

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1711

By: Staggs

AS INTRODUCED

An Act relating to education; amending 70 O.S. 2001, Section 1-109, as amended by Section 1, Chapter 236, O.S.L. 2002 (70 O.S. Supp. 2002, Section 1-109), which relates to the length of a school year; updating statutory language; establishing a starting date of the school year; providing exceptions to the starting date for certain activities; allowing an exception for a school district upon approval of the State Board of Education; requiring submission of a request; limiting approval; directing the Board to adopt rules; amending 70 O.S. 2001, Section 3-116, as amended by Section 1, Chapter 437, O.S.L. 2002 (70 O.S. Supp. 2002, Section 3-116), which relates to the Education Oversight Board; deleting governing responsibility over the Office of Accountability; amending 70 O.S. 2001, Section 3-117, which relates to the Office of Accountability; abolishing the Office of Accountability; transferring powers and duties of the Office to the State Board of Education; amending 70 O.S. 2001, Section 3-118, which relates to the Secretary of Education; amending 70 O.S. 2001, Section 3-118.1, as amended by Section 1, Chapter 446, O.S.L. 2002 (70 O.S. Supp. 2002, Section 3-118.1), which relates to budget and operations performance reviews; amending 70 O.S. 2001, Section 3-143, which relates to a charter school report; amending 70 O.S. 2001, Section 6-122.3, which relates to alternative placement teaching certificate; amending 70 O.S. 2001, Section 14-103.1, which relates to dropout recovery grants; amending 70 O.S. 2001, Section 1210.508, which relates to the Oklahoma School Testing Program Act; amending 70 O.S. 2001, Section 1210.531, as amended by Section 5, Chapter 453, O.S.L. 2002 (70 O.S. Supp. 2002, Section 1210.531), which relates to the Oklahoma Educational Indicators Program; amending 70 O.S. 2001, Section 1210.566, which relates to needs assessment plans for alternative education; deleting references to the Office of Accountability; amending 62 O.S. 2001, Section 41.29a, which relates to the Education Reform Revolving Fund; transferring duties to account for and track funds to the State Board of Education; amending 70 O.S. 2001, Sections 6-185 and 6-194, which relate to teacher preparation and professional development; requiring competencies and professional development on certain classroom management and student discipline skills; amending 70 O.S. 2001, Sections 16-101, as amended by Section 18, Chapter 375, O.S.L. 2002 and 16-102 (70 O.S. Supp. 2002, Section 16-101), which relate to the State Textbook Committee; modifying qualifications for members;

modifying textbook subject area adoption cycles; authorizing the Committee to extend certain adoption periods for certain reasons; providing for the recovery of certain costs and attorney fees by school districts in certain circumstances; allowing a court to impose civil sanctions in certain circumstances; amending 10 O.S. 2001, Sections 600, 601.3 and 601.4, which relate to the Oklahoma Commission on Children and Youth; deleting certain definitions; deleting references to the Oklahoma Commission on Children and Youth; abolishing the Oklahoma Commission on Children and Youth; transferring powers and duties of the Commission to the Department of Human Services; amending 10 O.S. 2001, Section 601.6, which relates to the Office of Juvenile System Oversight; amending 10 O.S. 2001, Sections 601.6a, 601.6b and 601.9, which relate to the Office of Planning and Coordination for Services to Children and Youth; amending 10 O.S. 2001, Sections 601.11 and 601.12, which relate to community partnership districts for services to children and youth; deleting references to the Oklahoma Commission on Children and Youth; replacing the Commission with the Department of Human Services; repealing 70 O.S. 2001, Section 3-116, as amended by Section 16, Chapter 375, O.S.L. 2002 (70 O.S. Supp. 2002, Section 3-116), which relates to the Education Oversight Board; repealing 10 O.S. 2001, Sections 601.1, 601.2, 601.5 and 601.10, which relate to the Oklahoma Commission on Children and Youth; providing for codification; providing effective dates; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 1-109, as amended by Section 1, Chapter 236, O.S.L. 2002 (70 O.S. Supp. 2002, Section 1-109), is amended to read as follows:

Section 1-109. A. A Beginning with the 2003-2004 school year, a school year for all public schools in Oklahoma shall begin on any day after September 1 and shall consist of at least ten (10) months of four (4) weeks each, during which time school shall actually be in session and instruction offered for not less than one hundred eighty (180) days.

B. Five (5) days out of the one hundred eighty (180) days of instruction may be used for attendance of professional meetings and teachers may be paid for a length of term in excess thereof, under

conditions hereinafter outlined. Subject to district board of education policy or collective bargaining agreement, additional professional leave days may be granted for individual teachers to attend or participate in professional meetings, staff development training, or National Board certification portfolio development. During two (2) days of the additional professional days granted to teachers for National Board certification portfolio development, a substitute teacher shall be provided by the school district at no cost to the teacher.

C. A school district may authorize parent-teacher conferences to be held during a regular school day. Following such authorization by the school district, these conferences shall be counted towards a school day, as defined in Section 1-111 of this title, and included as part of the one hundred seventy-five (175) days of classroom instruction.

D. A school district may maintain school for less than a full term only when conditions beyond the control of school authorities make the maintenance of the term impossible and the State Board of Education has been apprised and has expressed concurrence in writing.

E. A school district may begin school prior to September 1 upon approval by the State Board of Education. The school district shall submit a request to the Board stating the reasons for an earlier starting date. The Board shall approve the request only upon a showing of extraordinary circumstances. The Board shall adopt rules establishing criteria for implementing the provisions of this subsection.

~~B.~~ F. The State Board of Education shall establish criteria for an extended day schedule. The criteria shall:

1. Prescribe a lengthened school day within limits determined not to be detrimental to quality instruction; and

2. Ensure that the schedule is equivalent in annual hours of instruction to the one-hundred-eighty-day school year specified in subsection A of this section; and

3. Be consistent with the provisions of this section and Sections 1-110 through 1-112 of this title, but may result in fewer annual days of instruction.

The State Board of Education may authorize school districts to implement an extended day schedule for instruction pursuant to the criteria developed. The State Board of Education shall require the participating school districts to prepare a report of the impact of the extended day schedule.

