

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL 2728

By: Benson, Askins, Beutler,  
Wells and Matlock of the  
House

and

Taylor of the Senate

COMMITTEE SUBSTITUTE

[ schools - curriculum standards - Oklahoma Tuition  
Scholarship Program - codification - effective date -  
emergency ]

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 11-103.6, as amended by Section 1, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 11-103.6), is amended to read as follows:

Section 11-103.6 A. The State Board of Education shall adopt curricular standards for instruction of students in the public schools of this state that are necessary to ensure there is attainment of desired levels of competencies in a variety of areas to include language, mathematics, science, social studies and communication. All students shall gain literacy at the elementary and secondary levels through a core curriculum. Students must develop skills in reading, writing, speaking, computing and critical thinking. They also must learn about cultures and environments - their own and those of others with whom they share the earth. Students, therefore, must study social studies, literature, languages, the arts, mathematics and science. Such curricula shall provide for the teaching of a hands-on career exploration program in

cooperation with vocational-technical education schools. The core curriculum shall be designed to teach the competencies for which students shall be tested as provided in Section 1210.508 of this title, and shall be designed to prepare all students for employment and/or post secondary education.

B. Beginning with the 2002-2003 school year, in order to graduate from a public high school accredited by the State Board of Education with a standard diploma, students shall complete the following core curriculum units or sets of competencies at the secondary level:

1. Language Arts - 4 units or sets of competencies, to consist of 1 unit or set of competencies of grammar and composition, and 3 units ~~from the following language arts electives -~~ or sets of competencies which may include, but are not limited to, the following courses: American Literature ~~or~~, English Literature ~~(which are required to qualify for the diploma of honor as provided for in Section 11-103.2 of this title)~~, World Literature, Advanced English Courses, or ~~Speech~~ other English courses with content and/or rigor equal to or above grammar and composition;

2. Mathematics - 3 units or sets of competencies, to consist of 1 unit or set of competencies of Algebra I or Algebra I taught in a contextual methodology, and 2 units ~~from the following mathematics electives -~~ or sets of competencies which may include, but are not limited to, the following courses: Algebra II ~~or~~, Geometry ~~(which are required to qualify for the diploma of honor as provided for in Section 11-103.2 of this title)~~ or Geometry taught in a contextual methodology, Trigonometry, Math Analysis or Precalculus, Calculus, Statistics and/or Probability, ~~Mathematics of Finance, Applied Mathematics I and II, or~~ Computer Science, or other mathematics courses with content and/or rigor equal to or above Algebra I.

Provided, credit may be granted for Applied Mathematics I and II and

Computer Science whether taught at the comprehensive high school or at a vocational-technical school;

3. Science - 3 units or sets of competencies, to consist of 1 unit or set of competencies of Biology I or Biology I taught in a contextual methodology, and 2 units ~~from the following science electives~~ or sets of competencies in the areas of life, physical, or earth science or technology which may include, but are not limited to, the following courses: Chemistry I ~~or~~, Physics ~~(which are required to qualify for the diploma of honor as provided for in Section 11-103.2 of this title)~~, Biology II, Chemistry II, Physical Science, Earth Science, Botany, Zoology, Physiology, Astronomy, ~~or Applied Science (Biology/Chemistry, Physics, and Technology) or the 4th year of agriculture education when taken in the twelfth grade~~ Physics, Principles of Technology, qualified agricultural education courses, or other science courses with content and/or rigor equal to or above Biology I. Provided, credit may be granted for the Applied Science ~~(Biology/Chemistry, Physics, and Principles of Technology)~~ whether taught at the comprehensive high school or at a vocational-technical school; ~~and~~

4. Social Studies - 3 units or sets of competencies, to consist of 1 unit or set of competencies of United States History, 1/2 to 1 unit of United States Government, 1/2 unit or set of competencies of Oklahoma History, and 1/2 to 1 unit ~~from the following social studies electives~~ or set of competencies which may include, but are not limited to, the following courses: World History ~~(which is required to qualify for the diploma of honor as provided for in Section 11-103.2 of this title)~~, Geography, Economics, Anthropology, ~~Psychology or Sociology~~ or other social studies courses with content and/or rigor equal to or above United States History, United States Government, and Oklahoma History; and

5. Arts - 2 units or sets of competencies which may include, but are not limited to, courses in Visual Arts and General Music.

C. In addition to the 15 units or sets of competencies of core curriculum requirements established in subsection B of this section, in order to graduate from a public high school accredited by the State Board of Education students shall complete any additional course requirements or recommended elective courses as may be established by the State Board of Education and the local school board. School districts shall strongly encourage students to complete two units or sets of competencies of foreign languages as part of the core curriculum for high school graduation.

D. No student shall receive credit for high school graduation more than once for completion of the same units or sets of competencies to satisfy the core curriculum requirements of subsection B.

E. A school district shall not be required to offer every course listed in subsection B of this section, but shall offer sufficient courses to allow a student to meet the graduation requirements during the secondary grade years of the student.

