

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 933 By: Thompson of the Senate
3 and
4 Casey of the House
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7 [schools - accreditation standards - certain media
8 program standards - penalties - advisory council
9 requirements - textbook adoption and allocation -
~~effective date -~~ emergency]

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12 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
13 entire bill and insert

14 "An Act relating to schools; amending 70 O.S. 2011,
15 Section 3-104.4, as last amended by Section 1,
16 Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015,
17 Section 3-104.4), which relates to accreditation
18 standards; prohibiting the withdrawal or denial of
19 accreditation for failure to meet certain media
20 program standards until certain conditions are met;
21 changing effect of certain conditions upon reduction
22 of certain amount; prohibiting the State Board of
23 Education from assessing financial accreditation
24 penalties until certain conditions are met; changing
effect of certain conditions upon reduction of
certain amount; providing for certain calculation;
amending 70 O.S. 2011, Section 3-167, as last
amended by Section 3, Chapter 311, O.S.L. 2014 (70
O.S. Supp. 2015, Section 3-167), which relates to
advisory councils; exempting school districts from
certain advisory council requirements until certain
conditions are met; changing effect of certain
conditions upon reduction of certain amount;
amending 70 O.S. 2011, Sections 16-111 and 16-114a,

1 as last amended by Sections 4 and 5, Chapter 311,
2 O.S.L. 2014 (70 O.S. Supp. 2015, Sections 16-111 and
3 16-114a), which relate to textbook adoption and
4 allocation; exempting school districts from certain
5 textbook adoption and textbook allocation
6 expenditure requirements until certain conditions
7 are met; changing effect of certain conditions upon
8 reduction of certain amount; providing procedure for
9 school districts seeking flexibility in textbook
10 funding allocation; providing an effective date; and
11 declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-104.4, as
last amended by Section 1, Chapter 311, O.S.L. 2014 (70 O.S. Supp.
2015, Section 3-104.4), is amended to read as follows:

Section 3-104.4 A. On or before February 1, 1991, the State
Board of Education shall adopt standards for the accreditation of
the public schools in this state according to the requirements of
this act, to be effective as set forth in this act. The
accreditation standards shall incorporate the curricular standards
established pursuant to Section 11-103.6 of this title. The
accreditation standards shall equal or exceed the accreditation
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
behavior to the extent the adoption of the standards does not

1 conflict with state statute. The accreditation adopted by the State
2 Board shall encompass accreditation for elementary schools, middle
3 schools, junior high schools, and high schools. The accreditation
4 standards shall be made available for public inspection at the
5 offices of the State Department of Education.

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

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

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

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

23 Schools shall thereafter continue to meet the accreditation
24 standards as a condition of continued accreditation. Nothing herein

1 shall be construed as preventing changes to the adopted standards by
2 the State Board of Education pursuant to the Administrative
3 Procedures Act.

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

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

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

22 G. ~~For the fiscal years ending June 30, 2015, and June 30,~~
23 ~~2016, accreditation~~

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1 1. Accreditation shall not be withdrawn from or denied nor
2 shall a penalty be assessed against a school or school district for
3 failing to meet the media materials and equipment standards and
4 media program expenditure standards as set forth in the
5 accreditation standards adopted by the Board.

6 2. The provisions of paragraph 1 of this subsection shall cease
7 to be effective during a fiscal year immediately following a fiscal
8 year that the state financial support of public schools provides an
9 amount equal to or more than Three Thousand Two Hundred Ninety-one
10 Dollars and sixty cents (\$3,291.60) per weighted average daily
11 membership as calculated pursuant to Section 18-200.1 of this title
12 and reported to school districts by the State Department of
13 Education on the initial tentative State Aid allocation notice.

14 3. If the amount set and calculated as provided for in
15 paragraph 2 of this subsection is reduced by one percent (1%) or
16 more as reported to school districts by the Department on the
17 initial tentative State Aid allocation notice for the following
18 fiscal year, the provisions of paragraph 2 of this subsection shall
19 cease to be effective and the provisions of paragraph 1 of this
20 subsection shall continue to be effective.

21 H. 1. The State Board shall not assess a financial penalty
22 against any school district which is given a deficiency in
23 accreditation status during ~~the any~~ fiscal years ending June 30,
24 2015, and June 30, 2016 year as provided for in this subsection.

1 2. The provisions of paragraph 1 of this subsection shall cease
2 to be effective during a fiscal year immediately following a fiscal
3 year that the state financial support of public schools provides an
4 amount equal to or more than Three Thousand Two Hundred Ninety-one
5 Dollars and sixty cents (\$3,291.60) per weighted average daily
6 membership as calculated pursuant to Section 18-200.1 of this title
7 and reported to school districts by the State Department of
8 Education on the initial tentative State Aid allocation notice.