SECTION 2. AMENDATORY 70 O.S. 2001, Section 3-116, as amended by Section 1, Chapter 437, O.S.L. 2002 (70 O.S. Supp. 2002, 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. Two members, who are not legislators, appointed by the Governor;

4. Two members, who are not legislators, appointed by the Speaker of the Oklahoma House of Representatives;

5. Two members, who are not 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. 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. At least one appointed member must reside in each congressional district. However, when congressional districts are redrawn each member appointed prior to July 1 of the year in which such modification becomes effective shall complete the current term of office and appointments made after July 1 of the year in which such modification becomes effective shall be based on the redrawn districts. Appointments made after July 1 of the year in which such modification becomes effective shall be from any redrawn district which are not represented by a board member until such time as each of the modified congressional districts are represented by a board member. 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 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 and appointed members 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 3. AMENDATORY 70 O.S. 2001, Section 3-117, is amended to read as follows:

Section 3-117. ~~There is hereby created the Office of Accountability. The State Board of Education is hereby directed to support the Office of Accountability from the budget of the State 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.~~

A. The Office of Accountability is hereby abolished.

B. All powers, duties, responsibilities, property, personnel, assets, liabilities, fund balances, encumbrances and obligations of the Office of Accountability are hereby transferred to the State Board of Education.

C. As soon as possible after the effective date of this section, the offices and personnel of the Office of Accountability shall be moved to a common location with the State Department of Education.

SECTION 4. AMENDATORY 70 O.S. 2001, 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 by the Office of Personnel Management;

~~3.~~ 2. 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.~~ 3. 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.~~ 4. Have executive responsibility for the Oklahoma Educational Indicators Program and the annual report required pursuant to Section 1210.531 of this title;

~~6.~~ 5. 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.~~ 6. 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.~~ 7. Make reports to the public concerning these matters whenever appropriate; and

~~9.~~ 8. 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 5. AMENDATORY 70 O.S. 2001, Section 3-118.1, as amended by Section 1, Chapter 446, O.S.L. 2002 (70 O.S. Supp. 2002, Section 3-118.1), is amended to read as follows:

Section 3-118.1 A. ~~The Office of Accountability~~ State Board of Education is hereby authorized to conduct a performance review program to determine the effectiveness and efficiency of the budget and operations of school districts that have administrative service costs which are above the expenditure limits established for school districts in Section 18-124 of this title. ~~Funds appropriated by the Legislature to the State Board of Education for the Office of Accountability for fiscal year 2002 and subsequent years may be expended to fulfill the provisions of this act. The Office of Accountability~~ The Board may contract with an outside entity or hire personnel to assist in the development and design of the program. ~~The Office of Accountability Board~~ Board may contract with outside entities to assist in conducting performance review programs. Such

entities shall be chosen through a competitive bid process.

Invitations to bid for the performance reviews shall be open to any public or private entity. Contracts for performance reviews shall not be done on a sole source basis.

B. The board of education of any school district in the state may, by majority vote, request the ~~Office of Accountability~~ Board to conduct a performance review of that school district. If a school district requests a performance review, twenty-five percent (25%) of the entire cost of the review shall be borne by the school district.

C. After a performance review of a school district is completed by the ~~Office of Accountability~~ Board, the school district may implement all or part of the recommendations contained in the review.

D. If a school district experiences a cost savings that is directly attributable to implementation of performance review recommendations, the cost savings shall be expended by the school district for classroom expenses. Classroom expenses shall include but are not limited to teacher salaries and purchasing textbooks, teaching material, technology and other classroom equipment. Classroom expenditures shall not include administrative services as defined in Section 18-124 of this title or for equipment or materials for administrative staff.

SECTION 6. AMENDATORY 70 O.S. 2001, Section 3-143, is amended to read as follows:

Section 3-143. The State Board of Education shall issue an annual report to the Legislature and the Governor outlining the status of charter schools in the state. Each charter school shall annually file a report with the ~~Office of Accountability~~ Board. The report shall include ~~such information as requested by the Office of Accountability, including,~~ but not be limited to, information on enrollment, testing, curriculum, finances and employees.

SECTION 7. AMENDATORY 70 O.S. 2001, Section 6-122.3, is amended to read as follows:

Section 6-122.3 A. The State Board of Education shall grant an Alternative Placement teaching certificate to a person who makes application to the State Board and meets all of the following criteria:

1. Holds at least a baccalaureate degree from an institution whose accreditation is recognized by the Oklahoma State Regents for Higher Education;

2. Has completed a major in a field that corresponds to an area of specialization for an Elementary-Secondary Certificate, a Secondary Certificate or a vocational-technical certificate;

3. Declares the intention to earn Standard Certification by means of the Alternative Placement Program in not more than three (3) years. For the purposes of the Alternative Placement Program only, the State Board of Education shall determine the subject matter of professional education component pursuant to this section, and the requirements for the Professional Education component required for Standard Certification shall be as follows:

- a. baccalaureate degree, and eighteen (18) semester hours or two hundred seventy (270) clock hours, or
- b. postbaccalaureate degrees, teaching experience or subject matter work experience, or a combination of the three shall reduce the eighteen (18) semester hours or two hundred seventy (270) clock hours by the following:

Degree or Experience	Hour Reduction
Master's Degree	6 semester hours or 90 clock hours
Doctorate Degree	6 semester hours or 90 clock hours

1 year teaching or subject matter work experience	3 semester hours or 45 clock hours
2 years teaching or subject matter work experience	6 semester hours or 90 clock hours
3 years teaching or subject matter work experience	9 semester hours or 135 clock hours
4 years teaching or subject matter work experience	12 semester hours or 180 clock hours,

c. the State Board of Education shall establish a core minimum of six (6) semester hours or ninety (90) clock hours. Under no circumstance shall the number of hours be reduced to less than six (6) semester hours or ninety (90) clock hours.

d. for purposes of this section:

- (1) "teaching experience" shall mean full-time employment as a teacher in a public school, private school licensed or accredited by the State Board of Education, or institution of higher education,
- (2) "subject matter work experience" shall mean work experience in a field that corresponds to the area of specialization for Elementary-Secondary Certificate, Secondary Certificate or vocational-technical certificate.

Such requirements shall exclude all student teaching requirements pursuant to the provisions of subsection E of this section;

4. Has passed the general education and subject area portions of the competency examination required in Section 6-187 of this title in the area of specialization for which certification is sought; and

5. Either presents a document from an accredited public school district in this state offering employment in the area of specialization for which certification is sought on condition that the person enroll in an Alternative Placement Program approved by the State Board of Education or declares the intention to seek employment as a teacher at an accredited public school district in this state. The certificate granted pursuant to this subsection shall be considered a "valid certificate of qualification" for the purposes of Sections 6-107 and 6-108 of this title, and the holder of such certificate shall be considered a resident teacher for the purposes of Section 6-195 of this title.

B. Said certificate shall be renewed for not more than a maximum of three (3) years upon presentation of a document from an accredited public school district in this state offering renewed employment in the same area of specialization and a document from a teacher education institution verifying satisfactory progress in the appropriate Alternative Placement Program.

