

1 ENGROSSED HOUSE
2 BILL NO. 2341

By: McNiel of the House

3 and

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

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

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

23 Section 3-104.4 A. On or before February 1, 1991, the State
24 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

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

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

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

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

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

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

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

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

21 F. The State Board shall provide assistance to districts in
22 considering the possibility of meeting accreditation requirements
23 through the use of nontraditional means of instruction. The State
24 Board shall also assist districts in forming cooperatives and making

1 arrangements for the use of satellite instruction or other
2 instructional technologies to the extent that use of such
3 instructional means meets accreditation standards.

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

10 H. The State Board shall not assess a financial penalty against
11 any school district which is given a deficiency in accreditation
12 status during the fiscal years ending June 30, 2011, and June 30,
13 2012.

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

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

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

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

21 D. Except as otherwise provided for in subsection E of this
22 section, on or before a date to be fixed by the State Board of
23 Education, the superintendent of each school district shall submit
24 to the State Board of Education a textbook plan outlining the

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

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

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

22 Section 16-114a. A. Based upon legislative appropriations, the
23 State Board of Education shall determine the textbook allocation to
24 be distributed to each school district in the state. Each year the

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

1 B. For the fiscal years ending June 30, ~~2011~~ 2013, and June 30,
2 ~~2012~~ 2014, a school district may elect to expend any monies
3 allocated pursuant to this section for textbooks, including any
4 monies carried over as authorized pursuant to subsection A of this
5 section, for any purpose related to the support and maintenance of
6 the school district as determined by the board of education of the
7 school district.

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

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

18 SECTION 5. It being immediately necessary for the preservation
19 of the public peace, health and safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.
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1 Passed the House of Representatives the 7th day of March, 2012.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2012.

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9 Presiding Officer of the Senate
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