

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3262 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: John Talley

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 PROPOSED SUBCOMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3262

By: Talley

7
8 PROPOSED SUBCOMMITTEE SUBSTITUTE

9 An Act relating to schools; amending 70 O.S. 2021,
10 Section 3-104.4, which relates to school
11 accreditation standards; striking requirement to
12 provide certain class sizes report; directing
13 financial penalty for noncompliance with certain
14 class size limitations if state appropriations exceed
15 certain amounts; and providing an effective date.

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

17 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-104.4, is
18 amended to read as follows:

19 Section 3-104.4 A. The State Board of Education shall adopt
20 standards for the accreditation of the public schools in this state
21 according to the requirements of Section 3-104.3 et seq. of this
22 title, to be effective as set forth in Section 3-104.3 et seq. of
23 this title. The accreditation standards shall incorporate the
24 curricular standards established pursuant to Section 11-103.6 of
this title. The accreditation standards shall equal or exceed

1 nationally recognized accreditation standards to the extent that the
2 standards are consistent with an academic results oriented approach
3 to accreditation. The accreditation adopted by the State Board
4 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, schools shall meet the
19 accreditation standards as a condition of continued accreditation.
20 Nothing herein shall be construed as preventing changes to the
21 adopted standards by the State Board of Education pursuant to the
22 Administrative Procedures Act. The accreditation standards shall
23 provide for warnings, probation or nonaccredited status for schools
24 that fail to meet the standards. The Department shall investigate a

1 complaint of failure to provide educational services or failure to
2 comply with accreditation standards within thirty (30) days of
3 receiving the complaint. If the Department determines that a school
4 has failed to comply with the accreditation standards, the
5 Department shall report the recommended warning, probation or
6 nonaccredited accreditation status to the State Board of Education
7 within ninety (90) days. If a school does not take action to comply
8 with the accreditation standards within ninety (90) days after a
9 report is filed by the Department, the Board shall withdraw
10 accreditation for the school. The State Board accreditation
11 regulations shall provide for warnings and for assistance to schools
12 and school districts whenever there is reason to believe a school is
13 in danger of losing its state accreditation.

14 D. If one or more school sites fail to receive accreditation as
15 required pursuant to this section or subsequently lose
16 accreditation, the State Board of Education shall close the school
17 and reassign the students to accredited schools within the district
18 or shall annex the district to one or more other districts in which
19 the students can be educated in accredited schools.

20 E. Standards for accreditation adopted by the State Board of
21 Education shall include standards relating to the provision of
22 educational services provided in partial hospitalization programs,
23 day treatment programs, day hospital programs, residential treatment
24 programs and emergency shelter programs for persons between the ages

1 of three (3) and twenty-one (21) years of age. The accreditation
2 standards shall apply to on-site and off-site educational services
3 provided by public school districts or state-accredited private
4 schools. Each school which is providing or is required to provide
5 educational services for students placed in a program as described
6 in this subsection shall be actively monitored by the State
7 Department of Education. The Department shall determine on an
8 ongoing basis if the educational program and services are in
9 compliance with the accreditation standards.

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

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

22 2. The provisions of paragraph 1 of this subsection shall cease
23 to be effective during the fiscal year which begins on the July 1
24 immediately succeeding the legislative session during which the

1 measure appropriating monies to the State Board of Education for the
2 financial support of public schools is enacted as law and such
3 appropriation amount is at least Fifty Million Dollars
4 (\$50,000,000.00) greater than the amount of money appropriated to
5 the State Board of Education for the financial support of public
6 schools for the fiscal year ending June 30, 2019, pursuant to
7 Chapter 146, O.S.L. 2018. Provided, the Fifty Million Dollars
8 (\$50,000,000.00) shall not include any amount of appropriations
9 dedicated for support or certified employee salary increases.
10 Accreditation shall not be withdrawn from or denied nor shall a
11 penalty be assessed against a school or school district for failing
12 to meet the media personnel standards as set forth in accreditation
13 standards adopted by the Board.

14 H. 1. The State Board shall not assess a financial penalty
15 against any school district which is given a deficiency in
16 accreditation status during any fiscal year as provided for in this
17 subsection.

18 2. Beginning with the fiscal year which begins July 1, 2021, if
19 the amount of money appropriated to the State Board of Education for
20 the financial support of public schools including funds apportioned
21 pursuant to Section 2 of this act, is at least One Hundred Million
22 Dollars (\$100,000,000.00) greater than the amount of money
23 appropriated to the State Board of Education for the financial
24 support of public schools for the fiscal year ending June 30, 2019,

1 pursuant to Chapter 146, O.S.L. 2018, a financial penalty shall be
2 assessed against any school districts that do not comply with the
3 class size limitations for kindergarten as provided for in Section
4 18-113.2 of this title and class size limitations for grade one as
5 provided for in subsection A of Section 18-113.1 of this title.
6 Provided, the One Hundred Million Dollars (\$100,000,000.00) shall
7 not include any amount of appropriations dedicated for support or
8 certified employee salary increases.