C. Persons enrolled in an Alternative Placement Program shall:

1. Have never been denied admittance to a teacher education program approved by the Oklahoma State Regents for Higher Education, the North Central Association of Colleges and Schools and by the Oklahoma State Board of Education to offer teacher education programs, nor have enrolled in and subsequently failed courses necessary to successfully meet the minimum requirements of such program, except those persons who hold a certificate;

2. Have on file with the director of teacher education at an Oklahoma institution of higher education a plan for meeting standard certification requirements within three (3) years;

3. Participate in the ~~Entry-year Assistance Program, Section 6-152 et seq.~~ Residency Program as provided for in Section 6-195 of this title and have the same duties and responsibilities as other Entry-year Assistance Program participants, except those persons who hold a certificate; and

4. Document at least two (2) years of work experience which is related to the subject area of specialization if the person has only a baccalaureate degree with no postbaccalaureate work in a related area.

D. The State Board of Education may grant an exception to the requirements for licensure and certification and, upon demonstration by an individual of specific competency in the subject area of specialization, may grant a license or certificate to the individual. The State Board may establish other requirements necessary to grant such exceptions.

E. Student teaching and a prestudent teaching field experience shall not be required of Alternative Placement Program participants for Standard Certification.

F. The State Board of Education shall promulgate rules authorizing adjunct teachers who shall be persons with distinguished qualifications in their field. Adjunct teachers shall not be required to meet standard certification. Any such adjunct teachers shall be limited to ninety (90) clock hours per semester.

G. Each teacher education institution shall provide the ~~Office of Accountability~~ Oklahoma Commission for Teacher Preparation an annual report of information ~~specified by the Office of Accountability~~ regarding participation in the Alternative Placement Program.

H. The State Board of Education shall not accredit, renew the accreditation of, or otherwise approve any teacher education program of any institution of higher education in this state that has not made a commitment to, and begun implementation of, Alternative

Placement Programs in at least four areas of specialization, including mathematics, science and a foreign language, whereby individuals who meet the criteria of subsections A and C of this section are:

1. Admitted without further qualification; and

2. Offered the opportunity to complete the Standard Certification course requirements set forth in subsection A of this section during the summer preceding and the summer following the first year of teaching under the Alternative Placement Program. Provided, however, any person seeking Alternative Placement shall be permitted to take necessary courses during regular semesters if offered.

I. The criteria specified in subsection H of this section can be met through a cooperative arrangement entered into by two or more institutions of higher education.

SECTION 8. AMENDATORY 70 O.S. 2001, Section 14-103.1, is amended to read as follows:

Section 14-103.1 A. Contingent upon the provision of appropriated funds, the State Board of Career and Technology Education is authorized to award one or more competitive grants for dropout recovery programs to technology center school districts. The grant awards shall be made to technology center school districts serving school districts that do not have intensive dropout prevention programs and that have the greatest need for dropout prevention and recovery ~~as reflected in reports of the Office of Accountability.~~ The Dropout Recovery Grants shall emphasize dropout recovery, shall be in addition to any existing alternative education programs, and shall meet the criteria applicable to Alternative Education Academy Grants ~~as set forth in subsection A of Section 1210.563 of this title.~~

B. The State Board of Career and Technology Education shall provide or contract for technical assistance from appropriated

funds. The State Board of Career and Technology Education shall provide or contract for in-depth program analysis and evaluation of grant-funded programs to the Oklahoma Department of Career and Technology Education and the Legislature no later than November 1 following the end of the school year in which one or more programs were implemented and funded through Dropout Recovery Grants.

C. Programs funded through Dropout Recovery Grants shall be subject to the funding cycle and limitations applicable to Alternative Education Academy Grants ~~as set out in subsection C of Section 1210.563 of this title.~~

D. By September 15 of each school year, all revenue received and expended for students participating in Dropout Recovery Grant programs created in subsection A of this section shall be reported to the Oklahoma Department of Career and Technology Education.

E. The State Board of Career and Technology Education shall promulgate rules as necessary to administer the Dropout Recovery Grants and the process by which the grant funding shall be allocated.

F. By September 1, 1995, the State Board of Career and Technology Education shall prepare and submit to the Legislature and the Governor a proposed statewide plan, including a statement of needed funding, for the provision of vocational and technical education to students in grades six through twelve who have been identified by school districts in their needs assessments as being at risk of not completing a high school education for a reason other than that identified in Section 13-101 of this title, and who would benefit from vocational and technical education. The plan shall include the availability of technology education courses to the identified students, an outreach effort to students in grades eleven and twelve in vocational and technical courses, provision for cooperative agreements to provide services for students

participating in alternative education programs, and coordination with the State Board of Education.

SECTION 9. AMENDATORY 70 O.S. 2001, Section 1210.508, is amended to read as follows:

Section 1210.508 A. 1. Contingent upon the availability of funding, beginning with the 2001-2002 school year and every school year thereafter, for purposes of comparison with the state criterion-referenced tests for student academic achievement at the elementary level, the State Board of Education shall cause a norm-referenced test to be administered to every student in the fourth-grade of the public schools who is a resident of or transferee into the district in which the student is enrolled. The test used shall be selected by the Board and shall measure specific skills represented by learner objectives. The student skills to be tested at the fourth-grade level shall include reading, mathematics, and language arts.

2. Beginning with the 2000-2001 school year the State Board of Education shall cause a norm-referenced test to be administered to every student in the third grade of the public schools who is a resident of or transferee into the district in which the student is enrolled. The test used shall be selected by the Board and shall measure specific skills represented by learner objectives. The student skills to be tested at the third-grade level shall include reading, mathematics, and language arts. The third-grade norm-referenced test shall be administered every year thereafter, until the implementation of the third-grade criterion-referenced test provided for in paragraph 3 of subsection B of this section.

B. 1. The Board shall develop and administer a series of criterion-referenced tests designed to indicate whether competencies as defined by the State Board of Education which Oklahoma public school students are expected to have attained in grades five and eight in mathematics, science, reading and writing of English,

history, constitution and government of the United States, geography, and the arts and for the subjects and grade levels specified in paragraphs 2, 3 and 4 of this subsection have been achieved. Students who do not perform satisfactorily on the tests shall be remediated, subject to the availability of funding.

2. The Board shall administer criterion-referenced tests in the reading and writing of English, mathematics, science, United States history, Constitution and government, geography, and the arts to every student in the fifth- and eighth-grades who are residents of or transferees into the district in which they are currently enrolled.

3. Contingent upon the availability of funds appropriated for that purpose, the State Department of Education shall develop and field-test during the 2001-2002 school year a series of criterion-referenced tests in reading/language arts, and mathematics for every student in the third-grade of the public schools who is a resident of or transferee into the district in which the student is enrolled. If the necessary funds are made available, the tests shall be implemented in the 2002-2003 school year and administered every year thereafter.

