

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 193

By: Pemberton of the Senate

and

McBride of the House

COMMITTEE SUBSTITUTE

An Act relating to schools; amending 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), which relates to standards for accreditation of schools; modifying circumstances for accreditation withdrawal or denial for failure to meet media program standards; removing prohibition if certain funding amount is appropriated; providing exception; modifying circumstances for assessing financial penalties against school district; directing certain prohibition cease if certain funding amount is appropriated; providing exception; directing the State Board of Education to report on class sizes by specified date; amending 70 O.S. 2011, Section 3-167, as last amended by Section 2, Chapter 253, O.S.L. 2016 (70 O.S. Supp. 2018, Section 3-167), which relates to advisory councils; modifying circumstances under which school districts are exempt from advisory council requirements; removing prohibition if certain funding amount is appropriated; providing exception; amending 70 O.S. 2011, Section 16-111, as last amended by Section 3, Chapter 253, O.S.L. 2016 (70 O.S. Supp. 2018, Section 16-111), which relates to textbook adoption; modifying circumstances under which school districts are exempt from textbook adoption requirements; directing prohibition to cease if certain funding amount is appropriated; providing exception;

1 providing an effective date; and declaring an
2 emergency.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-104.4, as
6 last amended by Section 27, Chapter 42, O.S.L. 2017 (70 O.S. Supp.
7 2018, Section 3-104.4), is amended to read as follows:

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

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

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

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

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

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

23 D. If one or more school sites fails to receive accreditation
24 as required pursuant to this section by the dates set forth in

1 subsection C of this section or subsequently loses accreditation,
2 the State Board of Education shall close the school and reassign the
3 students to accredited schools within the district or shall annex
4 the district to one or more other districts in which the students
5 can be educated in accredited schools.

6 E. Standards for accreditation adopted by the State Board of
7 Education shall include standards relating to the provision of
8 educational services provided in partial hospitalization programs,
9 day treatment programs, day hospital programs, residential treatment
10 programs and emergency shelter programs for persons between the ages
11 of three (3) and twenty-one (21) years of age. The accreditation
12 standards shall apply to onsite and offsite educational services
13 provided by public school districts or state-accredited private
14 schools. The accreditation standards shall provide for warnings,
15 probation or nonaccredited status for schools that fail to meet the
16 standards. Each school which is providing or is required to provide
17 educational services for students placed in a program as described
18 in this subsection shall be actively monitored by the State
19 Department of Education. The Department shall determine on an
20 ongoing basis if the educational program and services are in
21 compliance with the accreditation standards. The Department shall
22 investigate a complaint of failure to provide educational services
23 within ten (10) days of receiving the complaint. If the Department
24 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 sixty (60) 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.

F. 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.

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

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

2. The provisions of paragraph 1 of this subsection shall cease to be effective during a the fiscal year ~~immediately following a~~

~~fiscal year that the state financial support of public schools provides an amount equal to or more than Three Thousand Two Hundred Ninety-one Dollars and sixty cents (\$3,291.60) per weighted average daily membership as calculated pursuant to Section 18-200.1 of this title and reported to school districts by the State Department of Education on the initial tentative State Aid allocation notice which begins on the July 1 immediately succeeding the legislative session during which the measure appropriating monies to the State Board of Education for the financial support of public schools is enacted as law and such appropriation amount is at least Sixty-seven Million Dollars (\$67,000,000.00) greater than the amount of money appropriated to the State Board of Education for the financial support of public schools for the fiscal year ending June 30, 2019, pursuant to Chapter 146, O.S.L. 2018. Provided, the Sixty-seven Million Dollars (\$67,000,000.00) shall not include any amount of appropriations dedicated for support or certified employee salary increases.~~

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

1 I. 1. The State Board shall not assess a financial penalty
2 against any school district which is given a deficiency in
3 accreditation status during any fiscal year as provided for in this
4 subsection.

5 2. The provisions of paragraph 1 of this subsection shall cease
6 to be effective ~~during a fiscal year immediately following a fiscal~~
7 ~~year that the state financial support of public schools provides an~~
8 ~~amount equal to or more than Three Thousand Two Hundred Ninety-one~~
9 ~~Dollars and sixty cents (\$3,291.60) per weighted average daily~~
10 ~~membership as calculated pursuant to Section 18-200.1 of this title~~
11 ~~and reported to school districts by the State Department of~~
12 ~~Education on the initial tentative State Aid allocation notice for~~
13 school districts that do not comply with the class size limitations
14 for kindergarten as provided in Section 18-113.2 of this title and
15 class size limitations for grade one as provided in subsection A of
16 Section 18-113.1 of this title during the fiscal year which begins
17 on the July 1 immediately succeeding the legislative session during
18 which the measure appropriating monies to the State Board of
19 Education for the financial support of public schools is enacted as
20 law and such appropriation amount is at least Sixty-seven Million
21 Dollars (\$67,000,000.00) greater than the amount of money
22 appropriated to the State Board of Education for the financial
23 support of public schools for the fiscal year ending June 30, 2019,
24 pursuant to Chapter 146, O.S.L. 2018. Provided, the Sixty-seven

1 Million Dollars (\$67,000,000.00) shall not include any amount of
2 appropriations dedicated for support or certified employee salary
3 increases.

4 ~~3. If the amount set and calculated as provided for in~~
5 ~~paragraph 2 of this subsection is reduced by one percent (1%) or~~
6 ~~more as reported to school districts by the Department on the~~
7 ~~initial tentative State Aid allocation notice for the following~~
8 ~~fiscal year, the provisions of paragraph 2 of this subsection shall~~
9 ~~cease to be effective and the provisions of paragraph 1 of this~~
10 ~~subsection shall continue to be effective~~ The State Department of
11 Education shall submit a report on statewide classroom sizes to the
12 Speaker of the Oklahoma House of Representatives and the President
13 Pro Tempore of the Oklahoma State Senate no later than January 1,
14 2022.

