

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1661

By: Ford of the Senate

and

Denney of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to adult education; amending 70 O.S.
11 2011, Section 3-110.1, which relates to funds for
12 adult education; replacing reference to the State
13 Board of Education with the State Board of Career and
14 Technology Education; amending 70 O.S. 2011, Section
15 5-132, which relates to adult high school completion;
16 replacing reference to the State Board of Education
17 with the State Board of Career and Technology
18 Education; directing transfer of powers, duties,
19 monies and contractual rights related to adult
20 education from the State Board of Education to the
21 State Board of Career and Technology Education on
22 certain date; directing the Director of the Office of
23 Management and Enterprise Services to coordinate
24 certain transfer; directing transfer of certain
administrative rules from the State Board of
Education to the State Board of Career and Technology
Education; directing promulgation of rules;
authorizing the State Board of Career and Technology
Education to enter into certain agreements; directing
the Department of Education to retain responsibility
for issuing certain diplomas; creating the Adult
Education Revolving Fund; repealing 70 O.S. 2011,
Section 3-110, as amended by Section 589, Chapter
304, O.S.L. 2012 (70 O.S. Supp. 2013, Section 3-110),
which relates to the Adult Education Revolving Fund;
providing for codification; providing an effective
date; and declaring an emergency.

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

2 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-110.1, is
3 amended to read as follows:

4 Section 3-110.1. Funds appropriated to the State Board of
5 ~~Education~~ Career and Technology Education for Adult Education
6 Matching Funds shall be provided to school districts which offer
7 courses leading to the General Education Diploma. The State Board
8 of ~~Education~~ Career and Technology Education shall promulgate rules
9 for the distribution of the funds.

10 SECTION 2. AMENDATORY 70 O.S. 2011, Section 5-132, is
11 amended to read as follows:

12 Section 5-132. A. Any person who is of legal age and a
13 resident of Oklahoma, over the age of twenty-one (21) and under the
14 age of twenty-six (26), and who has not completed the twelfth grade
15 in school shall be given the same educational privileges and
16 opportunities provided by law for children over the age of five (5)
17 and under the age of twenty-one (21), upon submitting to the board
18 of education of the school district in which ~~said~~ the person resides
19 evidence satisfactory to that board showing that during the time
20 before he or she was twenty-one (21) years of age he or she was
21 unable to attend school for a definite period or periods of time
22 because of physical disability, or service in the United States
23 Armed Forces or Auxiliary Organizations, by reason whereof it was
24 impossible for him or her to complete the twelfth grade before

1 reaching the age of twenty-one (21). Provided, further, ~~said~~ the
2 pupil shall be counted in the average daily attendance of the
3 district where he or she attends school during the period of time
4 provided for in this article for the purpose of calculating State
5 Aid for the district.

6 B. Any resident of the state who is nineteen (19) years of age
7 or older, who is not enrolled in any high school program, and who
8 has not completed the twelfth grade may attend any adult high school
9 completion program which is established by a school district and
10 approved by the State Board of ~~Education~~ Career and Technology
11 Education if such attendance has the approval of the district
12 offering the program. Such attendance shall not be counted in the
13 average daily attendance of the district unless the Legislature
14 appropriates monies for adult high school completion programs. Such
15 attendance shall not be counted to meet minimum numbers for
16 accreditation of the school district involved, and such students
17 shall not attend classes which are a part of the normal class
18 structure of the district.

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 14-130 of Title 70, unless there
21 is created a duplication in numbering, reads as follows:

22 A. On July 1, 2014, all powers, duties, functions, and
23 responsibilities of the State Board of Education that relate to
24 adult education shall be transferred to the State Board of Career

1 and Technology Education. The transfer shall include all equipment,
2 supplies, records, assets, current and future liabilities, fund
3 balances, encumbrances, obligations, and indebtedness associated
4 with the State Board of Education that relate to adult education.

5 B. Any monies accruing to or in the name of the State Board of
6 Education on and after the effective date of this act that relate to
7 adult education, or any monies that accrue in any funds or accounts
8 or are maintained for the benefit of the State Board of Education on
9 and after the effective date of this act that relate to adult
10 education shall be transferred to the State Board of Career and
11 Technology Education.

12 C. The State Board of Career and Technology Education shall
13 succeed to any contractual rights and responsibilities incurred by
14 the State Board of Education.

15 D. The Director of the Office of Management and Enterprise
16 Services is hereby directed to coordinate the transfer of funds,
17 allotments, purchase orders, and outstanding financial obligations
18 or encumbrances as provided for in this section.

19 SECTION 4. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 14-131 of Title 70, unless there
21 is created a duplication in numbering, reads as follows:

22 A. Effective July 1, 2014, all administrative rules promulgated
23 by the State Board of Education that relate to adult education
24 programs shall be transferred to and become a part of the

1 administrative rules of the State Board of Career and Technology
2 Education. The Office of Administrative Rules in the Secretary of
3 State's office shall provide adequate notice in the Oklahoma
4 Register of the transfer of such rules, and shall place the
5 transferred rules under the Administrative Code section of the State
6 Board of Career and Technology Education. Such rules shall continue
7 in force and effect as rules of the office of the State Board of
8 Career and Technology Education from and after July 1, 2014, and any
9 amendment, repeal or addition to the transferred rules shall be
10 under the jurisdiction of the State Board of Career and Technology
11 Education.

12 B. The State Board of Career and Technology Education shall
13 adopt and promulgate rules and standards for adult education
14 programs and distribution of funds to school districts and
15 organizations which offer adult education services in this state.

16 SECTION 5. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 14-132 of Title 70, unless there
18 is created a duplication in numbering, reads as follows:

19 A. The State Board of Career and Technology Education is hereby
20 authorized and directed to enter into agreements and to contract for
21 the provision of adult education and other services that are needed
22 for courses leading to the General Education Diploma (GED). Any
23 adult education program providing services pursuant to a contract or
24 subcontract with the State Board of Career and Technology Education

1 and receiving funds from the State Board of Career and Technology
2 Education or any contractor with the State Board of Career and
3 Technology Education shall be subject to the provisions of the
4 administrative rules of the State Board of Career and Technology
5 Education.

6 B. The Department of Education shall retain the responsibility
7 for issuing diplomas to those who successfully complete the General
8 Education Development test, pursuant to criteria established by the
9 State Board of Education.

10 SECTION 6. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 14-133 of Title 70, unless there
12 is created a duplication in numbering, reads as follows:

13 There is hereby created in the State Treasury a revolving fund
14 for the State Board of Career and Technology Education, to be
15 designated the "Adult Education Revolving Fund". The fund shall
16 consist of fees paid to the Board for the scoring of the writing
17 component portion of the General Education Development test as
18 administered by the Board pursuant to law. The revolving fund shall
19 be a continuing fund, not subject to fiscal year limitations, and
20 shall be under the control and management of the administrative
21 authority of the State Board of Career and Technology Education.
22 Expenditures from the fund shall be made to maintain the General
23 Education Development testing process and for the scoring of the
24 writing component of the test. Warrants for expenditure shall be

1 drawn by the State Treasurer on claims by an authorized employee of
2 the State Board of Career and Technology Education and approved by
3 the Director of the Office of Management and Enterprise Services.

4 SECTION 7. REPEALER 70 O.S. 2011, Section 3-110, as
5 amended by Section 589, Chapter 304, O.S.L. 2012 (70 O.S. Supp.
6 2013, Section 3-110), is hereby repealed.

7 SECTION 8. This act shall become effective July 1, 2014.

8 SECTION 9. It being immediately necessary for the preservation
9 of the public peace, health and safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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