4. Each student who completes the instruction for the specified secondary level competencies, beginning with the school year listed in this paragraph and each school year thereafter, shall complete an end-of-instruction test for those competencies in order to graduate from high school. After the end-of-instruction tests are fully implemented all students will take the tests prior to graduation, unless otherwise exempt by law. The State Board of Education shall administer the criterion-referenced tests, to be implemented according to the following schedule:

Subject	Implementation
English II	2000-2001
United States History	2000-2001

Biology I 2002-2003

Algebra I 2002-2003

The end-of-instruction tests shall serve the purpose of the criterion-referenced tests as provided in paragraph 1 of this subsection. The English II end-of-instruction test shall, at a minimum, assess writing skills. Students shall be afforded the opportunity to retake the tests once prior to graduation. In order to provide an indication of the levels of competency attained by the student in a permanent record for potential future employers and institutions of higher education, school districts shall report the highest achieved state test performance index on the end-of-instruction tests on the student's high school transcript. Any student at the middle school level who completes the instruction in a secondary course specified in this paragraph may, upon the student's request, be administered the appropriate end-of-instruction test. It is the intent of the Legislature that, following implementation of the secondary level end-of-instruction tests, the performance data and any available research shall be reviewed for consideration of additional consequences, including, but not limited to, high school graduation.

C. All criterion-referenced tests required by this section shall measure academic competencies in correlation with the curricular standards adopted by the Board pursuant to Section 11-103.6 of this title. The State Board of Education shall evaluate academic competencies to ensure such competencies reflect high standards, are specific, well-defined, measurable, challenging, and will prepare elementary students for next-grade-level course work and secondary students for post-secondary studies at institutions of higher education or technology center schools without the need for remediation in core curriculum areas. All academic competencies shall reflect the goal of improving the state average American College Testing (ACT) score. The State Department of Education

shall annually evaluate the results of the criterion-referenced tests. The State Board of Education shall seek to ensure that data yielded from the tests required in this section are utilized at the school district level to prescribe skill reinforcement and/or remediation by requiring school districts to develop and implement a specific program of improvement based on the test results.

D. 1. All results and reports of the criterion-referenced test series required in subsection B of this section for grades three, five and eight shall be returned to each school district prior to May 1 of each year.

2. State, district, and site level results of all tests required in this section shall be disaggregated by ethnic group and gender. All results and reports of the criterion-referenced test series required in subsection B of this section shall be returned to the State Department of Education ~~and to the Office of Accountability~~ by June 15 of each year. Each school site shall notify the student's parents of the school's performance levels in the Oklahoma School Testing Program as reported in the Oklahoma Educational Indicators Program at the end of each school year.

E. The State Board of Education shall be responsible for the development, field-testing, and validation of the criterion-referenced test series required in subsection B of this section. In the interest of economy the Board shall adapt criterion-referenced tests that have been developed by other states or are otherwise commercially available, or portions of such tests, to the extent that such tests are appropriate for use in the testing program to be administered to Oklahoma students.

F. The Board shall develop, administer, and incorporate as a part of the Oklahoma School Testing Program, other testing programs or procedures, including appropriate accommodations for the testing of students with disabilities as required by the Individuals with Disabilities Education Act (IDEA), P.L. No. 101-476.

SECTION 10. AMENDATORY 70 O.S. 2001, Section 1210.531, as amended by Section 5, Chapter 453, O.S.L. 2002 (70 O.S. Supp. 2002, Section 1210.531), is amended to read as follows:

Section 1210.531 A. The 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 school sites and school districts in a format that facilitates comparisons. As necessary data become available, comparisons shall also be provided individually for all schools and school districts on a historical basis. Reports of all tests administered pursuant to the Oklahoma School Testing Program Act, Section 1210.505 et seq. of this title, shall be a part of the Oklahoma Educational Indicators Program and shall be provided for each grade and each test subject or set of competencies. Test results for students enrolled in Internet-based courses, including

regularly enrolled and alternative education students, shall be disaggregated and reported. The Education Oversight Board shall seek to develop and incorporate additional indicators of comparative standing and accomplishment.

C. Additionally, the Education Oversight Board, with the cooperation of the State Department of Education, the Oklahoma State Regents for Higher Education, and the State Board of Career and Technology 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 Education Oversight Board shall include such data in the report of the Oklahoma Educational Indicators Program.

D. By February 1 of each year the Education Oversight Board shall publish:

1. A summary report to the people and Legislature of Oklahoma of the information provided by the Oklahoma Educational Indicators Program; and

2. State, district, and site level reports which shall include the percentage of students who perform at the various levels on the tests required by the Oklahoma State Testing Program.

Immediately following the publication of the reports required in this subsection each year, all data gathered pursuant to the Oklahoma Educational Indicators Program shall be made available for public inspection at the offices of the Education Oversight Board ~~or the Office of Accountability; provided,~~ _____. The confidentiality of individual student records shall be preserved as required by law.

SECTION 11. AMENDATORY 70 O.S. 2001, Section 1210.566, is amended to read as follows:

Section 1210.566 A. Each year by December 1, every school district that serves middle school, junior high school and secondary

school students shall conduct and report to the State Department of Education a needs assessment to identify those students in grades six through twelve who are most at risk of not completing a high school education for a reason other than that identified in Section 13-101 of this title, including students under the age of nineteen (19) who reside in the district and have dropped out of school or are or have been suspended from school. Districts shall utilize data and information from juvenile justice agencies ~~and the Office of Accountability~~ in conducting the needs assessments. The results of the needs assessments shall be reported to the State Department of Education in a format specified by the Department.

B. By May 1, 1995, every school district as specified in subsection A of this section shall develop and submit to the State Department of Education a proposed plan approved by the district board of education, for meeting the needs of the students at risk of not completing a high school education as identified through the needs assessment required in subsection A of this section by establishing, continuing or expanding alternative education programs. The district shall include parents, students, teachers, law enforcement representatives, judicial system representatives, social service representatives, technology center school district representatives, and others deemed appropriate by the board of education in the development of the proposed plan. If the school district overlaps a technology center school district or districts, the plan shall be coordinated with the board of education of each overlapped technology center school district.

C. The proposed plan shall be placed on file at the office of the school district superintendent where it shall be made available to the public on request.