15 J. Accreditation shall not be withdrawn from or denied, nor
16 shall a penalty be assessed against, a school district for complying
17 with this section.

18 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-167, as
19 last amended by Section 2, Chapter 253, O.S.L. 2016 (70 O.S. Supp.
20 2018, Section 3-167), is amended to read as follows:

21 Section 3-167. A. 1. The State Board of Education shall
22 exempt all school districts from or waive any policy, rule or law
23 which requires school districts to form, convene, or participate in
24 any advisory council or committee, including but not limited to the

1 requirement to convene an advisory council when preparing the school
2 improvement plan as set forth in Section 5-117.4 of this title.

3 2. The provisions of paragraph 1 of this subsection shall cease
4 to be effective during ~~a~~ the fiscal year ~~immediately following a~~
5 ~~fiscal year that the state financial support of public schools~~
6 ~~provides an amount equal to or more than Three Thousand Two Hundred~~
7 ~~Ninety-one Dollars and sixty cents (\$3,291.60) per weighted average~~
8 ~~daily membership as calculated pursuant to Section 18-200.1 of this~~
9 ~~title and reported to school districts by the State Department of~~
10 ~~Education on the initial tentative State Aid allocation notice~~ which
11 begins on the July 1 immediately succeeding the legislative session
12 during which the measure appropriating monies to the State Board of
13 Education for the financial support of public schools is enacted as
14 law and such appropriation amount is at least Sixty-seven Million
15 Dollars (\$67,000,000.00) greater than the amount of money
16 appropriated to the State Board of Education for the financial
17 support of public schools for the fiscal year ending June 30, 2019,
18 pursuant to Chapter 146, O.S.L. 2018. Provided, the Sixty-seven
19 Million Dollars (\$67,000,000.00) shall not include any amount of
20 appropriations dedicated for support or certified employee salary
21 increases.

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~~

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

B. School districts shall not be exempted from forming,
convening or participating in an advisory council or committee if
required by federal law or regulation.

SECTION 3. AMENDATORY 70 O.S. 2011, Section 16-111, as
last amended by Section 3, Chapter 253, O.S.L. 2016 (70 O.S. Supp.
2018, Section 16-111), is amended to read as follows:

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

B. Upon the written request of any duly appointed local
textbook coordinator, the publisher of a textbook selected by the
State Textbook Committee shall furnish at least one examination copy
of the textbook and the teacher edition of the textbook, if one is

1 published, and a copy of software for purposes of complete
2 demonstration and review, if available, to the school district so
3 that the local textbook committee may examine any or all new
4 adoptions in the subjects taught or to be taught in schools in the
5 district.

6 C. 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, each local textbook committee shall adopt textbooks from
9 the multiple list selected by the State Textbook Committee in a
10 manner as shall be prescribed by the State Board of Education. Each
11 local textbook committee shall serve without compensation and shall
12 cease to exist when local adoptions have been completed and shall be
13 replaced by another local textbook committee appointed in the same
14 manner as provided for in this section.

15 D. Except as otherwise provided for in subsection E of this
16 section, on or before a date to be fixed by the State Board of
17 Education, the superintendent of each school district shall submit
18 to the State Board of Education a textbook plan outlining the
19 estimated number of textbooks needed by the school district and the
20 total amount of money to be expended by the district for textbooks
21 including the allocated funds and any additional supplemental funds
22 to be expended. The superintendent or textbook coordinator
23 appointed by the superintendent, shall place orders from the proper
24 depository or depositories for all of the textbooks needed as

1 outlined in the textbook plan by the district for the ensuing year.
2 The superintendent of a school district or textbook coordinator may
3 order any textbooks placed on the official multiple textbook list.
4 If the order exceeds the allocation for each school district as
5 provided in Section 16-114a of this title any additional funds
6 expended shall be reported on the statement of expenditures for the
7 district.

8 E. 1. If a school district makes the election as provided for
9 in subsection B of Section 16-114a of this title, the district shall
10 not be required to appoint a local textbook committee, adopt
11 textbooks, submit a textbook plan, or expend money on the purchase
12 of textbooks 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~~ the fiscal year ~~immediately following a~~
16 ~~fiscal year that the state financial support of public schools~~
17 ~~provides an amount equal to or more than Three Thousand Two Hundred~~
18 ~~Ninety-one Dollars and sixty cents (\$3,291.60) per weighted average~~
19 ~~daily membership as calculated pursuant to Section 18-200.1 of this~~
20 ~~title and reported to school districts by the State Department of~~
21 ~~Education on the initial tentative State Aid allocation notice~~ which
22 begins on the July 1 immediately succeeding the legislative session
23 during which the measure appropriating monies to the State Board of
24 Education for the financial support of public schools is enacted as

1 law and such appropriation amount is at least Sixty-seven Million
2 Dollars (\$67,000,000.00) greater than the amount of money
3 appropriated to the State Board of Education for the financial
4 support of public schools for the fiscal year ending June 30, 2019,
5 pursuant to Chapter 146, O.S.L. 2018. Provided, the Sixty-seven
6 Million Dollars (\$67,000,000.00) shall not include any amount of
7 appropriations dedicated for support or certified employee salary
8 increases.

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

16 SECTION 4. This act shall become effective July 1, 2019.

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

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22 57-1-8774 JM 04/11/19
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