

1 **SENATE FLOOR VERSION**

2 February 20, 2017

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 632

By: Sharp

6  
7 An Act relating to education of students in state  
8 care; creating the Education Compact for Students in  
9 State Care Act; providing short title; creating the  
10 Education Compact for Students in State Care Advisory  
11 Committee; providing for membership; providing for  
12 meetings to be subject to certain act; prohibiting  
13 members from receiving travel reimbursement;  
14 providing for timely delivery of certain student  
15 records; providing definition; providing for certain  
16 power of attorney to suffice for certain purpose;  
17 directing certain school to request certain permanent  
18 records; requiring permanent records to be provided  
19 within certain time period; requiring student to  
20 obtain certain immunizations within certain time  
21 period; requiring certain verbal notification;  
22 providing for placement of student in certain school;  
23 directing certain school to consider the student's  
24 eligibility in certain programs and activities;  
providing for services to be provided for students on  
an individualized education program; requiring  
certain school to comply with certain provisions;  
providing for automatic enrollment of certain  
students in certain curriculum; directing certain  
school to work in certain collaboration to determine  
curriculum placement; authorizing certain school to  
waive certain requirements; providing for  
codification; and providing an effective date.

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

1       SECTION 1.       NEW LAW       A new section of law to be codified  
2 in the Oklahoma Statutes as Section 13-130 of Title 70, unless there  
3 is created a duplication in numbering, reads as follows:

4       This act shall be known and may be cited as the "Education  
5 Compact for Students in State Care Act".

6       SECTION 2.       NEW LAW       A new section of law to be codified  
7 in the Oklahoma Statutes as Section 13-131 of Title 70, unless there  
8 is created a duplication in numbering, reads as follows:

9       A.   There is hereby created the Education Compact for Students  
10 in State Care Advisory Committee.

11       B.   The advisory committee shall be comprised of three (3)  
12 members to be appointed as follows:

13       1.   One member representing the State Department of Education to  
14 be appointed by the Superintendent of Public Instruction;

15       2.   One member representing the Office of Juvenile Affairs to be  
16 appointed by the Executive Director of the Office of Juvenile  
17 Affairs; and

18       3.   One member representing the Department of Human Services to  
19 be appointed by the Director of the Department of Human Services.

20       C.   The advisory committee may meet as often as may be required  
21 in order to perform the duties imposed upon it.

22       D.   The meetings of the advisory committee shall be subject to  
23 the Oklahoma Open Meeting Act.

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1 E. Members of the advisory committee shall receive no  
2 compensation or travel reimbursement.

3 SECTION 3. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 13-132 of Title 70, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. To facilitate the timely transfer and/or enrollment of a  
7 student who has been placed in state care, the personnel of a  
8 sending school district shall make every effort to ensure timely  
9 delivery of temporary and permanent student records.

10 B. In the event that the permanent records of a student who has  
11 been placed in state care cannot be released to the parent(s) or  
12 legal guardian(s) of the student, school district personnel of a  
13 sending school district shall make temporary records available to a  
14 designee of the Office of Juvenile Affairs or the Department of  
15 Human Services. For the purposes of this section, "temporary  
16 records" shall include but not be limited to a student's attendance  
17 records, test performance records and any applicable individualized  
18 education program (IEP) records.

19 C. A power of attorney issued pursuant to Section 700 of Title  
20 10 of the Oklahoma Statutes shall be sufficient for the purposes of  
21 enrollment.

22 D. 1. Upon receipt of the temporary records, the receiving  
23 school district shall enroll and place the student based on the  
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1 information provided in the temporary records, pending validation by  
2 the permanent records.

3 2. The receiving school district shall request the student's  
4 permanent records from the sending school district. Upon receipt of  
5 such a request, the sending school district shall process and  
6 furnish the student's permanent records to the receiving school  
7 district within three (3) days.

8 E. A student who has been placed in state care and transferred  
9 and/or enrolled pursuant to this section shall have thirty (30) days  
10 from the date of enrollment to obtain immunizations required by  
11 Section 1210.191 of Title 70 of the Oklahoma Statutes. If a series  
12 of immunizations is required, the student shall have thirty (30)  
13 days from the date of enrollment to receive the initial dose. Upon  
14 enrollment, the receiving school shall verbally inform the parent,  
15 legal guardian or legal custodian of the student about the  
16 immunization exemptions provided for in Section 1210.192 of Title 70  
17 of the Oklahoma Statutes.

18 SECTION 4. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 13-133 of Title 70, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. To facilitate the education of a student who has been placed  
22 in state care, a receiving school district shall initially honor  
23 placement of the student in educational courses based on the  
24 student's enrollment in the sending school district and/or

1 educational assessments conducted at the sending school district. A  
2 receiving school district shall be authorized to perform its own  
3 placement evaluation to ensure appropriate placement of the student.

4 B. In placing the student, the receiving school district shall  
5 take into consideration the student's eligibility for:

6 1. Gifted and talented programs, including but not limited to  
7 Advanced Placement courses and International Baccalaureate courses;

8 2. An English language learner program;

9 3. Courses or a sequence of courses offered by a technology  
10 center school; and

11 4. Extracurricular activities.

12 C. 1. If an individualized education program (IEP) was in  
13 place for the student at the sending school district, the receiving  
14 school district shall initially provide comparable services, in  
15 accordance with the Individuals with Disabilities Education Act  
16 (IDEA). The receiving school district shall conduct an evaluation  
17 of the student to determine eligibility for special education and  
18 related services, pursuant to Section 13-102 of Title 70 of the  
19 Oklahoma Statutes.

20 2. The receiving school district shall comply with the  
21 requirements of Section 504 of the Rehabilitation Act, 29 U.S.C.A.,  
22 Section 794, and with Title II of the Americans with Disabilities  
23 Act, 42 U.S.C.A., Sections 12131 through 12165.

1       SECTION 5.       NEW LAW       A new section of law to be codified  
2 in the Oklahoma Statutes as Section 13-134 of Title 70, unless there  
3 is created a duplication in numbering, reads as follows:

4       A. To facilitate the on-time graduation of a student who has  
5 been placed in state care during the ninth through twelfth grades,  
6 the student shall be automatically enrolled in the core curriculum,  
7 as set forth in Section 11-103.6 of Title 70 of the Oklahoma  
8 Statutes. However, the school district in which the student is  
9 enrolled shall work in collaboration with the parent(s) or legal  
10 guardian(s) of the student and the student to determine if he or she  
11 should complete the college preparatory/work ready curriculum or the  
12 core curriculum requirements established by Section 11-103.6 of  
13 Title 70 of the Oklahoma Statutes.

14       B. In making decisions related to the on-time graduation of the  
15 student, the school district in which the student is enrolled shall  
16 be authorized to waive any applicable graduation requirements  
17 established by the school district board of education.

18       SECTION 6. This act shall become effective November 1, 2017.

19 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
20 February 20, 2017 - DO PASS AS AMENDED  
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