F. For purposes of this section, a "unit":

1. "Contextual methodology" means academic content and skills taught by utilizing real-world problems and projects in a way that helps students understand the application of that knowledge;

2. "Qualified agricultural education courses" means courses that have been determined by the State Board of Education to offer the sets of competencies in the Priority Academic Student Skills (PASS) for one or more science content areas and which correspond to academic science courses. Qualified agricultural education courses shall include, but are not limited to, Horticulture, Plant and Soil Science, Natural Resources and Environmental Science, and Animal Science. The courses shall be taught by teachers certified in agricultural education and comply with all rules of the Oklahoma Department of Vocational and Technical Education;

3. "Rigor" means a level of difficulty that is appropriate for the grade level and that meets state and/or national standards;

4. "Sets of competencies" means those skills and competencies that are specified in the Priority Academic Student Skills (PASS), subchapter 5, Chapter 15, Title 210 of the Oklahoma Administrative Code, and other skills and competencies adopted by the State Board of Education; and

5. "Unit" means a Carnegie Unit as defined by the North Central Association's Commission on Schools.

~~G.~~ 1. The State Board of Education shall adopt a plan to ensure that rigor is maintained in the content, teaching methodology, level of expectations for student achievement, and application of learning in all the courses taught to meet the graduation requirements as specified in subsection B of this section.

2. The State Board of Education shall allow as much option at the local district level as is possible without diminishing the rigor or undermining the intent of providing these courses. To accomplish this purpose, the State Department of Education shall work with local school districts in reviewing and approving courses taught by districts that are not specifically listed in subsection B of this section. Local options may include, but shall not be limited to, ~~comparable~~ courses taken by concurrent enrollment ~~or~~, advanced placement, ~~and comparable~~ or correspondence, or courses bearing different titles.

3. If a student enrolls in a concurrent course, the school district shall not be responsible for any costs incurred for that course, unless the school district does not offer enough course selection during the student's secondary grade years to allow the student to receive the courses needed to meet the graduation requirements of subsection B of this section. If the school district does not offer the necessary course selection, it shall be

responsible for the cost of the course and all related costs for the concurrent enrollment course.

4. Credit for the ~~courses~~ units or sets of competencies required in subsection B of this section shall be given when such ~~courses~~ units or sets of competencies are taken in the seventh or eighth grades if the teachers are certified or authorized pursuant to Section 6-189.1 of this title to teach the ~~courses at the intermediate or secondary level~~ subjects for high school credit and the required ~~course~~ rigor is maintained. All units or sets of competencies required for graduation may be taken in any sequence recommended by the local school district.

~~D.~~ H. As a condition of receiving accreditation from the State Board of Education, all students in grades nine through twelve shall enroll in a minimum of six 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.

~~E.~~ I. The State Board of Education shall provide an option for high school graduation based upon attainment of the desired levels of competencies as required in tests pursuant to the provisions of Section 1210.508 of this title. Such option shall be in lieu of the amount of course credits earned.

~~F.~~ J. The State Board of Education shall prescribe, adopt and approve a promotion system based on the attainment by students of specified levels of competencies in each area of the core curriculum. ~~Provided, however, that children who have individualized education plans pursuant to the Individuals with Disabilities Education Act (IDEA), P.L. No. 101-476 may be exempted from the requirements of this subsection.~~

K. Children who have individualized education programs pursuant to the Individuals with Disabilities Education Act (IDEA), and who satisfy the graduation requirements through the individualized

education program for that student shall be awarded a standard diploma.

L. Students enrolled in an alternative education program who meet the requirements of their plans leading to high school graduation developed pursuant to Section 1210.568 of this title shall be awarded a standard diploma.

M. Any student who completes the curriculum requirements of the International Baccalaureate Diploma Program shall be awarded a standard diploma.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-103.6c of Title 70, unless there is created a duplication in numbering, reads as follows:

A. District boards of education may develop and issue a certificate of distinction that is to be awarded to students, beginning with students in the 2001-2002 high school graduating class who have met or exceeded the following criteria by the end of their senior year in high school with at least a 3.25 grade point average on a 4.0 scale:

1. Earned four units each in English, mathematics, social studies, and science;
2. Earned two additional units in the area of technology, the humanities, or the arts;
3. Earned two units in a foreign language; and
4. Achieved a satisfactory score, or its equivalent, on all end-of-instruction tests as required pursuant to Section 1210.508 of Title 70 of the Oklahoma Statutes, as those tests are implemented.

B. For purposes of this section, applicable vocational-technical classes offered by comprehensive high school vocational-technical programs shall qualify for technology, science, and mathematics units. Students enrolled in the programs may use one unit of their six concentrated vocational-technical curriculum units for one unit of mathematics required by this section and one unit of

their six concentrated vocational-technical curriculum units for one unit of science required by this section. Advanced placement classes in the subject areas listed in paragraphs 1, 2, and 3 of subsection A of this section may be substituted on a course-by-course basis to satisfy the academic units required for a certificate of distinction.

C. For purposes of this section, "unit" means a Carnegie Unit as defined by the North Central Association's Commission on Schools.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-103.6d of Title 70, unless there is created a duplication in numbering, reads as follows:

Colleges and universities shall not make holding a certificate of distinction a part of their admission standards.

SECTION 4. AMENDATORY Section 4, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 6-189.1), is amended to read as follows:

Section 6-189.1 ~~Any~~ A. No public school district shall employ any teacher employed by a public school, who becomes licensed or certified after 1999, to teach mathematics in grades ~~six~~, seven, or eight, unless the teacher is licensed or shall be certified at the to teach intermediate or secondary level ~~in~~ mathematics.

