

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 92 By: Pugh of the Senate
3 and
4 Osburn of the House
5
6

7 [school accreditation - standards for school
8 accreditation - evaluations of public schools -
9 school plans - ~~effective date~~ -
10 ~~emergency~~]

11 AMENDMENT NO. 1. Delete the stricken title, enacting clause and
12 entire bill and replace with:
13

14 "An Act relating to school accreditation; amending 70
15 O.S. 2011, Section 3-104.4, as last amended by
16 Section 27, Chapter 42, O.S.L. 2017 (70 O.S. Supp.
17 2018, Section 3-104.4), which relates to standards
18 for school accreditation; removing previous dates;
19 updating citations; modifying accreditation
20 standards; directing standards to provide for
21 warnings, probation or nonaccredited status for
22 certain schools; modifying specified time for State
23 Department of Education to investigate complaints;
24 altering time for Department to report investigation
findings to State Board of Education; specifying
when Board shall withdraw accreditation for school;
directing regulations to provide for warnings and
assistance to certain schools; directing school
evaluations for accreditation standards to take
place once every four years beginning in certain
school year; providing exceptions; requiring annual
school evaluation for certain listed criteria;
mandating annual evaluations for schools receiving a
deficiency; providing an exception; amending 70 O.S.

2011, Section 3-154, which relates to review of certain school plans; updating statutory references; requiring review to take place in accordance with certain schedule; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-104.4, as last amended by Section 27, Chapter 42, O.S.L. 2017 (70 O.S. Supp. 2018, Section 3-104.4), is amended to read as follows:

Section 3-104.4 A. ~~On or before February 1, 1991, the~~ 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~~ Section 3-104.3 et seq. of this title, to be effective as set forth in ~~this act~~ Section 3-104.3 et seq. of this title. The accreditation standards shall incorporate the curricular standards established pursuant to Section 11-103.6 of this title. The accreditation standards shall equal or exceed ~~the accreditation standards for schools promulgated by the North Central Association of Colleges and Schools~~ nationally recognized accreditation standards to the extent that the standards are consistent with an academic results oriented approach to accreditation, ~~excluding those standards which deal with affective behavior to the extent the adoption of the standards does not conflict with state statute.~~ The accreditation adopted by the State Board shall encompass accreditation for elementary schools, middle schools, junior high

1 schools, and high schools. The accreditation standards shall be
2 made available for public inspection at the offices of the State
3 Department of Education.

4 B. Standards for accreditation adopted by the State Board of
5 Education shall include standards relating to the provision of
6 school counselors to the public school children of this state. The
7 State Board of Education shall require each local school district to
8 provide information regarding the number of counselors serving each
9 school site, the duties of all such counselors including all
10 administrative duties, the number of students served by each
11 counselor, and information regarding the number of counselors
12 employed per elementary school, middle school, junior high school
13 and high school.

14 C. Except as otherwise provided ~~by subsection A of this section~~
15 ~~with regard to curricular standards, as a condition of receiving~~
16 ~~state accreditation pursuant to this act:~~

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

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

21 Schools, schools shall thereafter continue to meet the
22 accreditation standards as a condition of continued accreditation.
23 Nothing herein shall be construed as preventing changes to the
24 adopted standards by the State Board of Education pursuant to the

Administrative Procedures Act. The accreditation standards shall provide for warnings, probation or nonaccredited status for schools that fail to meet the standards. The Department shall investigate a complaint of failure to provide educational services or failure to comply with accreditation standards within thirty (30) days of receiving the complaint. If the Department determines that a school has failed to comply with the accreditation standards, the Department shall report the recommended warning, probation or nonaccredited accreditation status to the State Board of Education within ninety (90) days. If a school does not take action to comply with the accreditation standards within ninety (90) days after a report is filed by the Department, the Board shall withdraw accreditation for the school. The State Board accreditation regulations shall provide for warnings and for assistance to schools and school districts whenever there is reason to believe a school is in danger of losing its state accreditation.

