ENROLLED HOUSE
BILL NO. 1094

By: Peters and Gilbert of the House

and

Fisher of the Senate

An Act relating to children; creating the Oklahoma Partnership for School Readiness Act; providing short title; stating intent, purposes, and goals; creating the Oklahoma Partnership for School Readiness Board; providing for membership, organization, and reimbursement of the Board; stating powers and duties of the Board; requiring annual report and specifying contents of report; designating Department of Human Services as lead agency; authorizing establishment of certain foundation; stating purpose of foundation; authorizing use of foundation revenues for certain purpose; prohibiting voting by certain members of foundation; providing for codification; providing for noncodification; and declaring an 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 640 of Title 10, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Partnership for School Readiness Act".

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The Legislature recognizes that:

1. Parents have the right and the responsibility to provide for the health, education, and emotional well-being of their children, and it is the desire of the Legislature that all children be reared in nurturing homes with two involved parents who actively participate in the development of their young children;

2. The benefits of ensuring that children enter school ready to succeed can be substantial. Investing wisely during a child's early years can reduce the need for remediation, treatment, or crisis intervention programs in later years, and it is the desire of the Legislature that children be healthy, eager to learn, and ready to succeed by the time they enter school;

3. Children arrive at kindergarten with a variety of preschool and home experiences, along with varying levels of school readiness.

Identifying children who may be at risk of school failure, making their caregivers aware of the value of quality early childhood experiences and providing, on a voluntary basis, these children with the skills essential for reducing inequalities in school readiness can help ensure that more children enter kindergarten ready to succeed; and

4. The state may not achieve the ninety-percent reading goal pursuant to the Reading Sufficiency Act without ensuring that children enter school fully prepared to take advantage of reading instruction.

B. The Legislature further recognizes that, although the public and private sectors provide a number of excellent programs and have made significant investments in the children of this state, the benefits derived from these investments are not being optimized. Therefore better coordination of existing programs at the community and state levels is needed to increase their effectiveness and make them more cost-efficient.

C. It is the intent of the Legislature that the capacities of parents and communities be strengthened to meet the needs of families with young children who choose to participate by coordinating available resources and building new partnerships within communities that include parents, private businesses, faith-based and other charitable organizations, and other interested parties.

D. Coordination shall be accomplished by the establishment of a comprehensive public/private partnership and be implemented in cooperation with the state agencies represented on the Oklahoma Partnership for School Readiness Board created in Section 3 of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 640.1 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created until July 1, 2009, in accordance with the Oklahoma Sunset Law, the Oklahoma Partnership for School Readiness Board. The Board shall promote school readiness supporting community-based efforts to increase the number of children who are ready to succeed by the time they enter school, and shall consist of representatives from the private and public sectors as follows:

1. Fifteen private sector representatives, two of whom shall be parents of children eight (8) years of age or younger and one of whom shall be a representative of licensed child care providers, appointed by the Governor from a list submitted by an existing private-sector school readiness initiative that includes in its focus community mobilization and public engagement activities; and

2. To insure that existing resources are being utilized effectively, thirteen public sector representatives shall serve on the board as follows:

a. State Superintendent of Public Instruction, or designee,

b. State Commissioner of Health, or designee,

c. Commissioner of the Department of Mental Health and Substance Abuse Services, or designee,

d. Director of the Oklahoma Department of Commerce, or designee,

e. Director of the Oklahoma Department of Libraries, or designee,

f. Director of the Department of Human Services, or designee,

g. Administrator of the Oklahoma Health Care Authority, or designee,

h. Director of the Oklahoma Commission on Children and Youth, or designee,

i. Director of the State Department of Rehabilitation Services, or designee,

j. Executive Director of the Oklahoma Educational Television Authority, or designee,

k. Director of the Oklahoma Department of Career and Technology Education, or designee,

l. Chancellor of the Oklahoma State Regents for Higher Education, or designee, and

m. Cabinet Secretary with responsibility for education agencies, or designee.

B. Members appointed by the Governor shall serve terms of four (4) years; provided, of those members initially appointed to the Board, eight members shall be appointed for two-year terms, beginning September 1, 2003, and seven members shall be appointed for four-year terms, beginning September 1, 2003, as designated by the Governor. Appointed members shall continue in office until a successor is appointed by the Governor. The Governor shall fill all vacancies in the same manner as the original appointment was made.