B. Any Except as provided in subsection C, any teacher without such intermediate or secondary level certification in mathematics hired by a school district prior to July 1, 2000, and serving in the school as a mathematics teacher for grades ~~six~~, seven, or eight, shall be required to obtain certification at the intermediate or secondary level in mathematics on or before the beginning of the 2003-2004 school year. ~~Any teacher teaching mathematics at the sixth-grade level in a school that is accredited by the State Board of Education as a kindergarten through sixth-grade elementary school shall be exempt from the provisions of this section~~ Any teacher seeking such certification shall be eligible to take the subject

area competency examination one time free of charge after July 1, 2000.

C. 1. Any teacher who held a middle/junior high school mathematics endorsement during the 1998-1999 school year may teach mathematics in grades seven or eight; provided, such teacher shall successfully complete a professional development institute in intermediate mathematics developed and administered by the Oklahoma Commission for Teacher Preparation or by the State Board of Education in order to teach mathematics courses in grades seven or eight for high school credit. Such teacher shall be eligible to participate in the professional development institute one time free of charge. Any professional development institute developed pursuant to this subsection shall meet the criteria for professional development institutes as established in Section 6-200 of this title.

2. Any teacher who held a middle/junior high school mathematics endorsement during the 1998-1999 school year and has completed a minimum of twenty-four (24) semester hours of mathematics (at least six (6) of which are algebra) may teach mathematics courses in grades seven or eight for high school credit.

SECTION 5. AMENDATORY Section 7, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 3-132), is amended to read as follows:

Section 3-132. A. The Oklahoma Charter Schools Act shall apply only to charter schools formed and operated under the provisions of the act. Charter schools shall ~~only~~ be sponsored only by ~~a local an independent~~ school district or an area vocational-technical school district ~~in districts~~ located within an independent school district with an average daily membership of five thousand (5,000) or more ~~and which~~ where all or part of the independent school district is located in a county having more than five hundred thousand (500,000) population according to the latest federal Decennial Census.

Additional charter schools may be sponsored as provided for in Section ~~§~~ 3-133 of this ~~act~~ title.

Charter schools formed pursuant to the ~~act~~ Oklahoma Charter Schools Act shall serve as a pilot program to demonstrate the potential of expanding charter schools to other parts of the state. Any charter or enterprise school operating in the state pursuant to an agreement with the board of education of a school district on July 1, 1999, may continue to operate pursuant to that agreement or may contract with the board of education of the school district pursuant to the Oklahoma Charter Schools Act. Nothing in the Oklahoma Charter Schools Act shall prohibit a school district from applying for exemptions from certain education-related statutory requirements as provided for in the Education Deregulation Act.

B. For purposes of the Oklahoma Charter Schools Act, "charter school" means a public school established by contract with a board of education of a school district or an area vocational-technical school district pursuant to the Oklahoma Charter Schools Act to provide learning that will improve student achievement and as defined in the Elementary and Secondary Education Act of 1965, 20 U.S.C. 8065.

C. A charter school may consist of a new school site, new school sites or all or any portion of an existing school site. An entire school district may not become a charter school site.

SECTION 6. AMENDATORY Section 8, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 3-133), is amended to read as follows:

Section 3-133. In addition to charter schools sponsored as provided for in subsection A of Section ~~7~~ 3-132 of this ~~act~~ title, charter schools shall ~~only~~ be sponsored only by ~~a local~~ an independent school district or an area vocational-technical school district ~~in districts~~ located within an independent school district with an average daily membership of five thousand (5,000) or more

~~and which~~ where all or part of the independent school district is located in a county which is contiguous with a county having more than five hundred thousand (500,000) population according to the latest federal Decennial Census; provided, no charter school shall be chartered in School District I029 in County No. 14 and School District I027 in County No. 9.

SECTION 7. AMENDATORY Section 11, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 3-136), is amended to read as follows:

Section 3-136. A. A charter school shall adopt a charter which will ensure compliance with the following:

1. A charter school shall comply with all federal regulations and state and local rules and statutes relating to health, safety, civil rights and insurance. By January 1, 2000, the State Department of Education shall prepare a list of relevant rules and statutes which a charter school must comply with as required by this paragraph and shall annually provide an update to the list;

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

3. The charter school shall provide a comprehensive program of instruction for at least a kindergarten program or any grade between grades one and twelve. Instruction may be provided to all persons between the ages of five (5) and twenty-one (21) years. A charter school 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. ~~No charter school shall be chartered for the purpose of offering a curriculum for deaf or blind students that is the same or similar to the curriculum being provided by or for educating deaf or blind~~

~~students that are being served by the Oklahoma School for the Blind or the Oklahoma School for the Deaf~~ The charter of a charter school which offers grades 9 through 12 shall specifically address whether the charter school will comply with the graduation requirements established in Section 11-103.6 of this title;

4. A charter school shall participate in the testing as required by the Oklahoma School Testing Program Act and the reporting of test results as is required of a school district. A charter school shall also provide any necessary data to the Office of Accountability;

5. Except as provided for in the Oklahoma Charter Schools Act and its charter, a charter school shall be exempt from all statutes and rules relating to schools, boards of education, and school districts;

6. A charter school, to the extent possible, shall be subject to the same reporting requirements, 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. A charter school shall use the Oklahoma Cost Accounting System to report financial transactions to the sponsoring school district;

