

1 **SENATE FLOOR VERSION**

2 March 26, 2012

3 As Amended

4 ENGROSSED HOUSE

5 BILL NO. 2341

6 By: McNiell of the House

7 and

8 Ford and Eason McIntyre of
9 the Senate

10
11 **[schools - accreditation - textbook adoption and
12 allocation - effective date -
13 emergency]**

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-104.4, is
16 amended to read as follows:

17 Section 3-104.4. A. On or before February 1, 1991, the State
18 Board of Education shall adopt standards for the accreditation of
19 the public schools in this state according to the requirements of
20 this act, to be effective as set forth in this act. The
21 accreditation standards shall incorporate the curricular standards
22 established pursuant to Section 11-103.6 of this title. The
23 accreditation standards shall equal or exceed the accreditation
24 standards for schools promulgated by the North Central Association
of Colleges and Schools to the extent that the standards are
consistent with an academic results oriented approach to
accreditation, excluding those standards which deal with affective

1 behavior to the extent the adoption of the standards does not
2 conflict with state statute. The accreditation adopted by the State
3 Board shall encompass accreditation for elementary schools, middle
4 schools, junior high schools, and high schools. The accreditation
5 standards shall be made available for public inspection at the
6 offices of the State Department of Education.

7 B. Standards for accreditation adopted by the State Board of
8 Education shall include standards relating to the provision of
9 school counselors to the public school children of this state. The
10 State Board of Education shall require each local school district to
11 provide information regarding the number of counselors serving each
12 school site, the duties of all such counselors including all
13 administrative duties, the number of students served by each
14 counselor, and information regarding the number of counselors
15 employed per elementary school, middle school, junior high school
16 and high school.

17 C. Except as otherwise provided by subsection A of this section
18 with regard to curricular standards, as a condition of receiving
19 state accreditation pursuant to this act:

20 1. High schools shall meet the accreditation standards not
21 later than June 30, 1995; and

22 2. Elementary, middle and junior high schools shall meet the
23 accreditation standards not later than June 30, 1999.

24

1 Schools shall thereafter continue to meet the accreditation
2 standards as a condition of continued accreditation. Nothing herein
3 shall be construed as preventing changes to the adopted standards by
4 the State Board of Education pursuant to the Administrative
5 Procedures Act.

6 D. If one or more school sites fails to receive accreditation
7 as required pursuant to this section by the dates set forth in
8 subsection C of this section or subsequently loses accreditation,
9 the State Board of Education shall close the school and reassign the
10 students to accredited schools within the district or shall annex
11 the district to one or more other districts in which the students
12 can be educated in accredited schools.

13 E. State Board accreditation regulations shall provide for
14 warnings and for assistance to schools and school districts whenever
15 there is reason to believe a school is in danger of losing its state
16 accreditation.

17 F. The State Board shall provide assistance to districts in
18 considering the possibility of meeting accreditation requirements
19 through the use of nontraditional means of instruction. The State
20 Board shall also assist districts in forming cooperatives and making
21 arrangements for the use of satellite instruction or other
22 instructional technologies to the extent that use of such
23 instructional means meets accreditation standards.

24

1 G. For the fiscal years ending June 30, ~~2011~~ 2013, and June 30,
2 ~~2012~~ 2014, accreditation shall not be withdrawn from or denied nor
3 shall a penalty be assessed against a school or school district for
4 failing to meet the media materials and equipment standards and
5 media program expenditure standards as set forth in the
6 accreditation standards adopted by the Board.

7 H. The State Board shall not assess a financial penalty against
8 any school district which is given a deficiency in accreditation
9 status during the fiscal years ending June 30, 2011, and June 30,
10 2012.

11 SECTION 2. AMENDATORY 70 O.S. 2011, Section 16-111, is
12 amended to read as follows:

13 Section 16-111. A. Except as otherwise provided for in
14 subsection E of this section, the superintendent of schools of each
15 school district in the state shall appoint a local textbook
16 committee consisting of not fewer than three nor more than nine
17 members. Each committee shall have one lay member, with the
18 remainder of the members being teachers employed in the public
19 schools of the district, a majority of whom shall be classroom
20 teachers. The superintendent of schools or a designee who shall be
21 a principal or a curriculum specialist shall serve as chairperson of
22 the local textbook committee.

23 B. Upon the written request of any duly appointed local
24 textbook coordinator, the publisher of a textbook selected by the

1 State Textbook Committee shall furnish at least one examination copy
2 of the textbook and the teacher edition of the textbook, if one is
3 published, and a copy of software for purposes of complete
4 demonstration and review, if available, to the school district so
5 that the local textbook committee may examine any or all new
6 adoptions in the subjects taught or to be taught in schools in the
7 district.