C. The Director of the Department of Human Services shall convene an organizational meeting of the Oklahoma Partnership for School Readiness Board prior to November 1, 2003, at which time members of the Board shall elect a chair, a vice-chair, and other officers as needed. A majority of the members of the Board shall constitute a quorum for the transaction of business.

D. Members of the Board shall receive no compensation for serving on the Board but shall receive travel reimbursement as follows:

1. State agency officers and employees who are members of the Board shall be reimbursed for travel expenses incurred in the performance of their duties by their respective agencies in accordance with the State Travel Reimbursement Act; and

2. Remaining members shall be reimbursed by the Board from any funds received by the Board for travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

E. Members of the Board shall be exempt from the dual-office-holding provisions of Section 6 of Title 51 of the Oklahoma Statutes.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 640.2 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Partnership for School Readiness Board may:

1. Establish guidelines for the disbursement of funds received from any public or private source or otherwise made available to the Board for the purpose of supporting community initiatives that are consistent with the goals of the Oklahoma Partnership for School Readiness Act and direct such other expenditures as may be necessary in the performance of its duties;

2. Establish other guidelines as necessary to carry out the duties and responsibilities assigned to the Oklahoma Partnership for School Readiness Board;

3. Receive funds from any public or private source;

4. Enter into contractual agreements to assist with the administration of the Board and to provide technical assistance to communities upon request;

5. Appoint subcommittees which may include persons who are not Board members. Such persons shall not be entitled to compensation but may be reimbursed, upon approval by the Director of the Department of Human Services, for necessary expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act; and

6. The Board shall ensure, to the greatest extent possible, that the needs and values of all parents are respected and protected and that voluntary participation is the basis for delivering all school readiness programs. The Board shall act in ways which are sensitive to the diverse religious and other values of Oklahomans.

B. The responsibilities of the Oklahoma Partnership for School Readiness Board shall be to:

1. Conduct a thorough assessment of existing public and private programs to determine their effectiveness and to maximize the efficient use of current state funds;

2. Implement a public engagement campaign and establish a structure to facilitate communication between communities;

3. Provide leadership at the state level to encourage communities to develop and improve school readiness opportunities at the local level to encourage and empower local communities;

4. Encourage public and private programs, services, and initiatives be brought together to provide coordinated, community-based, effective and cost-efficient programs;

5. Maximize the extent to which private sector funding is leveraged and federal, state, and local funds are coordinated with private funds;

6. Establish standards of accountability in school readiness programs and policy and recognize and promote the best practices; and

7. Submit an annual report to the Governor and the Legislature no later than November 1 of each year. The report shall include, but not be limited to, the following:

a. preparedness level of children entering kindergarten,

b. status and results of the effort of the Board to engage the public regarding the care and education of children under the age of five (5) years and of the efforts of the Board to develop and promote private sector programs and voluntary parental involvement,

c. detailed summary of community initiatives and programs funded in whole, or in part, by the Board,

d. availability and cost of quality child care for children under five (5) years of age needing care outside their home,

e. number, location, and status of quality prekindergarten programs in the state, and

f. percentage of third-grade students reading at or above grade level.

C. The Department of Human Services shall be the lead public agency for general administration and monitoring of programs and activities related to the Oklahoma Partnership for School Readiness Act.

D. Each of the following agencies shall make staff available to the Oklahoma Partnership for School Readiness Board for the purpose of providing professional consultation and staff support to assist in the implementation of this act:

1. State Department of Education;

2. State Department of Health;

3. Department of Mental Health and Substance Abuse Services;

4. Department of Human Services; and

5. Oklahoma Commission on Children and Youth.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 640.3 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. There is hereby authorized the establishment of a not-for-profit school readiness foundation to raise funds and to assist in the implementation of the Oklahoma Partnership for School Readiness Act and the achievement of the goals of the act.

B. Costs to underwrite implementation of the responsibilities of the Oklahoma Partnership for School Readiness Board may be borne from revenues of the foundation.

C. The foundation created pursuant to this section may receive funds from any public or private source to carry out the purposes of this act, including, but not limited to, gifts or grants from any department, agency, or instrumentality of the United States or of this state for any purpose consistent with the provisions of this act.

D. Upon proper incorporation, the foundation shall secure tax-exempt status under the appropriate provision of Section 501(c) of the Internal Revenue Code, 26 U.S.C., Section 501(c).

E. Any member of the foundation who may have a financial interest in an action under consideration by the foundation shall abstain from voting on such matter.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 5th day of March, 2003.

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Presiding Officer of the House of Representatives

Passed the Senate the 15th day of April, 2003.

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Presiding Officer of the Senate