7. A charter school 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. A charter school shall provide for a governing body for the school which shall be responsible for the policies and operational decisions of the charter school;

9. A charter school shall not be used as a method of generating revenue for students who are being home schooled and are not being educated at an organized charter school site;

10. A charter school may not charge tuition or fees;

11. A charter school shall provide instruction each year for at least the number of days required in Section 1-109 of ~~Title 70 of the Oklahoma Statutes~~ this title;

12. A charter school shall comply with the student suspension requirements provided for in Section 24-101.3 of ~~Title 70 of the Oklahoma Statutes~~ this title;

13. A charter school shall be considered a school district for purposes of tort liability under the Governmental Tort Claims Act;

14. Employees of a charter school may participate as members of the Teachers' Retirement System of Oklahoma in accordance with applicable statutes and rules if otherwise allowed pursuant to law;

15. A charter school may participate in all health and related insurance programs available to the employees of the sponsor of the charter school;

16. A charter school shall comply with the Oklahoma Open Meeting Act and the Oklahoma Open Records Act; and

17. The governing body of a charter school shall be subject to the same conflict of interest requirements as a member of a local school board.

B. The charter of a charter school shall include a description of the personnel policies, personnel qualifications, and method of school governance, and the specific role and duties of the sponsor of the charter school.

C. The charter of a charter school may be amended at the request of the governing body of the charter school and upon the approval of the sponsor.

D. A charter school may enter into contracts and sue and be sued.

E. The governing body of a charter school may not levy taxes or issue bonds.

F. The charter of a charter school shall include a provision specifying the method or methods to be employed for disposing of

real and personal property acquired by the charter school upon expiration or termination of the charter or failure of the charter school to continue operations. Any real or personal property purchased with state or local funds shall be retained by the sponsoring school district.

SECTION 8. AMENDATORY Section 20, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 8-101.2), is amended to read as follows:

Section 8-101.2 A. On and after January 1, 2000, 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 if the transfer has the approval of the board of education of the receiving district. A student granted a transfer may continue to attend the school to which the student transferred with the approval of the receiving district only, and any brother or sister of such student may attend such school with the approval of the receiving district only. No student shall be permitted to transfer more than once in any school year.

If the grade a student is entitled to pursue is not offered in the district where the student resides, the transfer shall be automatically approved.

B. When a student has been transferred and later changes residence to another school district in the State of Oklahoma, the student shall be entitled to continue to attend school in the district to which the student was transferred. If a change of residence is to the district to which the student was transferred, upon affidavit of the parent of the student, that district shall become the resident district. If a student changes residence to another district during the school year which is not the same district the student transferred to, the student shall be entitled

to attend school in either the receiving district or the new district of residence for the remainder of the current year.

C. Any student transfer approved for any reason prior to ~~the implementation of the Oklahoma Charter Schools Act~~ January 1, 2000, shall continue to be valid ~~until this act is fully operational or until~~ and shall not be subject to the Education Open Transfer Act unless the parent having custody chooses otherwise.

SECTION 9. AMENDATORY 70 O.S. 1991, Section 8-103, as last amended by Section 21, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 8-103), is amended to read as follows:

Section 8-103. A. In order that any student may be transferred, an application form specified by the State Board of Education must be completed by the parents of the student. For purposes of the Education Open Transfer Act, the term "parent" means the parent of the student or person having custody of the student as provided for in paragraph 1 of subsection A of Section 1-113 of this title. The application shall be obtained from and filed with the superintendent of the receiving school district for transfers to school districts in the State of Oklahoma and with the State Board of Education for transfers to school districts in another state. Applications shall be filed no later than February 1 of the school year preceding the school year for which the transfer is desired. By March 1 of the same school year, the receiving school district shall notify the resident school district that an application for transfer has been filed by a student enrolled in the resident school district. The board of education of the receiving school district shall approve or deny the application for transfer not later than June 1 of the same year and shall notify the parents of the student of the decision. By July 1 of the same year, the parents of the student shall notify the receiving school district that the student will be enrolling in that school district. Failure of parents to

notify the district as required may result in loss of the student's right to enroll in the district for that year.

B. On or before ~~June 1~~ August 1, it shall be the duty of the superintendent of the receiving school district to file with the State Board of Education and each resident district a statement showing the names of the students granted transfers to the school district, the resident school district of the transferred students and their respective grade level.

SECTION 10. AMENDATORY Section 23, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 8-103.2), is amended to read as follows:

Section 8-103.2 Except as otherwise provided, a student who enrolls, pursuant to the Education Open Transfer Act, in a school district in which the student is not a resident shall not be eligible to participate in school-related extramural athletic competition governed by the Oklahoma Secondary School Activities Association for a period of one (1) year from the first day of attendance at the receiving school unless the transfer is from a school district which does not offer the grade the student is entitled to pursue. If the student is granted an emergency transfer pursuant to Section 8-104 of this title, was granted a transfer for any reason prior to January 1, 2000, or enrolls pursuant to the Education Open Transfer Act and qualifies for a hardship waiver pursuant to the rules of the Oklahoma Secondary School Activities Association, eligibility to participate in school-related extramural athletic competition shall be determined by the Oklahoma Secondary School Activities Association.