9 3. If the amount set and calculated as provided for in
10 paragraph 2 of this subsection is reduced by one percent (1%) or
11 more as reported to school districts by the Department on the
12 initial tentative State Aid allocation notice for the following
13 fiscal year, the provisions of paragraph 2 of this subsection shall
14 cease to be effective and the provisions of paragraph 1 of this
15 subsection shall continue to be effective.

16 I. Accreditation shall not be withdrawn from or denied, nor
17 shall a penalty be assessed against, a school district for complying
18 with this section.

19 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-167, as
20 last amended by Section 3, Chapter 311, O.S.L. 2014 (70 O.S. Supp.
21 2015, Section 3-167), is amended to read as follows:

22 Section 3-167. ~~For the fiscal years ending June 30, 2015, and~~
23 ~~June 30, 2016, the~~ A. 1. The State Board of Education shall exempt
24 all school districts from or waive any policy, rule or law which

1 requires school districts to form, convene, or participate in any
2 advisory council or committee, including but not limited to the
3 requirement to convene an advisory council when preparing the school
4 improvement plan as set forth in Section 5-117.4 of this title.

5 2. The provisions of paragraph 1 of this subsection shall cease
6 to be effective during a fiscal year immediately following a fiscal
7 year that the state financial support of public schools provides an
8 amount equal to or more than Three Thousand Two Hundred Ninety-one
9 Dollars and sixty cents (\$3,291.60) per weighted average daily
10 membership as calculated pursuant to Section 18-200.1 of this title
11 and reported to school districts by the State Department of
12 Education on the initial tentative State Aid allocation notice.

13 3. If the amount set and calculated as provided for in
14 paragraph 2 of this subsection is reduced by one percent (1%) or
15 more as reported to school districts by the Department on the
16 initial tentative State Aid allocation notice for the following
17 fiscal year, the provisions of paragraph 2 of this subsection shall
18 cease to be effective and the provisions of paragraph 1 of this
19 subsection shall continue to be effective.

20 B. School districts shall not be exempted from forming,
21 convening or participating in an advisory council or committee if
22 required by federal law or regulation.

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1 SECTION 3. AMENDATORY 70 O.S. 2011, Section 16-111, as
2 last amended by Section 4, Chapter 311, O.S.L. 2014 (70 O.S. Supp.
3 2015, Section 16-111), is amended to read as follows:

4 Section 16-111. A. Except as otherwise provided for in
5 subsection E of this section, the superintendent of schools of each
6 school district in the state shall appoint a local textbook
7 committee consisting of not fewer than three nor more than nine
8 members. Each committee shall have one lay member, with the
9 remainder of the members being teachers employed in the public
10 schools of the district, a majority of whom shall be classroom
11 teachers. The superintendent of schools or a designee who shall be
12 a principal or a curriculum specialist shall serve as chairperson of
13 the local textbook committee.

14 B. Upon the written request of any duly appointed local
15 textbook coordinator, the publisher of a textbook selected by the
16 State Textbook Committee shall furnish at least one examination copy
17 of the textbook and the teacher edition of the textbook, if one is
18 published, and a copy of software for purposes of complete
19 demonstration and review, if available, to the school district so
20 that the local textbook committee may examine any or all new
21 adoptions in the subjects taught or to be taught in schools in the
22 district.

23 C. Except as otherwise provided for in subsection E of this
24 section, on or before a date to be fixed by the State Board of

1 Education, each local textbook committee shall adopt textbooks from
2 the multiple list selected by the State Textbook Committee in a
3 manner as shall be prescribed by the State Board of Education. Each
4 local textbook committee shall serve without compensation and shall
5 cease to exist when local adoptions have been completed and shall be
6 replaced by another local textbook committee appointed in the same
7 manner as provided for in this section.

8 D. 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, the superintendent of each school district shall submit
11 to the State Board of Education a textbook plan outlining the
12 estimated number of textbooks needed by the school district and the
13 total amount of money to be expended by the district for textbooks
14 including the allocated funds and any additional supplemental funds
15 to be expended. The superintendent or textbook coordinator
16 appointed by the superintendent, shall place orders from the proper
17 depository or depositories for all of the textbooks needed as
18 outlined in the textbook plan by the district for the ensuing year.
19 The superintendent of a school district or textbook coordinator may
20 order any textbooks placed on the official multiple textbook list.
21 If the order exceeds the allocation for each school district as
22 provided in Section 16-114a of this title any additional funds
23 expended shall be reported on the statement of expenditures for the
24 district.