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

1 E. Standards for accreditation adopted by the State Board of
2 Education shall include standards relating to the provision of
3 educational services provided in partial hospitalization programs,
4 day treatment programs, day hospital programs, residential treatment
5 programs and emergency shelter programs for persons between the ages
6 of three (3) and twenty-one (21) years of age. The accreditation
7 standards shall apply to onsite and offsite educational services
8 provided by public school districts or state-accredited private
9 schools. ~~The accreditation standards shall provide for warnings,~~
10 ~~probation or nonaccredited status for schools that fail to meet the~~
11 ~~standards.~~ Each school which is providing or is required to provide
12 educational services for students placed in a program as described
13 in this subsection shall be actively monitored by the State
14 Department of Education. The Department shall determine on an
15 ongoing basis if the educational program and services are in
16 compliance with the accreditation standards. ~~The Department shall~~
17 ~~investigate a complaint of failure to provide educational services~~
18 ~~within ten (10) days of receiving the complaint. If the Department~~
19 ~~determines that a school has failed to comply with the accreditation~~
20 ~~standards the Department shall report the recommended warning,~~
21 ~~probation or nonaccredited accreditation status to the State Board~~
22 ~~of Education within sixty (60) days. If a school does not take~~
23 ~~action to comply with the accreditation standards within ninety (90)~~

1 ~~days after a report is filed by the Department, the Board shall~~
2 ~~withdraw accreditation for the school.~~

3 ~~F. 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 ~~G. 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 ~~H. G.~~ 1. Accreditation shall not be withdrawn from or denied
15 nor shall a penalty be assessed against a school or school district
16 for failing to meet the media materials and equipment standards and
17 media program expenditure standards as set forth in the
18 accreditation standards adopted by the Board.

19 2. The provisions of paragraph 1 of this subsection shall cease
20 to be effective during a fiscal year immediately following a fiscal
21 year that the state financial support of public schools provides an
22 amount equal to or more than Three Thousand Two Hundred Ninety-one
23 Dollars and sixty cents (\$3,291.60) per weighted average daily
24 membership as calculated pursuant to Section 18-200.1 of this title

1 and reported to school districts by the State Department of
2 Education on the initial tentative State Aid allocation notice.

3 3. If the amount set and calculated as provided for in
4 paragraph 2 of this subsection is reduced by one percent (1%) or
5 more as reported to school districts by the Department on the
6 initial tentative State Aid allocation notice for the following
7 fiscal year, the provisions of paragraph 2 of this subsection shall
8 cease to be effective and the provisions of paragraph 1 of this
9 subsection shall continue to be effective.

10 ~~I.~~ H. 1. The State Board shall not assess a financial penalty
11 against any school district which is given a deficiency in
12 accreditation status during any fiscal year as provided for in this
13 subsection.

14 2. The provisions of paragraph 1 of this subsection shall cease
15 to be effective during a fiscal year immediately following a fiscal
16 year that the state financial support of public schools provides an
17 amount equal to or more than Three Thousand Two Hundred Ninety-one
18 Dollars and sixty cents (\$3,291.60) per weighted average daily
19 membership as calculated pursuant to Section 18-200.1 of this title
20 and reported to school districts by the State Department of
21 Education on the initial tentative State Aid allocation notice.

22 3. If the amount set and calculated as provided for in
23 paragraph 2 of this subsection is reduced by one percent (1%) or
24 more as reported to school districts by the Department on the

1 initial tentative State Aid allocation notice for the following
2 fiscal year, the provisions of paragraph 2 of this subsection shall
3 cease to be effective and the provisions of paragraph 1 of this
4 subsection shall continue to be effective.

5 ~~J. Accreditation shall not be withdrawn from or denied, nor~~
6 ~~shall a penalty be assessed against, a school district for complying~~
7 ~~with this section.~~

8 I. Except as provided for in subsection J of this section,
9 beginning with the 2019-2020 school year, evaluations of schools to
10 determine whether they meet the accreditation standards set forth in
11 accordance with this section shall occur once every four (4) years
12 on a schedule adopted by the State Board of Education. The Board
13 may interrupt the evaluation schedule provided in this subsection
14 for reasons including a change in the superintendent of the school
15 district; determination that one or more school district board
16 members have not met the continuing education requirements as
17 defined by this title; determination that the school district
18 falsified information submitted to any public city, county, state or
19 federal official or agency; initiation of an investigation by the
20 Board or a law enforcement agency; or other determination by the
21 Board that standards for accreditation are not being met by the
22 school district. The schedule adopted by the Board shall allow for
23 school districts receiving no deficiencies for two (2) consecutive
24 years to be reviewed for accreditation less than annually.