SECTION 11. AMENDATORY 70 O.S. 1991, Section 6-114, as last amended by Section 34, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 6-114), is amended to read as follows:

Section 6-114. A. Each district board of education shall adopt a policy for the control and discipline of all children attending

public school in that district. Such policy shall provide options for the methods of control and discipline of the students and shall define standards of conduct to which students are expected to conform. In developing the policy, the district board of education shall make an effort to involve the teachers, parents, and students affected. The students, teachers, and parents or guardian of every child residing within a school district shall be notified by the district board of education of its adoption of the policy and shall receive a copy upon request. Provided, the teacher of a child attending a public school shall have the same right as a parent or guardian to control and discipline such child according to local policies during the time the child is in attendance or in transit to or from the school or any other school function authorized by the school district or classroom presided over by the teacher.

B. Except concerning students on individualized education plans (IEP) pursuant to the Individuals with Disabilities Education Act (IDEA), P.L. No. 101-476, the State Board of Education shall not have authority to prescribe student disciplinary policies for school districts or to proscribe corporal punishment in the public schools. The State Board of Education shall not have authority to require school districts to file student disciplinary action reports more often than once each year and shall not use disciplinary action reports in determining a school district's or school site's eligibility for program assistance including competitive grants.

C. ~~The board of education of each school district in this state may adopt shall have the option of adopting a dress code to be incorporated as a part of the discipline policy of the school. Any rules concerning the dress code of a school adopted by the board of education shall have a reasonable connection with the education function entrusted to the board and shall not censure the political opinions of the students or unreasonably interfere with common clothing fads of students. However, nothing in this section shall~~

prevent a school district from instituting a uniform dress code for students enrolled in the school district. The board of education of a school district shall also have the option of adopting a dress code which includes school uniforms.

SECTION 12. AMENDATORY Section 3, Chapter 353, O.S.L. 1992, as last amended by Section 1, Chapter 190, O.S.L. 1999 (70 O.S. Supp. 1999, Section 2603), is amended to read as follows:

Section 2603. A. To be eligible to participate in the Oklahoma Higher Learning Access Program and to qualify for payment of general enrollment fees or tuition pursuant to Section 2604 of this title for the first semester or other academic unit of postsecondary enrollment, a student shall:

1. Be a resident of this state;
2. Have a record of satisfactory compliance with agreements executed pursuant to Section 2605 of this title;
3. Have graduated within the previous three (3) years from a high school accredited by the State Board of Education, or the Oklahoma School of Science and Mathematics with a minimum 2.5 cumulative grade point average on a 4.0 scale for all work attempted in grades nine through twelve;
4. Have satisfied the high school curricular requirements adopted by the Oklahoma State Regents for Higher Education and required for students participating in the Oklahoma Higher Learning Access Program. Students shall also have attained a 2.5 grade point average in the core curriculum courses; provided that students who attended a high school which did not offer all the core curriculum courses shall be allowed to satisfy this requirement by participating in a program approved by the State Regents for remediation of high school curricular deficiencies;
5. Have satisfied admission standards as determined by the Oklahoma State Regents for Higher Education for first-time-entering students for the appropriate type of institution, or, if attending a

private institution, have satisfied admission standards as determined by the private institution; provided, no student participating in the Oklahoma Higher Learning Access Program shall be admitted into an institution of higher education by special admission standards;

6. Have secured admission to, and enrolled in, an institution which is a member of The Oklahoma State System of Higher Education, a postsecondary vocational-technical program offered pursuant to a duly approved cooperative agreement between an area vocational-technical school and an institution of The Oklahoma State System of Higher Education, or a private institution of higher learning located within this state and accredited pursuant to Section 4103 of this title; and

7. Have established financial need during the eighth-grade year, ninth-grade year, or tenth-grade year according to the standards and provisions promulgated by the Oklahoma State Regents for Higher Education; a student who satisfies the financial need criteria upon initial participation in the Oklahoma Higher Learning Access Program during the eighth, ninth, or tenth grade shall not later be denied participation in the Oklahoma Higher Learning Access Program on grounds that the student does not meet the financial need criteria.

B. To retain eligibility while pursuing the program of higher learning in which enrolled, the student shall:

1. Maintain good academic standing and satisfactory academic progress according to standards of the Oklahoma State Regents for Higher Education; and

2. Comply with the standards related to maintenance of eligibility as promulgated by the Oklahoma State Regents for Higher Education.

C. The Oklahoma State Regents for Higher Education and the State Board of Vocational and Technical Education shall promulgate

rules relating to maintenance of eligibility under this act by a student.

D. It is the intent of the Legislature that students in the ninth grade for the 1992-93 school year who are determined to be eligible Oklahoma Higher Learning Access students pursuant to this act shall be the first students eligible for benefits from the Oklahoma Higher Learning Access Trust Fund.

E. The Oklahoma State Regents for Higher Education are authorized to study, develop and propose criteria for determining students' award eligibility based upon the completion of seven (7) semesters of high school coursework.

F. It is the intent of the Legislature that the 1999-2000 school year shall be the final year students may apply for the Oklahoma Higher Learning Access Program. Beginning July 1, 2000, eligible secondary students who have applied for the Oklahoma Higher Learning Access Program shall be eligible for benefits pursuant to the Oklahoma Tuition Scholarship Act, Section 2610 et seq. of this title. Students who attended an institution of postsecondary education and received Oklahoma Higher Learning Access Program benefits prior to July 1, 2000, shall continue to be eligible for benefits pursuant to Section 2604 of this title.

