrichment, including Artists in Residence programs coordinated with the Oklahoma Arts Council;

10. Provide a proposed annual budget;

11. Include an evaluation component including an annual written self-evaluation; and

12. Be appropriately designed to serve middle school students.

E. Grant recipients shall have priority, if recommended by the Oklahoma Arts Academy Grants program as provided for in subsection H of this section, 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 receives grants for an Arts Academy program for three (3) consecutive school years and if the program upon evaluation by the State Department of Education meets the criteria set forth in subsection D of this section, funding shall be as follows:

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

2. Funding for a fifth consecutive school year shall be awarded only if the program has been state-validated and replicated by another district; if funding is awarded, it shall be in the amount of twenty-five percent (25%) of the average amount of grants awarded to the applicant pursuant to this section for the first three (3) consecutive school years;

3. All grants for 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.

F. By September 15 of each school year, all revenue received and expended for students participating in arts academies created in subsection A of this section shall be reported to the State Department of Education by major object codes and by program classifications pursuant to the Oklahoma Cost Accounting System as adopted by the State Board of Education pursuant to Section 5-135 of this title.

G. The State Board of Education shall promulgate rules as necessary to administer the Oklahoma Arts Academy Grants and the process by which the grant funding shall be allocated.

H. Recipients of Oklahoma Arts Academy Grants shall be subject to statutes and rules applicable to arts education, including exemptions.

SECTION 8. This act shall become effective July 1, 1997.

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.

46-1-1144

PHB