

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

HOUSE BILL 2500

By: Casey

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2011, Section 3-104.4, as amended by Section 1, Chapter 236, O.S.L. 2012 (70 O.S. Supp. 2013, 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; changing years during which the State Board of Education is prohibited from assessing financial accreditation penalties; amending 70 O.S. 2011, Section 3-167, as amended by Section 2, Chapter 236, O.S.L. 2012 (70 O.S. Supp. 2013, Section 3-167), which relates to advisory councils; changing years during which school districts are exempt from certain advisory council requirements; amending 70 O.S. 2011, Sections 16-111 and 16-114a, as amended by Sections 3 and 4, Chapter 236, O.S.L. 2012 (70 O.S. Supp. 2013, 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; directing the Legislature to not account for growth in the Educational Reform Revolving Fund when making certain appropriations; stating legislative findings; directing the Legislature to increase certain funding for the financial support of public schools until certain conditions are met; providing for noncodification; 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 3-104.4, as
3 amended by Section 1, Chapter 236, O.S.L. 2012 (70 O.S. Supp. 2013,
4 Section 3-104.4), is amended to read as follows:

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

22 B. Standards for accreditation adopted by the State Board of
23 Education shall include standards relating to the provision of
24 school counselors to the public school children of this state. The

1 State Board of Education shall require each local school district to
2 provide information regarding the number of counselors serving each
3 school site, the duties of all such counselors including all
4 administrative duties, the number of students served by each
5 counselor, and information regarding the number of counselors
6 employed per elementary school, middle school, junior high school
7 and high school.

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

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

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

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

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

1 the district to one or more other districts in which the students
2 can be educated in accredited schools.

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

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

14 G. For the fiscal years ending June 30, ~~2013~~ 2015, and June 30,
15 ~~2014~~ 2016, accreditation shall not be withdrawn from or denied nor
16 shall a penalty be assessed against a school or school district for
17 failing to meet the media materials and equipment standards and
18 media program expenditure standards as set forth in the
19 accreditation standards adopted by the Board.

20 H. The State Board shall not assess a financial penalty against
21 any school district which is given a deficiency in accreditation
22 status during the fiscal years June 30, ~~2013~~ 2015, and June 30, ~~2014~~
23 2016. Accreditation shall not be withdrawn from or denied, nor
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1 shall a penalty be assessed against, a school district for complying
2 with this section.

3 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-167, as
4 amended by Section 2, Chapter 236, O.S.L. 2012 (70 O.S. Supp. 2013,
5 Section 3-167), is amended to read as follows:

6 Section 3-167. For the fiscal years ending June 30, ~~2013~~ 2015,
7 and June 30, ~~2014~~ 2016, the State Board of Education shall exempt
8 all school districts from or waive any policy, rule or law which
9 requires school districts to form, convene, or participate in any
10 advisory council or committee, including but not limited to the
11 requirement to convene an advisory council when preparing the school
12 improvement plan as set forth in Section 5-117.4 of this title.
13 School districts shall not be exempted from forming, convening or
14 participating in an advisory council or committee if required by
15 federal law or regulation.

16 SECTION 3. AMENDATORY 70 O.S. 2011, Section 16-111, as
17 amended by Section 3, Chapter 236, O.S.L. 2012 (70 O.S. Supp. 2013,
18 Section 16-111), is amended to read as follows:

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

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

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

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

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

16 E. For the fiscal years ending June 30, ~~2013~~ 2015, and June 30,
17 ~~2014~~ 2016, a school district shall not be required to appoint a
18 local textbook committee, adopt textbooks, submit a textbook plan,
19 or expend money on the purchase of textbooks during the fiscal year
20 if the school district makes the election as provided for in
21 subsection B of Section 16-114a of this title.

22 SECTION 4. AMENDATORY 70 O.S. 2011, Section 16-114a, as
23 amended by Section 4, Chapter 236, O.S.L. 2012 (70 O.S. Supp. 2013,
24 Section 16-114a), is amended to read as follows:

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

1 be cumulative and may be carried over by the school district to
2 subsequent fiscal years, in addition to the allocation it is
3 entitled to receive during that fiscal year.

4 B. For the fiscal years ending June 30, ~~2013~~ 2015, and June 30,
5 ~~2014~~ 2016, a school district may elect to expend any monies
6 allocated pursuant to this section for textbooks, including any
7 monies carried over as authorized pursuant to subsection A of this
8 section, for any purpose related to the support and maintenance of
9 the school district as determined by the board of education of the
10 school district.

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

20 SECTION 5. NEW LAW A new section of law not to be
21 codified in the Oklahoma Statutes reads as follows:

22 The Legislature shall not account for growth in the Education
23 Reform Revolving Fund created in Section 34.89 of Title 62 of the
24 Oklahoma Statutes when making appropriations to the State Board of

1 Education for the financial support of the public schools of this
2 state.

3 SECTION 6. NEW LAW A new section of law not to be
4 codified in the Oklahoma Statutes reads as follows:

5 The Legislature finds that appropriations to the State Board of
6 Education for the financial support of public schools must increase
7 significantly to restore the standards of accreditation for all
8 public schools. Therefore, the Legislature shall increase
9 appropriations from the General Revenue Fund for the financial
10 support of public schools by five percent (5%) each fiscal year
11 until such time as the accreditation standards promulgated by the
12 State Board of Education are fully restored.

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

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

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