8 C. Except as otherwise provided for in subsection E of this
9 section, on or before a date to be fixed by the State Board of
10 Education, each local textbook committee shall adopt textbooks from
11 the multiple list selected by the State Textbook Committee in a
12 manner as shall be prescribed by the State Board of Education. Each
13 local textbook committee shall serve without compensation and shall
14 cease to exist when local adoptions have been completed and shall be
15 replaced by another local textbook committee appointed in the same
16 manner as provided for in this section.

17 D. Except as otherwise provided for in subsection E of this
18 section, on or before a date to be fixed by the State Board of
19 Education, the superintendent of each school district shall submit
20 to the State Board of Education a textbook plan outlining the
21 estimated number of textbooks needed by the school district and the
22 total amount of money to be expended by the district for textbooks
23 including the allocated funds and any additional supplemental funds
24 to be expended. The superintendent or textbook coordinator

1 appointed by the superintendent, shall place orders from the proper
2 depository or depositories for all of the textbooks needed as
3 outlined in the textbook plan by the district for the ensuing year.
4 The superintendent of a school district or textbook coordinator may
5 order any textbooks placed on the official multiple textbook list.
6 If the order exceeds the allocation for each school district as
7 provided in Section 16-114a of this title any additional funds
8 expended shall be reported on the statement of expenditures for the
9 district.

10 E. For the fiscal years ending June 30, ~~2011~~ 2013, and June 30,
11 ~~2012~~ 2014, a school district shall not be required to appoint a
12 local textbook committee, adopt textbooks, submit a textbook plan,
13 or expend money on the purchase of textbooks during the fiscal year
14 if the school district makes the election as provided for in
15 subsection B of Section 16-114a of this title.

16 SECTION 3. AMENDATORY 70 O.S. 2011, Section 16-114a, is
17 amended to read as follows:

18 Section 16-114a. A. Based upon legislative appropriations, the
19 State Board of Education shall determine the textbook allocation to
20 be distributed to each school district in the state. Each year the
21 textbook allocation for each school district shall be calculated and
22 distributed in July and adjusted in December. The initial
23 allocation shall be calculated based on the audited end-of-year
24 average daily attendance of the preceding school year multiplied by

1 Fifty-five Dollars (\$55.00). The initial allocation shall be
2 calculated and distributed to each school district in July. The
3 December adjustment shall be calculated by multiplying the audited
4 first nine (9) weeks' average daily attendance for that current
5 school year by Fifty-five Dollars (\$55.00) and subtracting from that
6 amount the amount of the initial allocation. The adjustment shall
7 be calculated in December and distributed to each eligible school
8 district no later than January 15. A school district shall receive
9 an adjustment only if the adjustment figure as calculated in this
10 section is greater than zero. The State Department of Education
11 shall retain from the total amount appropriated for textbooks not
12 less than one percent (1%) of the total amount to be used for the
13 purpose of making the adjustments. If the amount appropriated,
14 including the retained amount, is not sufficient to fully fund the
15 adjusted allocation, each school district eligible for an adjustment
16 shall receive a proportionate reduction in funding. Any unused
17 portion of the value of textbooks allowed to a school district shall
18 be cumulative and may be carried over by the school district to
19 subsequent fiscal years, in addition to the allocation it is
20 entitled to receive during that fiscal year.

21 B. For the fiscal years ending June 30, ~~2011~~ 2013, and June 30,
22 ~~2012~~ 2014, a school district may elect to expend any monies
23 allocated pursuant to this section for textbooks, including any
24 monies carried over as authorized pursuant to subsection A of this

1 section, for any purpose related to the support and maintenance of
2 the school district as determined by the board of education of the
3 school district.

4 C. All textbooks distributed to a school district that have
5 been destroyed by fire or other hazard shall be replaced by the
6 State Board of Education. The total cost of all additional
7 textbooks delivered to school districts to replace those destroyed
8 by fire or other hazard shall not exceed, for the entire state in
9 any fiscal year, the aggregate sum of One Hundred Thousand Dollars
10 (\$100,000.00), which sum shall be reserved for that purpose from any
11 appropriation made to carry out the provision of this section for
12 any fiscal year.

13 SECTION 4. This act shall become effective July 1, 2012.

14 SECTION 5. It being immediately necessary for the preservation
15 of the public peace, health and safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

18 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 3-26-12 - DO
19 PASS, As Amended and Coauthored.

20
21
22
23
24