1 Provided, however, that schools shall be evaluated annually for the
2 purposes of:

3 1. Local, state and federal funding;

4 2. Health and safety;

5 3. Certification requirements for teachers, principals and
6 superintendents;

7 4. School board governance, including instructional and
8 continuing education requirements for school board members; and

9 5. Any other requirements under state or federal law.

10 J. Beginning with the 2019-2020 school year, if a public school
11 receives a deficiency on its accreditation report, the public school
12 shall be evaluated annually to determine if it meets the
13 accreditation standards set forth in accordance with this section.

14 If the public school receives no deficiencies for two (2)
15 consecutive years, the public school shall be subject to the
16 evaluation timeline established in subsection I of this section.

17 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-154, is
18 amended to read as follows:

19 Section 3-154. Each plan listed in ~~Section 1 of this act~~
20 Section 3-153 of this title and which is not required to be
21 submitted to the State Department of Education shall be reviewed by
22 a regional accreditation officer at the time of the ~~annual~~ visit to
23 the school district by an officer in accordance with the evaluation
24 schedule set forth in Section 3-104.4 of this title.

SECTION 3. This act shall become effective November 1, 2019."

Passed the House of Representatives the 23rd day of April, 2019.

Presiding Officer of the House of
Representatives

Passed the Senate the _____ day of _____, 2019.

Presiding Officer of the Senate

1 ENGROSSED SENATE
2 BILL NO. 92

By: Pugh of the Senate

3 and

4 Osburn of the House

5
6 [school accreditation - standards for school
7 accreditation - evaluations of public schools -
8 school plans - ~~effective date~~ -
9 emergency]

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

11 SECTION 4. AMENDATORY 70 O.S. 2011, Section 3-104.4, as
12 last amended by Section 27, Chapter 42, O.S.L. 2017 (70 O.S. Supp.
13 2018, Section 3-104.4), is amended to read as follows:

14 Section 3-104.4. A. On or before February 1, 1991, the State
15 Board of Education shall adopt standards for the accreditation of
16 the public schools in this state according to the requirements of
17 ~~this act~~ Section 3-104.3 et seq. of this title, to be effective as
18 set forth in ~~this act~~ Section 3-104.3 et seq. of this title. The
19 accreditation standards shall incorporate the curricular standards
20 established pursuant to Section 11-103.6 of this title. The
21 accreditation standards shall equal or exceed the accreditation
22 standards for schools promulgated by the North Central Association
23 of Colleges and Schools to the extent that the standards are
24 consistent with an academic results oriented approach to

1 accreditation, excluding those standards which deal with affective
2 behavior to the extent the adoption of the standards does not
3 conflict with state statute. The accreditation adopted by the State
4 Board shall encompass accreditation for elementary schools, middle
5 schools, junior high schools, and high schools. The accreditation
6 standards shall be made available for public inspection at the
7 offices of the State Department of Education.

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

18 C. Except as otherwise provided by subsection A of this section
19 with regard to curricular standards, as a condition of receiving
20 state accreditation pursuant to ~~this act~~ Section 3-104.3 et seq. of
21 this title:

22 1. High schools shall meet the accreditation standards not
23 later than June 30, 1995; and
24

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

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

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

15 E. Standards for accreditation adopted by the State Board of
16 Education shall include standards relating to the provision of
17 educational services provided in partial hospitalization programs,
18 day treatment programs, day hospital programs, residential treatment
19 programs and emergency shelter programs for persons between the ages
20 of three (3) and twenty-one (21) years of age. The accreditation
21 standards shall apply to onsite and offsite educational services
22 provided by public school districts or state-accredited private
23 schools. The accreditation standards shall provide for warnings,
24 probation or nonaccredited status for schools that fail to meet the

1 standards. Each school which is providing or is required to provide
2 educational services for students placed in a program as described
3 in this subsection shall be actively monitored by the State
4 Department of Education. The Department shall determine on an
5 ongoing basis if the educational program and services are in
6 compliance with the accreditation standards. The Department shall
7 investigate a complaint of failure to provide educational services
8 within ten (10) days of receiving the complaint. If the Department
9 determines that a school has failed to comply with the accreditation
10 standards the Department shall report the recommended warning,
11 probation or nonaccredited accreditation status to the State Board
12 of Education within sixty (60) days. If a school does not take
13 action to comply with the accreditation standards within ninety (90)
14 days after a report is filed by the Department, the Board shall
15 withdraw accreditation for the school.