D. By September 1, 1995, the State Board of Education shall prepare and submit to the Legislature and the Governor a proposed statewide plan, including a statement of needed funding, for the

provision of alternative education to students in grades six through twelve who have been identified by school districts in their needs assessments as being at risk of not completing a high school education for a reason other than that identified in Section 13-101 of this title. The plan should include provisions for cooperative agreements to provide services for students in alternative education programs and coordination with the State Board of Career and Technology Education.

SECTION 12. AMENDATORY 62 O.S. 2001, Section 41.29a, is amended to read as follows:

Section 41.29a A. The ~~Office of Accountability~~ State Board of Education shall separately account for and report monthly revenues which it determines accrued to the Education Reform Revolving Fund which were attributable to the tax increases contained in Enrolled House Bill No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma Legislature.

B. Funds separately accounted for herein shall be used only to fund the reforms provided for in Enrolled House Bill No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma Legislature and for no other purpose. Any appropriation or expenditure of any of such funds for any other purpose shall be null and void and of no effect.

C. The ~~Office of Accountability~~ State Board of Education shall track apportionment of revenues which are deposited to the credit of the Education Reform Revolving Fund of the State Treasury which are attributable to the changes contained in Enrolled House Bill No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma Legislature on a fiscal year basis and shall provide an accounting to the Governor, Speaker of the House of Representatives and President Pro Tempore of the Senate, within thirty (30) days after the end of the fiscal year.

SECTION 13. AMENDATORY 70 O.S. 2001, Section 6-185, is amended to read as follows:

Section 6-185. A. The following competencies and methods shall be incorporated into the programs approved by the Oklahoma Commission for Teacher Preparation for the competency-based teacher preparation system provided for the Oklahoma Teacher Preparation Act:

1. The teacher preparation system shall include, but not be limited to, the following competencies:
 - a. excellence in the arts and sciences,
 - b. an in-depth knowledge of the subject matter to be taught,
 - c. the ability to identify and cultivate talent and potential in students,
 - d. an understanding of child and human development,
 - e. teaching skills developed through a variety of learning experiences,
 - f. the ability to interact effectively with all students,
 - g. skills necessary for working with parents, guardians and custodians of students in the education process,
 - h. skills necessary to involve the community in education,
 - i. skills to foster teamwork within and among schools,
~~and~~
 - j. for administrators, skills necessary to be an effective leader of a school or school district, and
 - k. skills in effective classroom management and student discipline;

2. The preservice program shall include the following methods to achieve the competencies listed in paragraph 1 of this subsection:

- a. require teacher candidates to study arts and sciences at the undergraduate level,

- b. require secondary and elementary/secondary teacher candidates to have undergraduate majors, or their equivalents, in a subject area, and require teacher candidates in early childhood, elementary, and special education to have subject area concentrations which allow qualification as a generalist,
- c. require teacher candidates to study the individuality of students, the capacity of students to learn and the process of learning,
- d. integrate curriculum from other disciplines with the education curriculum,
- e. require teacher candidates to have training experiences and personal contact with parents, guardians or custodians of school-age children,
- f. require teacher candidates to have community involvement experience,
- g. structure courses so as to require teamwork activities, and
- h. require teacher candidates to study, in existing coursework, substance abuse symptoms identification and prevention, classroom management skills, and classroom safety and discipline techniques;

3. ~~Prior to July 1, 1997, the State Board of Education, and on and after July 1, 1997, the~~ The Oklahoma Commission for Teacher Preparation shall not require more than a four-year program of one hundred twenty-four (124) semester hours to complete a teacher education degree. Provided, any program approved by the State Board of Education prior to July 1, 1995, which requires more hours may continue to require such hours. Any program approved prior to July 1, 1995, which requires more than one hundred twenty-four (124) semester hours for a teacher education degree shall implement requirements for this program without additional hours.

B. It is the intent of the Legislature that institutions of higher education which offer teacher education programs hold such programs accountable for meeting the licensure and certification competencies approved by the State Board of Education. It is the intent of the Legislature that the teacher education programs incorporate a curriculum to achieve the competency-based system and include integration of the teacher preparation curricula with the arts and sciences departments curricula. Each institution of higher education which seeks accreditation or approval for its teacher education program shall develop an institution plan which follows the State Board of Education competencies for licensure and certification. In developing such institution plans, the higher education institution shall establish a process which seeks information and input from teacher preparation faculty, faculty from arts and sciences and other programs and disciplines which are appropriate, students within the teacher education program, teachers, administrators, parents, guardians or custodians of students and business and community leaders. Each institution shall hold an annual public forum subject to the provisions of the Oklahoma Open Meeting Act regarding the content of the institution plan at which public comment on either the institution's teacher preparation plan or program is solicited. The institution's plan shall be accessible to any interested party under the Oklahoma Open Records Act. No institution of higher education's teacher education program shall be approved by the Commission unless the institution plan has been approved by that institution's governing board. Initial institution plans shall be filed with the Oklahoma Commission for Teacher Preparation by January 1, 1997, and as required by the Commission thereafter. The Oklahoma State Regents for Higher Education may facilitate the development of institution plans to assist institutions of higher education.

SECTION 14. AMENDATORY 70 O.S. 2001, Section 6-194, is amended to read as follows:

Section 6-194. A. The local boards of education of this state shall establish professional development programs for the certified and licensed teachers and administrators of the district. Programs shall be adopted by each local board of education based upon recommendations of a professional development committee appointed by the board of education for the district. The State Board of Education shall disseminate to each local professional development committee a copy of the in-service professional development competencies included in the Report on Educator Preparation and Professional Development issued in December 1994 by the Oklahoma Commission for Teacher Preparation for review and consideration and, if approved by the local professional development committee, to be included in part or in whole in the local professional development plan of the school district. The professional development centers funded through the State Board of Education shall provide technical assistance to any local school district which desires to incorporate any such competencies into its local professional development plan.

B. Each local professional development committee shall include classroom teachers, administrators and parents, guardians or custodians of children in the local school district and shall consult with a higher education faculty. A majority of the members of the professional development committee shall be composed of classroom teachers. The teacher members shall be selected from a list of names submitted by the bargaining agent, where one exists. In the absence of a bargaining agent, the teachers will elect a list of names to be submitted to the local board of education. At a minimum, once every four (4) years the committee shall include at least one school counselor in its membership.

C. The professional development programs adopted may include, but not be limited to:

1. In-service training programs;
2. Higher education courses; and
3. Professional development programs approved by the Oklahoma Commission for Teacher Preparation.

Programs shall emphasize development of competencies in the core curriculum areas. Each program shall include ~~a component~~ components on research-based programs on classroom management and student discipline strategies, outreach to parents, guardians or custodians of students, and multicultural education, which all personnel defined as teachers in Section 1-116 of ~~Title 70 of the Oklahoma Statutes~~ this title shall be required to complete on a periodic basis. Each adopted program shall allow school counselors to receive at least one-third (1/3) of the hours or credit required each year through programs or courses specifically designed for school counselors. Programs shall be submitted for approval to the Board. No school district shall receive state funds for professional development until the program adopted by the local board of education has been approved by the Board.