SECTION 13. AMENDATORY Section 37, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 2610), is amended to read as follows:

Section 2610. ~~Sections 38 through 43~~ 2610 and 2611 of this ~~act~~ title and Sections 15, 16 and 17 of this ~~act~~ shall be known and may be cited as the "Oklahoma Tuition Scholarship Act".

SECTION 14. AMENDATORY Section 38, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 2611), is amended to read as follows:

Section 2611. A. There is hereby created the Oklahoma Tuition Scholarship Program. The purpose of the ~~Program~~ program is to

ensure that students who meet the criteria set forth in the Oklahoma Tuition Scholarship Act ~~and,~~ who have completed a college preparatory curriculum upon graduation from high school, and who are intending to pursue studies at ~~an~~ a qualifying institution or program of higher education in The Oklahoma State System of Higher Education or a private institution of higher learning leading to an associate or baccalaureate degree, or are pursuing studies in a postsecondary vocational-technical program or course offered pursuant to a duly approved cooperative agreement between an area vocational-technical school and an institution of The Oklahoma State System of Higher Education, are rewarded by having ~~the first two (2) years of general enrollment fees for enrollment at an institution in The Oklahoma State System of Higher Education~~ a portion of the cost of attendance at a qualifying institution or program paid for by the state, pursuant to the provisions of this act. The further purpose of this program is to establish and maintain a variety of support services whereby a broader range of the general student population of this state will be prepared for success in postsecondary endeavors.

B. As used in this act, "a qualifying institution or program" shall mean:

1. Institutions within The Oklahoma State System of Higher Education;

2. Postsecondary vocational-technical programs or courses offered pursuant to a duly approved cooperative agreement between an area vocational-technical school and an institution within The Oklahoma State System of Higher Education; and

3. Private institutions of higher education located in this state which are accredited pursuant to Section 4103 of this title.

SECTION 15. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2614 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. To be eligible to participate in the Oklahoma Tuition Scholarship Program and to qualify for an award pursuant to Section 16 of this act, for the first semester or other academic unit of postsecondary enrollment, a student shall:

1. Be a resident of this state;

2. Have a record of satisfactory compliance with agreements executed pursuant to Section 17 of this act;

3. Have graduated from a high school accredited by the State Board of Education, or the Oklahoma School of Science and Mathematics, or a public high school in a state bordering Oklahoma as provided in Section 17 of this act with a minimum 2.5 cumulative grade point average on a 4.0 scale for all work attempted in grades nine through twelve;

4. Have satisfied the high school curricular requirements adopted by the Oklahoma State Regents for Higher Education and required for admission to an institution within The Oklahoma State System of Higher Education;

5. Have completed a concentration for postsecondary preparation to consist of 4 units or sets of competencies from any of the following options:

a. Arts and science concentration option - 4 units or sets of competencies above the content and rigor of the required core taken in any combination selected from but not limited to mathematics, science, social studies, foreign language, fine arts, or visual or written communications courses,

b. Career and technical concentration option - 4 units or sets of competencies consisting of a sequence of courses for career and technology preparation leading to competency in at least one broad career or technical area. Credit shall be given for vocational-

technical education courses taken within this concentration, and

- c. Specialized study concentration option - 4 units or sets of competencies selected from courses recommended during a planning session with the student, parent, or guardian and school official designed to meet the unique career and educational goals of the student. The combination of selected courses shall be above the content and rigor of the required core. The selected courses or sets of competencies shall provide appropriate content for postsecondary preparation of the student. Any change in this option shall be approved by the parent or guardian. Academic courses, technical application, and vocational-technical courses may be selected in any combination within this option.

Students shall have the ability to change the area of concentration for postsecondary preparation options at any time during their secondary grade years.

6. Have satisfied admission standards as determined by the qualifying institution or program for first-time-entering students; provided, no student participating in the Oklahoma Tuition Scholarship Program shall be admitted into an institution of higher education by special admission standards;

7. Have secured admission to, and enrolled in, a qualifying institution or program within three (3) years of high school graduation; and

8. Have established financial eligibility during the eighth-grade year, ninth-grade year, or tenth-grade year according to the standards and provisions promulgated by the Oklahoma State Regents for Higher Education; a student who satisfies the financial criteria upon initial participation in the Oklahoma Tuition Scholarship

Program during the eighth, ninth, or tenth grade shall not later be denied participation in the Oklahoma Tuition Scholarship Program on grounds that the student does not meet the financial criteria.

B. To retain eligibility while pursuing the program of postsecondary education in which enrolled, the student shall:

1. Maintain good academic standing and satisfactory academic progress according to standards of the Oklahoma State Regents for Higher Education; and

2. Comply with the standards related to maintenance of eligibility as promulgated by the Oklahoma State Regents for Higher Education.

C. The Oklahoma State Regents for Higher Education and the State Board of Vocational and Technical Education shall promulgate rules relating to maintenance of eligibility under this act by a student.

D. It is the intent of the Legislature that students in the tenth grade for the 2000-2001 school year who are determined to be eligible for the Oklahoma Tuition Scholarship Program pursuant to this act shall be the first students eligible to apply for benefits pursuant to the Oklahoma Tuition Scholarship Act.

