

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2341

By: McNiel of the House

and

Ford of the Senate

7
8
9
10 COMMITTEE SUBSTITUTE

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

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

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

1 Section 3-104.4 A. On or before February 1, 1991, the State
2 Board of Education shall adopt standards for the accreditation of
3 the public schools in this state according to the requirements of
4 this act, to be effective as set forth in this act. The
5 accreditation standards shall incorporate the curricular standards
6 established pursuant to Section 11-103.6 of this title. The
7 accreditation standards shall equal or exceed the accreditation
8 standards for schools promulgated by the North Central Association
9 of Colleges and Schools to the extent that the standards are
10 consistent with an academic results oriented approach to
11 accreditation, excluding those standards which deal with affective
12 behavior to the extent the adoption of the standards does not
13 conflict with state statute. The accreditation adopted by the State
14 Board shall encompass accreditation for elementary schools, middle
15 schools, junior high schools, and high schools. The accreditation
16 standards shall be made available for public inspection at the
17 offices of the State Department of Education.

18 B. Standards for accreditation adopted by the State Board of
19 Education shall include standards relating to the provision of
20 school counselors to the public school children of this state. The
21 State Board of Education shall require each local school district to
22 provide information regarding the number of counselors serving each
23 school site, the duties of all such counselors including all

1 administrative duties, the number of students served by each
2 counselor, and information regarding the number of counselors
3 employed per elementary school, middle school, junior high school
4 and high school.

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

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

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

12 Schools shall thereafter continue to meet the accreditation
13 standards as a condition of continued accreditation. Nothing herein
14 shall be construed as preventing changes to the adopted standards by
15 the State Board of Education pursuant to the Administrative
16 Procedures Act.

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

1 E. State Board accreditation regulations shall provide for
2 warnings and for assistance to schools and school districts whenever
3 there is reason to believe a school is in danger of losing its state
4 accreditation.

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

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

18 H. The State Board shall not assess a financial penalty against
19 any school district which is given a deficiency in accreditation
20 status during the fiscal years ending June 30, 2011, and June 30,
21 2012.

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

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

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

20 C. Except as otherwise provided for in subsection E of this
21 section, on or before a date to be fixed by the State Board of
22 Education, each local textbook committee shall adopt textbooks from
23 the multiple list selected by the State Textbook Committee in a
24

1 manner as shall be prescribed by the State Board of Education. Each
2 local textbook committee shall serve without compensation and shall
3 cease to exist when local adoptions have been completed and shall be
4 replaced by another local textbook committee appointed in the same
5 manner as provided for in this section.

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

1 E. For the fiscal years ending June 30, ~~2011~~ 2013, and June 30,
2 ~~2012~~ 2014, a school district shall not be required to appoint a
3 local textbook committee, adopt textbooks, submit a textbook plan,
4 or expend money on the purchase of textbooks during the fiscal year
5 if the school district makes the election as provided for in
6 subsection B of Section 16-114a of this title.

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

9 Section 16-114a. A. Based upon legislative appropriations, the
10 State Board of Education shall determine the textbook allocation to
11 be distributed to each school district in the state. Each year the
12 textbook allocation for each school district shall be calculated and
13 distributed in July and adjusted in December. The initial
14 allocation shall be calculated based on the audited end-of-year
15 average daily attendance of the preceding school year multiplied by
16 Fifty-five Dollars (\$55.00). The initial allocation shall be
17 calculated and distributed to each school district in July. The
18 December adjustment shall be calculated by multiplying the audited
19 first nine (9) weeks' average daily attendance for that current
20 school year by Fifty-five Dollars (\$55.00) and subtracting from that
21 amount the amount of the initial allocation. The adjustment shall
22 be calculated in December and distributed to each eligible school
23 district no later than January 15. A school district shall receive
24

1 an adjustment only if the adjustment figure as calculated in this
2 section is greater than zero. The State Department of Education
3 shall retain from the total amount appropriated for textbooks not
4 less than one percent (1%) of the total amount to be used for the
5 purpose of making the adjustments. If the amount appropriated,
6 including the retained amount, is not sufficient to fully fund the
7 adjusted allocation, each school district eligible for an adjustment
8 shall receive a proportionate reduction in funding. Any unused
9 portion of the value of textbooks allowed to a school district shall
10 be cumulative and may be carried over by the school district to
11 subsequent fiscal years, in addition to the allocation it is
12 entitled to receive during that fiscal year.

13 B. For the fiscal years ending June 30, ~~2011~~ 2013, and June 30,
14 ~~2012~~ 2014, a school district may elect to expend any monies
15 allocated pursuant to this section for textbooks, including any
16 monies carried over as authorized pursuant to subsection A of this
17 section, for any purpose related to the support and maintenance of
18 the school district as determined by the board of education of the
19 school district.

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

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

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

7 SECTION 5. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.
11

12 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
13 02/29/2012 - DO PASS, As Amended and Coauthored.
14
15
16
17
18
19
20
21
22
23
24