D. Teachers and administrators who have completed professional development courses in their field of instruction or in courses related to obtaining additional professional qualifications and who complete such courses and receive a grade which is equivalent to at least a 3.0 on a 4.0 grading scale may be reimbursed by the school district for one-half (1/2) of the general enrollment fees incurred at any institution within The Oklahoma State System for Higher Education. If the teacher or administrator incurs costs pursuant to this section at a private institution of higher education, the person may be reimbursed by the school district for an amount equal to one-half (1/2) of the general enrollment fees incurred at an institution of The Oklahoma State System of Higher Education of comparable type.

E. If funds are made available specifically for such purpose, teachers who have completed professional development programs approved by the Oklahoma Commission for Teacher Preparation shall receive a stipend based on the amount of funds allocated. No school district shall receive state funds for teacher stipends until such time as proof of the teacher's attendance and completion of the program has been determined by the State Department of Education.

F. Each licensed or certified teacher in this state shall be required by the local board of education to meet the professional development requirements established by the board, or established through the negotiation process. Failure of any teacher to meet local board of education professional development requirements may be grounds for nonrenewal of such teacher's contract by the local board of education. Such failure may also be grounds for nonconsideration of salary increments affecting the teacher.

G. The professional development plan shall be submitted to the State Board of Education as provided in Section 3-104.2 et seq. of ~~Title 70 of the Oklahoma Statutes~~ this title.

SECTION 15. AMENDATORY 70 O.S. 2001, Section 16-101, as amended by Section 18, Chapter 375, O.S.L. 2002 (70 O.S. Supp. 2002, Section 16-101, is amended to read as follows:

Section 16-101. There is hereby created the State Textbook Committee, which shall be composed of thirteen (13) members appointed by the Governor with the advice and consent of the Senate: two members from each congressional district, two members from the state at large and one member who shall be a lay citizen not having a teaching certificate and having at least one child in the public schools of Oklahoma. However, when congressional districts are redrawn each member appointed prior to July 1 of the year in which such modification becomes effective shall complete the current term of office and appointments made after July 1 of the year in which such modification becomes effective shall be based on the redrawn

districts. Appointments made after July 1 of the year in which such modification becomes effective shall be from any redrawn districts which are not represented by a board member until such time as each of the modified congressional districts are represented by a board member. A majority of the twelve members appointed from the congressional districts shall be classroom teachers. The regular terms of all members shall be for ~~three (3) years~~ one (1) year. No member shall be eligible to succeed himself. At no time shall more than one member of the State Textbook Committee be an employee of the same school district. Each member appointed from a congressional district shall have had not less than five (5) years' teaching or supervisory experience in the public schools of Oklahoma at the time of appointment, and shall be actively employed in the public schools of Oklahoma during the term of service on said Committee. The State Superintendent of Public Instruction or a designated member of the staff shall serve as Secretary of the Committee and vote only when there is a tie vote in the membership of the Committee. Each member shall receive necessary traveling expenses while in the performance of his duties pursuant to the State Travel Reimbursement Act.

The Committee may meet at the call of the State Superintendent of Public Instruction at the State Capitol and elect by secret written ballot a chairperson and vice-chairperson from its membership to serve for the year. ~~The terms for which new members from the congressional districts are appointed shall be staggered by the Governor in making appointments. The terms of four members shall expire each year.~~ The ~~four~~ new members appointed each year shall be certified in one of the curriculum areas in which the textbooks will be adopted that ensuing fiscal year.

SECTION 16. AMENDATORY 70 O.S. 2001, Section 16-102, is amended to read as follows:

Section 16-102. A. The State Textbook Committee shall meet at the call of the chairperson as often as necessary, with two (2) weeks' public notice, to discharge its responsibilities. Not later than the first day of December of each year the State Textbook Committee shall meet at the call of the chairperson at the State Capitol and select textbooks for subjects taught in the public schools of the state up to and including the twelfth grade, which selections shall be for not more than ~~six (6)~~ eight (8) years for every textbook.

B. ~~From~~ After the effective date of this act ~~until December 31, 1993~~, the Committee may extend by up to two (2) years the ~~five-year~~ six-year adoption period of those textbooks currently on the state adopted list, or provide for an interim adoption period of not to exceed three (3) years for textbooks for certain subjects, for the purpose of correlation with ~~a six-year~~ an eight-year adoption cycle or for restructure of the adoption cycle of subjects.

C. "Textbooks", as used in Sections 16-101 through 16-124 of this title, means instructional materials that are designed for use by pupils as a learning resource. Instructional materials may be printed or nonprinted and may include textbooks, technology-based and other educational materials. Technology-based materials do not include the equipment required to make use of those materials.

~~C.~~ D. The Committee shall select textbooks or series of textbooks for each subject, which are in its judgment satisfactory. The State Textbook Committee may determine that unusual or extraordinary circumstances exist in a particular subject area during the period for which textbooks have been selected for that subject area. Unusual or extraordinary circumstances shall include but not be limited to significant new techniques of teaching in a particular subject area or significant new findings or discoveries in a particular subject area. Upon a determination by three-fourths (3/4) of the members of the State Textbook Committee that unusual or

extraordinary circumstances exist in a particular subject area, the Committee may select one or more textbooks in that subject area for the remainder of the adoption period.

~~D.~~ E. Five or more district boards of education may petition the State Board of Education to add a book or series of textbooks to the approved list selected by the State Textbook Committee.

The State Board of Education shall promulgate rules to implement the method and time frame for handling ~~such~~ petitions in the most expeditious manner.

SECTION 17. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-102.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. A school district which is a defendant in any civil action brought in any court of this state by any plaintiff for actions taken by the school district to discipline a student shall be entitled to recover against the plaintiff court costs, witness fees, and reasonable attorney fees if the court determines that the school district is the prevailing party.

B. If a court determines before or at trial that one or more of the causes of action initiated by a plaintiff against a school district for actions taken by the school district to discipline a student are frivolous or malicious, the court may impose a civil sanction in an amount not to exceed One Thousand Dollars (\$1,000.00) and award court costs, witness fees, and reasonable attorney fees.

