

STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 2341

By: McNiel

COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2011, Section 3-104.4, which relates to accreditation standards; changing years during which withdrawal or denial of accreditation for failure to meet certain media program standards is prohibited; amending 70 O.S. 2011, Sections 16-111 and 16-114a, which relate to textbook adoption and allocation; changing years during which school districts are exempted from certain textbook adoption requirements; changing years during which school districts are allowed to expend the textbook allocation for other purposes; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, 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

1 established pursuant to Section 11-103.6 of this title. The
2 accreditation standards shall equal or exceed the accreditation
3 standards for schools promulgated by the North Central Association
4 of Colleges and Schools to the extent that the standards are
5 consistent with an academic results oriented approach to
6 accreditation, excluding those standards which deal with affective
7 behavior to the extent the adoption of the standards does not
8 conflict with state statute. The accreditation adopted by the State
9 Board shall encompass accreditation for elementary schools, middle
10 schools, junior high schools, and high schools. The accreditation
11 standards shall be made available for public inspection at the
12 offices of the State Department of Education.

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

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

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

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

8 Schools shall thereafter continue to meet the accreditation
9 standards as a condition of continued accreditation. Nothing herein
10 shall be construed as preventing changes to the adopted standards by
11 the State Board of Education pursuant to the Administrative
12 Procedures Act.

13 D. If one or more school sites fails to receive accreditation
14 as required pursuant to this section by the dates set forth in
15 subsection C of this section or subsequently loses accreditation,
16 the State Board of Education shall close the school and reassign the
17 students to accredited schools within the district or shall annex
18 the district to one or more other districts in which the students
19 can be educated in accredited schools.

20 E. State Board accreditation regulations shall provide for
21 warnings and for assistance to schools and school districts whenever
22 there is reason to believe a school is in danger of losing its state
23 accreditation.

1 F. The State Board shall provide assistance to districts in
2 considering the possibility of meeting accreditation requirements
3 through the use of nontraditional means of instruction. The State
4 Board shall also assist districts in forming cooperatives and making
5 arrangements for the use of satellite instruction or other
6 instructional technologies to the extent that use of such
7 instructional means meets accreditation standards.

8 G. For the fiscal years ending June 30, ~~2011~~ 2013, and June 30,
9 ~~2012~~ 2014, accreditation shall not be withdrawn from or denied nor
10 shall a penalty be assessed against a school or school district for
11 failing to meet the media materials and equipment standards and
12 media program expenditure standards as set forth in the
13 accreditation standards adopted by the Board.

14 H. The State Board shall not assess a financial penalty against
15 any school district which is given a deficiency in accreditation
16 status during the fiscal years ending June 30, 2011, and June 30,
17 2012.

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

20 Section 16-111. A. Except as otherwise provided for in
21 subsection E of this section, the superintendent of schools of each
22 school district in the state shall appoint a local textbook
23 committee consisting of not fewer than three nor more than nine
24 members. Each committee shall have one lay member, with the

1 remainder of the members being teachers employed in the public
2 schools of the district, a majority of whom shall be classroom
3 teachers. The superintendent of schools or a designee who shall be
4 a principal or a curriculum specialist shall serve as chairperson of
5 the local textbook committee.

6 B. Upon the written request of any duly appointed local
7 textbook coordinator, the publisher of a textbook selected by the
8 State Textbook Committee shall furnish at least one examination copy
9 of the textbook and the teacher edition of the textbook, if one is
10 published, and a copy of software for purposes of complete
11 demonstration and review, if available, to the school district so
12 that the local textbook committee may examine any or all new
13 adoptions in the subjects taught or to be taught in schools in the
14 district.

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

1 D. Except as otherwise provided for in subsection E of this
2 section, on or before a date to be fixed by the State Board of
3 Education, the superintendent of each school district shall submit
4 to the State Board of Education a textbook plan outlining the
5 estimated number of textbooks needed by the school district and the
6 total amount of money to be expended by the district for textbooks
7 including the allocated funds and any additional supplemental funds
8 to be expended. The superintendent or textbook coordinator
9 appointed by the superintendent, shall place orders from the proper
10 depository or depositories for all of the textbooks needed as
11 outlined in the textbook plan by the district for the ensuing year.
12 The superintendent of a school district or textbook coordinator may
13 order any textbooks placed on the official multiple textbook list.
14 If the order exceeds the allocation for each school district as
15 provided in Section 16-114a of this title any additional funds
16 expended shall be reported on the statement of expenditures for the
17 district.

18 E. For the fiscal years ending June 30, ~~2011~~ 2013, and June 30,
19 ~~2012~~ 2014, a school district shall not be required to appoint a
20 local textbook committee, adopt textbooks, submit a textbook plan,
21 or expend money on the purchase of textbooks during the fiscal year
22 if the school district makes the election as provided for in
23 subsection B of Section 16-114a of this title.
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1 SECTION 3. AMENDATORY 70 O.S. 2011, Section 16-114a, is
2 amended to read as follows:

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

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

6 B. For the fiscal years ending June 30, ~~2011~~ 2013, and June 30,
7 ~~2012~~ 2014, a school district may elect to expend any monies
8 allocated pursuant to this section for textbooks, including any
9 monies carried over as authorized pursuant to subsection A of this
10 section, for any purpose related to the support and maintenance of
11 the school district as determined by the board of education of the
12 school district.

13 C. All textbooks distributed to a school district that have
14 been destroyed by fire or other hazard shall be replaced by the
15 State Board of Education. The total cost of all additional
16 textbooks delivered to school districts to replace those destroyed
17 by fire or other hazard shall not exceed, for the entire state in
18 any fiscal year, the aggregate sum of One Hundred Thousand Dollars
19 (\$100,000.00), which sum shall be reserved for that purpose from any
20 appropriation made to carry out the provision of this section for
21 any fiscal year.

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

23 SECTION 5. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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