SECTION 16. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2615 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Subject to the availability of funds, a student who is eligible for the Oklahoma Tuition Scholarship Program shall have a portion of the cost of attendance at a qualifying institution or program satisfied by allocation to the institution or area vocational-technical district from the Oklahoma Tuition Scholarship Trust Fund. The amount of the award shall be determined based on the student's performance and qualifications as follows:

1. Students who have achieved a minimum high school grade point average of 2.5 on a 4.0 scale in the core curriculum courses

required for this program and meet all other criteria set forth in Section 15 of this act shall be awarded an Opportunity Scholarship consisting of the tuition equivalency portion of the cost of attendance;

2. Students who have achieved a minimum high school grade point average of 3.0 on a 4.0 scale in the core curriculum courses required for this program, have achieved a minimum score of 23 on the American College Test, and meet all other criteria set forth in Section 15 of this act shall be awarded a Performance Scholarship consisting of the tuition equivalency portion of the cost of attendance plus Two Hundred Dollars (\$200.00) each academic year to be applied toward the cost of attendance; or

3. Students who have achieved a minimum high school grade point average of 3.5 on a 4.0 scale in the core curriculum courses required for this program, have achieved a minimum score of 27 on the American College Test, and meet all other criteria set forth in Section 15 of this act shall be awarded an Honors Scholarship consisting of the tuition equivalency portion of the cost of attendance plus Four Hundred Dollars (\$400.00) each academic year to be applied toward the cost of attendance.

B. 1. For students enrolled in an institution in The Oklahoma State System of Higher Education, the tuition equivalency portion shall be an amount equivalent to the resident tuition for which the student is responsible at the institution where the student is enrolled;

2. For students enrolled at a qualifying private institution as defined in Section 14 of this act, the tuition equivalency portion shall be an amount equivalent to the amount of resident tuition for which the student would be responsible if the student were enrolled in a comparable program at a comparable institution within The Oklahoma State System of Higher Education. Comparability shall be determined by the Oklahoma State Regents for Higher Education;

3. For students enrolled in a qualifying postsecondary vocational-technical program or course as defined in Section 14 of this act, the tuition equivalency portion shall be an amount equivalent to the amount of tuition at the area vocational-technical school plus the amount of resident tuition for which the student is responsible at the higher education institution; provided, the tuition equivalency portion shall not exceed the amount of resident tuition for which the student would have been responsible if the student were enrolled in a comparable program at a two-year institution within The Oklahoma State System of Higher Education.

C. Awards provided by this section shall not be allowed for courses or other postsecondary units taken in excess of the requirements for completion of a baccalaureate program or taken more than five (5) years after the student's first semester of postsecondary enrollment. The Oklahoma State Regents for Higher Education may award Oklahoma Tuition Scholarship Program benefits for courses of postsecondary units taken more than five (5) years after the student's first semester of postsecondary enrollment only in hardship circumstances; provided, however, no student may receive benefits beyond a cumulative time period of five (5) years. The Oklahoma State Regents for Higher Education may establish a maximum limit on the number of courses or other postsecondary units to which benefits will apply.

D. Oklahoma Tuition Scholarship Program benefits shall be awarded for all eligible applicants without any limitation on the number of awards in any year other than the amount of funds available for the program and the number of eligible applicants. Subject to the provisions of subsection E of this section, if funds are not sufficient to provide awards for all eligible applicants, the Oklahoma State Regents for Higher Education shall make awards on the basis of need. The State Regents shall take into consideration

other grants and scholarships received by an eligible applicant when making awards.

E. The Oklahoma State Regents for Higher Education may, at the time an award is made on behalf of an eligible student, set aside in the Oklahoma Tuition Scholarship Trust Fund sufficient funds to satisfy the full commitment made to such student. For all academic years, students who have previously received awards under the provisions of the Oklahoma Tuition Scholarship Act, Section 2610 et seq. of Title 70 of the Oklahoma Statutes, and who have continued at all times to fulfill the requirements for eligibility to receive awards provided pursuant to this program shall be given an absolute priority for continued financial support by the Oklahoma Tuition Scholarship Program superior to any students who are applying for such benefits for the first time.

SECTION 17. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2616 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Each school year, every fifth- through ninth-grade student in the public schools of this state shall be apprised, together with the student's parent(s), custodial parent(s), or legal guardian(s), of the student's opportunity for access to higher education under the Oklahoma Tuition Scholarship Program. The Oklahoma State Regents for Higher Education and the State Board of Education shall develop, promote, and coordinate a public awareness program to be utilized in making students and parents aware of the Oklahoma Tuition Scholarship Program.

B. On a form provided by the Oklahoma State Regents for Higher Education, every public school district shall designate at least one Oklahoma Tuition Scholarship Program contact person, who shall be a counselor or teacher, at each public school site in this state in which eighth-, ninth- or tenth-grade classes are taught. When requested by the State Regents, the State Board of Education shall

assist the State Regents to ensure the designation of contact persons.

C. Eighth- and ninth-grade students who qualify for the Oklahoma Tuition Scholarship Program shall be given the opportunity throughout the eighth- and ninth-grade years to enter into participation in the program by agreeing to, throughout the remainder of their school years:

1. Attend school regularly and do homework regularly;
2. Refrain from substance abuse;
3. Refrain from commission of crimes or delinquent acts;
4. Have school work and school records reviewed by mentors designated pursuant to the program;
5. Provide information requested by the Oklahoma State Regents for Higher Education or the State Board of Education; and
6. Participate in program activities.