SECTION 18. AMENDATORY 10 O.S. 2001, Section 600, is amended to read as follows:

Section 600. As used in Sections 601.1 through 601.12 of this title:

1. "Children and youth service system" means health, mental health, social, rehabilitative assistance and educational services provided to children and youth by and through the courts and public and private agencies;

2. "Client" means a child or a family member of a child who is receiving services through the children and youth service system;

3. ~~"Commission" means the Oklahoma Commission on Children and Youth;~~

4. ~~"Community partnership board" means the local district planning and coordinating body for services to children and youth established pursuant to Section 601.11 of this title;~~

~~5.~~ 4. "Community partnership district" means the local planning and coordinating areas within the state established pursuant to Section 601.11 of this title;

5. "Department" means the Department of Human Services;

6. "State and state-supported services to children and youth" means services to children and youth, offered or provided by a public or private agency or organization, that are supported in whole or in part through state funds or federal funds administered by the state; and

7. "State Plan for Services to Children and Youth" means the planning document required by Section 601.9 of this title.

SECTION 19. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 600.1 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Commission on Children and Youth is hereby abolished.

B. All powers, duties, responsibilities, property, personnel, assets, liabilities, fund balances, encumbrances, and obligations of the Oklahoma Commission on Children and Youth is hereby transferred to the Department of Human Services.

C. As soon as possible after the effective date of this section the offices and staff of the Oklahoma Commission on Children and Youth shall be moved to a common location with the Department of Human Services.

SECTION 20. AMENDATORY 10 O.S. 2001, Section 601.3, is amended to read as follows:

Section 601.3 ~~The Oklahoma Commission on Children and Youth~~ Department of Human Services is hereby authorized and directed to:

1. Establish and maintain the Office of Planning and Coordination for Services to Children and Youth;
2. Establish and maintain the Office of Juvenile System Oversight; and
3. Designate community partnership districts for services to children and youth and, within the limitations of available funds, whether appropriated or otherwise available, provide staff, technical assistance and other assistance as necessary and appropriate to the district boards.

SECTION 21. AMENDATORY 10 O.S. 2001, Section 601.4, is amended to read as follows:

Section 601.4 ~~The Oklahoma Commission on Children and Youth~~ Department of Human Services is further authorized to:

1. Facilitate joint planning and service coordination among public and private agencies that provide services to children and youth;
2. Prepare and publish reports;
3. Review the programs, policies and services for children and youth provided by public and private agencies for compliance with established state policies and progress towards goals identified in planning documents relating to children and youth services and to make reports regarding said compliance and progress;
4. Accept appropriations, gifts, loans and grants from the state and federal government and from other sources, public or private;
5. Enter into agreements or contracts for the development of test models or demonstration programs and projects and for programs of practical research for effective services to children and youth;

provided that the administration of contract for such model programs and projects shall, within five (5) years of their inception, be transferred to an appropriate agency or the program or project shall be discontinued;

6. Secure necessary statistical, technical, administrative, operational and staff services by interagency agreement or contract;

7. Examine all records, plans, budgets and budget documents pertaining to the children and youth service system;

8. Exercise all incidental powers as necessary and proper for the performance of the duties and responsibilities of the ~~Commission~~ Department; and

9. Promulgate rules ~~and regulations~~ as necessary to carry out the duties and responsibilities assigned to the ~~Oklahoma Commission on Children and Youth~~ Department.

SECTION 22. AMENDATORY 10 O.S. 2001, Section 601.6, is amended to read as follows:

Section 601.6 A. The Office of Juvenile System Oversight shall have the responsibility of investigating and reporting misfeasance and malfeasance within the children and youth service system, inquiring into areas of concern, investigating complaints filed with the Office of Juvenile System Oversight, and monitoring the children and youth service system to ascertain compliance with established responsibilities.

It shall be the duty of the Office of Juvenile System Oversight to conduct regular, periodic, but not less than semiannual, unannounced inspections of state-operated children's institutions and facilities and to review the reports of the inspections of the State Fire Marshal and the Department of Health and any agencies which accredit such institutions and facilities.

B. The Office of Juvenile System Oversight shall:

1. Have the authority to examine all records and budgets pertaining to the children and youth service system and shall have

access to all facilities within the children and youth service system for the purpose of conducting site visits and speaking with the residents of such facilities;

2. Have the authority to subpoena witnesses and hold public hearings;

3. Issue reports to the Governor, Speaker of the House of Representatives, President Pro Tempore of the Senate, Chief Justice of the Supreme Court of the State of Oklahoma, any appropriate prosecutorial agency, the director of the agency under consideration; and such other persons as necessary and appropriate; and

4. Provide recommendations to the ~~Oklahoma Commission on Children and Youth~~ Department of Human Services on or before May 1 of each year.

C. The Office of Juvenile System Oversight shall not release information that would identify a person who makes a complaint to such Office, unless a court of competent jurisdiction orders release of the information for good cause shown.

SECTION 23. AMENDATORY 10 O.S. 2001, Section 601.6a, is amended to read as follows:

Section 601.6a The Office of Planning and Coordination for Services to Children and Youth shall:

1. Convene meetings of public and private agencies that provide services to children and youth for the purpose of facilitating and implementing joint planning and service coordination among said agencies;

2. Provide the Oklahoma Planning and Coordinating Council for Services to Children and Youth with fiscal and other information related to the children and youth service system necessary to assist said Council with the performance of its duties and responsibilities;

3. Annually prepare, with the advice and assistance of the Council and affected public and private agencies, the State Plan for Services to Children and Youth for the approval of the ~~Commission~~ Department;

4. Examine all plans, budgets and related documents pertaining to the planning, coordination and development of the children and youth service system;

5. Review, monitor and evaluate the children and youth service system regarding the development of services, progress towards effective joint planning and service coordination, and compliance with established state policies and goals; and

6. Issue reports to the Governor, Speaker of the House of Representatives, President Pro Tempore of the Senate, Chief Justice of the Supreme Court of the State of Oklahoma, public and private agencies, and such other persons as necessary and appropriate.

SECTION 24. AMENDATORY 10 O.S. 2001, Section 601.6b, is amended to read as follows:

Section 601.6b A. Beginning July 1, 1991, and on or before July 1 of each year thereafter, the ~~Commission~~ Department shall transmit to the Director of State Finance and to the director of each affected agency a copy of the State Plan for Services to Children and Youth for the next fiscal year.

B. The Director of the Office of State Finance, in accordance with procedures mutually agreed upon by the Office of State Finance and the ~~Commission~~ Department, shall regularly compile and transmit to the Office of Planning and Coordination for Services to Children and Youth, by agency and appropriate service category, past, current and projected expenditures, budget requests, and other fiscal information related to state and state-supported services to children, youth and families.