1 E. ~~For the fiscal years ending June 30, 2015, and June 30,~~
2 ~~2016, a school district~~ 1. If a school district makes the election
3 as provided for in subsection B of Section 16-114a of this title,
4 the district shall not be required to appoint a local textbook
5 committee, adopt textbooks, submit a textbook plan, or expend money
6 on the purchase of textbooks during the any fiscal year ~~if the~~
7 ~~school district makes the election as provided for in subsection B~~
8 ~~of Section 16-114a of this title~~ as provided for in this subsection.

9 2. The provisions of paragraph 1 of this subsection shall cease
10 to be effective during a fiscal year immediately following a fiscal
11 year that the state financial support of public schools provides an
12 amount equal to or more than Three Thousand Two Hundred Ninety-one
13 Dollars and sixty cents (\$3,291.60) per weighted average daily
14 membership as calculated pursuant to Section 18-200.1 of this title
15 and reported to school districts by the State Department of
16 Education on the initial tentative State Aid allocation notice.

17 3. If the amount set and calculated as provided for in
18 paragraph 2 of this subsection is reduced by one percent (1%) or
19 more as reported to school districts by the Department on the
20 initial tentative State Aid allocation notice for the following
21 fiscal year, the provisions of paragraph 2 of this subsection shall
22 cease to be effective and the provisions of paragraph 1 of this
23 subsection shall continue to be effective.

1 SECTION 4. AMENDATORY 70 O.S. 2011, Section 16-114a, as
2 last amended by Section 5, Chapter 311, O.S.L. 2014 (70 O.S. Supp.
3 2015, Section 16-114a), is amended to read as follows:

4 Section 16-114a. A. Based upon legislative appropriations, the
5 State Board of Education shall determine the textbook allocation to
6 be distributed to each school district in the state. Each year the
7 textbook allocation for each school district shall be calculated and
8 distributed in July and adjusted in December. The initial
9 allocation shall be calculated based on the audited end-of-year
10 average daily attendance of the preceding school year multiplied by
11 Fifty-five Dollars (\$55.00). The initial allocation shall be
12 calculated and distributed to each school district in July. The
13 December adjustment shall be calculated by multiplying the audited
14 first nine (9) weeks' average daily attendance for that current
15 school year by Fifty-five Dollars (\$55.00) and subtracting from that
16 amount the amount of the initial allocation. The adjustment shall
17 be calculated in December and distributed to each eligible school
18 district no later than January 15. A school district shall receive
19 an adjustment only if the adjustment figure as calculated in this
20 section is greater than zero. The State Department of Education
21 shall retain from the total amount appropriated for textbooks not
22 less than one percent (1%) of the total amount to be used for the
23 purpose of making the adjustments. If the amount appropriated,
24 including the retained amount, is not sufficient to fully fund the

1 adjusted allocation, each school district eligible for an adjustment
2 shall receive a proportionate reduction in funding. Any unused
3 portion of the value of textbooks allowed to a school district shall
4 be cumulative and may be carried over by the school district to
5 subsequent fiscal years, in addition to the allocation it is
6 entitled to receive during that fiscal year.

7 B. ~~For the fiscal years ending June 30, 2015, and June 30,~~
8 ~~2016,~~ A school district seeking flexibility in the use of state-
9 appropriated funding allocated pursuant to this section for
10 textbooks shall be required to demonstrate to the State Board of
11 Education that the textbooks and instructional materials used by the
12 district for the subject areas being considered in the current
13 textbook adoption cycle are current and appropriate for student
14 learning. Subject to the provisions of subsection E of Section 16-
15 111 of this title, a school district that has received textbook
16 funding flexibility approval from the Board may elect to expend any
17 monies allocated pursuant to this section for textbooks, including
18 any monies carried over as authorized pursuant to subsection A of
19 this section, for any purpose related to the support and maintenance
20 of the school district as determined by the board of education of
21 the school district.

22 C. All textbooks distributed to a school district that have
23 been destroyed by fire or other hazard shall be replaced by the
24 State Board of Education. The total cost of all additional

1 textbooks delivered to school districts to replace those destroyed
2 by fire or other hazard shall not exceed, for the entire state in
3 any fiscal year, the aggregate sum of One Hundred Thousand Dollars
4 (\$100,000.00), which sum shall be reserved for that purpose from any
5 appropriation made to carry out the provision of this section for
6 any fiscal year.

7 SECTION 5. This act shall become effective July 1, 2016.

8 SECTION 6. 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."

12 Passed the House of Representatives the 21st day of April, 2016.

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Presiding Officer of the House of
Representatives

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17 Passed the Senate the ____ day of _____, 2016.

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Presiding Officer of the Senate

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