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

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

1 instructional technologies to the extent that use of such
2 instructional means meets accreditation standards.

3 H. 1. Accreditation shall not be withdrawn from or denied nor
4 shall a penalty be assessed against a school or school district for
5 failing to meet the media materials and equipment standards and
6 media program expenditure standards as set forth in the
7 accreditation standards adopted by the Board.

8 2. The provisions of paragraph 1 of this subsection shall cease
9 to be effective during a fiscal year immediately following a fiscal
10 year that the state financial support of public schools provides an
11 amount equal to or more than Three Thousand Two Hundred Ninety-one
12 Dollars and sixty cents (\$3,291.60) per weighted average daily
13 membership as calculated pursuant to Section 18-200.1 of this title
14 and reported to school districts by the State Department of
15 Education on the initial tentative State Aid allocation notice.

16 3. If the amount set and calculated as provided for in
17 paragraph 2 of this subsection is reduced by one percent (1%) or
18 more as reported to school districts by the Department on the
19 initial tentative State Aid allocation notice for the following
20 fiscal year, the provisions of paragraph 2 of this subsection shall
21 cease to be effective and the provisions of paragraph 1 of this
22 subsection shall continue to be effective.

23 I. 1. The State Board shall not assess a financial penalty
24 against any school district which is given a deficiency in

1 accreditation status during any fiscal year as provided for in this
2 subsection.

3 2. The provisions of paragraph 1 of this subsection shall cease
4 to be effective during a fiscal year immediately following a fiscal
5 year that the state financial support of public schools provides an
6 amount equal to or more than Three Thousand Two Hundred Ninety-one
7 Dollars and sixty cents (\$3,291.60) per weighted average daily
8 membership as calculated pursuant to Section 18-200.1 of this title
9 and reported to school districts by the State Department of
10 Education on the initial tentative State Aid allocation notice.

11 3. If the amount set and calculated as provided for in
12 paragraph 2 of this subsection is reduced by one percent (1%) or
13 more as reported to school districts by the Department on the
14 initial tentative State Aid allocation notice for the following
15 fiscal year, the provisions of paragraph 2 of this subsection shall
16 cease to be effective and the provisions of paragraph 1 of this
17 subsection shall continue to be effective.

18 J. Accreditation shall not be withdrawn from or denied, nor
19 shall a penalty be assessed against, a school district for complying
20 with this section.

21 K. Except as provided for in subsection L of this section,
22 beginning with the 2019-2020 school year, evaluations of schools to
23 determine whether they meet the accreditation standards set forth in
24 accordance with this section shall occur once every four (4) years.

1 Provided, however, that schools shall be evaluated annually to
2 determine if they:

- 3 1. Meet standards tied to federal funding;
- 4 2. Meet health and safety standards; and
- 5 3. Meet the certification requirements for teachers, principals
6 and superintendents.

7 L. Beginning with the 2019-2020 school year, if a public school
8 receives a deficiency on its accreditation report, the public school
9 shall be evaluated annually to determine if they meet the
10 accreditation standards set forth in accordance with this section.

11 If the public school receives no deficiencies for two (2)
12 consecutive years, the public school shall be subject to the
13 evaluation timeline established in subsection K of this section.

14 SECTION 5. AMENDATORY 70 O.S. 2011, Section 3-154, is
15 amended to read as follows:

16 Section 3-154. Each plan listed in ~~Section 1 of this act~~
17 Section 3-153 of this title and which is not required to be
18 submitted to the State Department of Education shall be reviewed by
19 a regional accreditation officer at the time of the ~~annual~~ visit to
20 the school district by an officer in accordance with the evaluation
21 schedule set forth in Section 3-104.4 of this title.

22 ~~SECTION 6. This act shall become effective July 1, 2019.~~

23 ~~SECTION 7. It being immediately necessary for the preservation~~
24 ~~of the public peace, health or safety, an emergency is hereby~~

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

Passed the Senate the 13th day of March, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2019.

Presiding Officer of the House
of Representatives