C. Beginning on September 1, 1991, and on or before September 1 of each year thereafter, the Director of State Finance shall

compile, in a form agreed upon by the Office of State Finance and the ~~Commission~~ Department, and provide to the Office of Planning and Coordination for Services to Children and Youth copies of the budget requests for the next fiscal year by state agencies that provide services to children, youth and families. The Office of Planning and Coordination for Services to Children and Youth shall review said budget requests and report to the Commission, the Governor, the Director of State Finance, and each affected agency director the extent to which the budget requests conform with or differ from the goals and priorities established in the State Plan for Services to Children and Youth, including but not limited to, specific areas of conformity or nonconformity.

D. The Office of Planning and Coordination shall annually monitor and evaluate the implementation of the goals, priorities and recommendations included in the State Plan for Services to Children and Youth and shall make reports and provide information to the ~~Commission~~ Department, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the chairmen of the appropriations committees of the Legislature and the affected agency directors as necessary and appropriate to provide assistance for the implementation of said Plan.

SECTION 25. AMENDATORY 10 O.S. 2001, Section 601.9, is amended to read as follows:

Section 601.9 A. The Office of Planning and Coordination shall:

1. Make recommendations to the ~~Oklahoma Commission on Children and Youth~~ Department of Human Services regarding the development and improvement of services provided to children and youth based upon community partnership input no later than May 1 of each year; and
2. Forward a report of its recommendations to each agency affected by the recommendations.

B. ~~The Oklahoma Commission on Children and Youth~~ Department shall evaluate and review the development and quality of services to children and youth and shall:

1. Publish and distribute an annual report of its findings on or before July 1 of each year to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Chief Justice of the Supreme Court of the State of Oklahoma, and to the chief administrative officer of each agency affected by the report. Such report shall include activities of the ~~Commission~~ Department, recommendations for the further development and improvement of services to children and youth, and budget and program needs; and

2. Include in its annual report the State Plan for Services to Children and Youth for the next succeeding fiscal year. The State Plan for Services to Children and Youth shall:

- a. identify and establish outcomes, goals and priorities for services for children and youth, and the estimated costs of implementing such goals and priorities,
- b. show previous and current expenditures for state and state-supported services to children and youth which relate to the outcomes identified in the State Plan,
- c. include information concerning the availability and accessibility of various human services, health, mental health and education programs that serve children and their families at the community level, and, when applicable, establish a plan for developing programs in areas of the state where the need for such services exists,
- d. include such other information or recommendations as may be necessary and appropriate for the improvement and coordinated development of the children, youth, and family service system, and

e. be distributed as provided by paragraph 1 of this section and shall be made available to the general public.

SECTION 26. AMENDATORY 10 O.S. 2001, Section 601.11, is amended to read as follows:

Section 601.11 A. There are hereby created community partnership districts for services to children and youth. Each district shall be represented by a board composed of representatives of public and private organizations and private individuals in accordance with the guidelines established by the ~~Oklahoma Commission on Children and Youth~~ Department of Human Services. Each community partnership board shall include, but not be limited to, representatives of the ~~Department of Human Services, the Office of Juvenile Affairs, the State Department of Health, the Department of Mental Health and Substance Abuse Services,~~ local school districts, representatives of private child and family services and programs within the district, local business leaders, and parents of children with special needs.

B. The ~~Commission~~ Department shall designate community partnership districts within the state.

C. Selection of a coordinator and membership of community partnership boards shall be determined as follows:

1. Each community partnership board shall elect a coordinator from among its membership. The elected coordinators shall serve two-year terms and may be reelected; and

2. Membership shall be in accordance with the bylaws of the community partnership board and guidelines of the ~~Commission~~ Department. Board members shall serve a two-year term and may be reappointed.

D. The ~~Oklahoma Commission on Children and Youth~~ Department shall:

1. Establish guidelines for the election of coordinators of the community partnership boards;

2. Establish guidelines for the membership of the community partnership boards for services to children and youth which will assure an opportunity for broad community participation and the representation of both urban and rural concerns in the planning process;

3. Establish guidelines for the coordination, preparation and implementation of the district plans for children and youth services; and

4. Provide administrative support and technical assistance to the community partnership boards as otherwise provided by this act.

E. Nothing in this act shall prohibit local municipalities or counties from establishing planning and coordinating bodies for services to children and youth and providing information and recommendations to the community partnership boards established by this section.

SECTION 27. AMENDATORY 10 O.S. 2001, Section 601.12, is amended to read as follows:

Section 601.12 A. Each community partnership board shall, with the assistance of the Office of Planning and Coordination for Services to Children and Youth, prepare and implement a district plan for children and youth services and for the development and coordination of such services within its district. The district plans shall be transmitted to the Office of Planning and Coordination for Services to Children and Youth and the ~~Oklahoma Commission on Children and Youth~~ Department of Human Services, for such entities' review and use in the preparation of the State Plan for Services to Children and Youth.

B. Each community partnership board shall assist in the development of interagency agreements that ensure that services provided to students pursuant to the Individuals with Disabilities

Education Act (IDEA) are delivered cooperatively by local education agencies, the State Department of Education, the State Department of Vocational and Technical Education, ~~the Department of Human Services,~~ the Office of Juvenile Affairs, the State Department of Health, the Department of Mental Health and Substance Abuse Services, the State Department of Rehabilitation Services, the Oklahoma Health Care Authority, and other appropriate public agencies and private agencies supported in whole or in part with public funds.

C. Each community partnership board shall develop a written statement clearly identifying its operating procedures, purpose, overall responsibilities and method of meeting those responsibilities.

D. The district plan shall address the needs of children, youth and families as they relate to education, health, mental health, economic security, safety and human services issues, and shall contain:

1. Identified goals, intended outcomes, and priorities for serving children and families;

2. A description of specific needs to be addressed by the plan, as well as services and other support available through public, private, and community-based organizations;

3. A description of the amount of all federal, state and local government, and private funds needed to implement the local plan;

4. A plan for sharing data among agencies and across levels of government in accordance with state and federal law;

5. Recommendations for proposed policy or program changes and alternative funding strategies for meeting identified needs;

6. An implementation strategy and time line; and

7. A description of the resources, types of assistance or training needed in order to implement the plan.

SECTION 28. REPEALER 70 O.S. 2001, Section 3-116, as amended by Section 16, Chapter 375, O.S.L. 2002 (70 O.S. Supp. 2002, Section 3-116), is hereby repealed.

SECTION 29. REPEALER 10 O.S. 2001, Sections 601.1, 601.2, 601.5, and 601.10, is hereby repealed.

SECTION 30. Sections 1 and 13 through 17 of this act shall become effective July 1, 2003.

SECTION 31. Sections 2 through 12 and 18 through 27 of this act shall become effective January 1, 2004.

SECTION 32. 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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