

THE HOUSE OF REPRESENTATIVES
Monday, February 8, 2010

House Bill No. 2361

HOUSE BILL NO. 2361 - By: MILLER AND MARTIN (SCOTT) of the House and JOHNSON (MIKE) AND MYERS of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 1210.569, as amended by Section 27, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2009, Section 1210.569), which relates to student needs assessments; modifying reporting requirements; providing an effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 70 O.S. 2001, Section 1210.569, as amended by
2 Section 27, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2009, Section 1210.569), is amended
3 to read as follows:
4 Section 1210.569 A. Each school district shall be required to update and submit on
5 an annual basis the student needs assessment and alternative education plan outlined in
6 Section 1210.566 of this title. The alternative education plan of each school district shall
7 provide for specific professional development programs for the teachers teaching in or
8 working with an alternative education program. The annual needs assessment data
9 shall be incorporated by the State Board of Education into an annual report which shall
10 be submitted to the Speaker of the House of Representatives, the President Pro Tempore
11 of the Senate and the Governor. The report shall include a listing by school district of

1 the number of students funded and the reported number of students served in an
2 alternative education program.

3 B. By July 1 of each year, each school district shall submit an expenditure report to
4 the State Department of Education listing all of the expenditures made by the school
5 district for the alternative education program for the previous year.

6 C. Upon implementation of this subsection as provided for in subsections D and E
7 of this section, each urban school district as defined in Section 1210.568 of this title and
8 as identified by the State Department of Education as having a high population of
9 elementary grade students who are at-risk and in need of alternative education shall
10 expand the annual student needs assessment and alternative education plan as required
11 in subsection A of this section to include a needs assessment and education plan for
12 elementary students who are at-risk and in need of alternative education.

13 D. Implementation of subsection C of this section shall be contingent upon the
14 appropriation by the Legislature of state funds for the specific purpose of implementing
15 subsection C of this section. Nothing in this section shall prevent the State Board of
16 Education or a school district board of education from utilizing private, local, or federal
17 funds to implement subsection C of this section.

18 E. Implementation of subsection C of this section shall be delayed until the current
19 expenditure per pupil in average daily attendance in public elementary and secondary
20 schools in unadjusted dollars for the 1998-99 school year or any school year thereafter for
21 Oklahoma, as reported by the National Center for Education Statistics annually in the
22 Digest of Education Statistics, reaches at least ninety percent (90%) of the regional

1 average expenditure for that same year, and funds are provided. For purposes of this
2 subsection, the regional average expenditure shall consist of the current expenditure per
3 pupil in average daily attendance in public elementary and secondary schools in
4 unadjusted dollars for each of the following states: Arkansas, Colorado, Kansas,
5 Missouri, New Mexico, Oklahoma, and Texas, averaged together. By January 1 of each
6 year, the State Board of Education shall report, in either written or electronic form,
7 whether or not the ninety-percent expenditure level has been reached based on
8 information reported annually in the Digest of Education Statistics by the National
9 Center for Education Statistics. Subsection C of this section shall be implemented on
10 July 1 after the first January 1 report verifies that the ninety-percent expenditure level
11 has been reached and funds have been provided for the specific purposes of the section.

12 SECTION 2. This act shall become effective July 1, 2010.

13 SECTION 3. It being immediately necessary for the preservation of the public
14 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
15 this act shall take effect and be in full force from and after its passage and approval.

16 DIRECT TO CALENDAR.