The contact person at the school shall maintain the agreements, which shall be executed on forms provided by the Oklahoma State Regents for Higher Education and managed according to regulations promulgated by the Oklahoma State Regents for Higher Education, and the contact person shall monitor the student's compliance with the terms of the agreement. The Oklahoma State Regents for Higher Education are authorized to process student agreements and verify compliance with the agreements. Students failing to comply with the terms of the agreement shall not be eligible for awards pursuant to this act.

D. A student shall not be eligible for the Oklahoma Tuition Scholarship Program if the adjusted gross income of the student's parent(s), custodial parent(s), or legal guardian(s) exceeds Seventy Thousand Dollars (\$70,000.00) per year. The student's financial qualification shall be certified by the contact person at the school or by the Oklahoma State Regents for Higher Education on the agreement form provided by the Oklahoma State Regents for Higher

Education; the form shall be retained in the student's permanent record and a copy forwarded to the Oklahoma State Regents for Higher Education.

E. Agreements shall be witnessed by the student's parent(s), custodial parent(s), or legal guardian(s), who shall further agree to:

1. Assist the student in achieving compliance with the agreements;
2. Confer, when requested to do so, with the school contact person, other school personnel, and program mentors;
3. Provide information requested by the Oklahoma State Regents for Higher Education or the State Board of Education; and
4. Assist the student in completing forms and reports required for program participation, making applications to institutions and schools of higher education, and filing applications for student grants and scholarships.

F. Students along with their parent(s), custodial parent(s), or legal guardian(s), and a school staff member shall participate in an individual advisement session during the student's first year of acceptance into the Oklahoma Tuition Scholarship Program. The purpose of the session shall be to develop a plan of high school courses the student should take and to develop strategies for achieving the postsecondary goals of the student.

G. Tenth-grade students who failed to enter into participation in the program during their eighth- or ninth-grade year shall be allowed to enter into participation in the program by entering into agreements as set forth in subsections C and E of this section.

H. The Oklahoma State Regents for Higher Education shall promulgate rules for the determination of student compliance with agreements made pursuant to this section.

I. The Oklahoma State Regents for Higher Education shall designate personnel to coordinate tracking of program records for

the years when students participating in the program are still in the public schools, provide staff development for contact persons in the public schools, and provide liaison with the State Board of Education and local organizations and individuals participating in the program.

J. The school district where an Oklahoma Tuition Scholarship Program student is enrolled when the student begins participation in the program and any subsequent school district where the student enrolls shall forward information regarding the student's participation in the program to a school to which the student transfers upon the school's request for the student's records.

K. Students participating in the Oklahoma Tuition Scholarship Program shall provide their social security number or their student identification number used by their school to the Oklahoma State Regents for Higher Education. The Regents shall keep the numbers confidential and use them only for administrative purposes.

L. Residents of Oklahoma attending a public high school in a state bordering Oklahoma, pursuant to approval of the State Board of Education as provided in Section 8-103 of Title 70 of the Oklahoma Statutes and who otherwise meet all program requirements, may participate in the program upon approval by the Chancellor for Higher Education.

SECTION 18. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-151 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. It is the intent of the Legislature that the State Superintendent of Public Instruction, the Director of the State Department of Vocational and Technical Education, and the Chancellor for Higher Education shall coordinate spring break dates for the public schools, area vocational-technical schools, and institutions within The Oklahoma State System of Higher Education beginning with the 2001-2002 school year.

B. Independent, elementary, and area vocational-technical school districts and institutions within The Oklahoma State System of Higher Education shall schedule spring break dates as determined pursuant to subsection A of this section.

SECTION 19. AMENDATORY Section 56, Chapter 320, O.S.L. 1999, is amended to read as follows:

Section 56. Implementation of Sections ~~37~~ 44 through 54 ~~of this act,~~ Chapter 320, O.S.L. 1999, shall be delayed until the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for the 1998-99 school year or any school year thereafter for Oklahoma as reported by the National Center for Education Statistics annually in the Digest of Education Statistics reaches at least ninety percent (90%) of the regional average expenditure for that same year, and funds are provided. For purposes of this section, the regional average expenditure shall consist of the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for each of the following states: Arkansas, Colorado, Kansas, Missouri, New Mexico, Oklahoma, and Texas, averaged together. By January 1 of each year the State Board of Education shall report whether or not the ninety-percent expenditure level has been reached based on information reported annually in the Digest of Education Statistics by the National Center for Education Statistics. Sections ~~37~~ 44 through 54 ~~of this act,~~ Chapter 320, O.S.L. 1999, shall be implemented on July 1 after the first January 1 report verifies that the ninety-percent expenditure level has been reached and funds have been provided.

SECTION 20. REPEALER Section 1, Chapter 251, O.S.L. 1998, as amended by Section 2, Chapter 320, O.S.L. 1999 and Section 2, Chapter 251, O.S.L. 1998, as amended by Section 3, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Sections 11-103.2c and 11-103.2d) is hereby repealed.

SECTION 21. REPEALER Sections 39 and 40, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Sections 2612 and 2613), are hereby repealed.

SECTION 22. This act shall become effective July 1, 2000.

SECTION 23. 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.

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