9 3. ~~The State Department of Education shall submit a report on~~
10 ~~statewide classroom sizes to the President Pro Tempore of the~~
11 ~~Oklahoma State Senate and the Speaker of the Oklahoma House of~~
12 ~~Representatives no later than January 1, 2022~~ If the amount of money
13 appropriated to the State Board of Education for the financial
14 support of public schools including funds apportioned pursuant to
15 Section 426 of Title 63 of the Oklahoma Statutes, is at least Fifty
16 Million Dollars (\$50,000,000.00) greater than the amount of money
17 appropriated to the State Board of Education for the financial
18 support of public schools for the fiscal year ending June 30, 2022,
19 then beginning on the July 1, one year after the measure
20 appropriating the increase of Fifty Million Dollars (\$50,000,000.00)
21 is effective, a financial penalty shall be assessed against any
22 school districts that do not comply with the class size limitations
23 for grade two as provided for in subsection A of Section 18-113.1 of
24 this title. Provided, the Fifty Million Dollars (\$50,000,000.00)

1 shall not include any amount of appropriations dedicated for support
2 or certified employee salary increases.

3 4. If the amount of money appropriated to the State Board of
4 Education for the financial support of public schools including
5 funds apportioned pursuant to Section 426 of Title 63 of the
6 Oklahoma Statutes, is at least One Hundred Million Dollars
7 (\$100,000,000.00) greater than the amount of money appropriated to
8 the State Board of Education for the financial support of public
9 schools for the fiscal year ending June 30, 2022, then beginning on
10 the July 1, one year after the measure appropriating the increase of
11 One Hundred Million Dollars (\$100,000,000.00) is effective, a
12 financial penalty shall be assessed against any school districts
13 that do not comply with the class size limitations for grade three
14 as provided for in subsection A of Section 18-113.1 of this title.
15 Provided, the One Hundred Million Dollars (\$100,000,000.00) shall
16 not include any amount of appropriations dedicated for support or
17 certified employee salary increases.

18 5. If the amount of money appropriated to the State Board of
19 Education for the financial support of public schools including
20 funds apportioned pursuant to Section 426 of Title 63 of the
21 Oklahoma Statutes, is at least One Hundred Fifty Million Dollars
22 (\$150,000,000.00) greater than the amount of money appropriated to
23 the State Board of Education for the financial support of public
24 schools for the fiscal year ending June 30, 2022, then beginning on

1 the July 1, one year after the measure appropriating the increase of
2 One Hundred Fifty Million Dollars (\$150,000,000.00) is effective, a
3 financial penalty shall be assessed against any school districts
4 that do not comply with the class size limitations for grade four as
5 provided for in subsection B of Section 18-113.1 of this title.
6 Provided, the One Hundred Fifty Million Dollars (\$150,000,000.00)
7 shall not include any amount of appropriations dedicated for support
8 or certified employee salary increases.

9 6. If the amount of money appropriated to the State Board of
10 Education for the financial support of public schools including
11 funds apportioned pursuant to Section 426 of Title 63 of the
12 Oklahoma Statutes, is at least Two Hundred Million Dollars
13 (\$200,000,000.00) greater than the amount of money appropriated to
14 the State Board of Education for the financial support of public
15 schools for the fiscal year ending June 30, 2022, then beginning on
16 the July 1 one year after the measure appropriating the increase of
17 Two Hundred Million Dollars (\$200,000,000.00) is effective, a
18 financial penalty shall be assessed against any school districts
19 that do not comply with the class size limitations for grade five as
20 provided for in subsection B of Section 18-113.1 of this title.
21 Provided, the Two Hundred Million Dollars (\$200,000,000.00) shall
22 not include any amount of appropriations dedicated for support or
23 certified employee salary increases.

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1 7. If the amount of money appropriated to the State Board of
2 Education for the financial support of public schools including
3 funds apportioned pursuant to Section 426 of Title 63 of the
4 Oklahoma Statutes, is at least Two Hundred Fifty Million Dollars
5 (\$250,000,000.00) greater than the amount of money appropriated to
6 the State Board of Education for the financial support of public
7 schools for the fiscal year ending June 30, 2022, then beginning on
8 the July 1 one year after the measure appropriating the increase of
9 Two Hundred Fifty Million Dollars (\$250,000,000.00) is effective, a
10 financial penalty shall be assessed against any school districts
11 that do not comply with the class size limitations for grade six as
12 provided for in subsection B of Section 18-113.1 of this title.
13 Provided, the Two Hundred Fifty Million Dollars (\$250,000,000.00)
14 shall not include any amount of appropriations dedicated for support
15 or certified employee salary increases.

16 8. If the amount of money appropriated to the State Board of
17 Education for the financial support of public schools including
18 funds apportioned pursuant to Section 426 of Title 63 of the
19 Oklahoma Statutes, is at least Three Hundred Million Dollars
20 (\$300,000,000.00) greater than the amount of money appropriated to
21 the State Board of Education for the financial support of public
22 schools for the fiscal year ending June 30, 2022, then beginning on
23 the July 1 one year after the measure appropriating the increase of
24 Three Hundred Million Dollars (\$300,000,000.00) is effective, a

1 financial penalty shall be assessed against any school districts
2 that do not comply with the class size limitations for grade seven
3 as provided for in subsection C of Section 18-113.3 of this title.
4 Provided, the Three Hundred Million Dollars (\$300,000,000.00) shall
5 not include any amount of appropriations dedicated for support or
6 certified employee salary increases.

7 9. If the amount of money appropriated to the State Board of
8 Education for the financial support of public schools including
9 funds apportioned pursuant to Section 426 of Title 63 of the
10 Oklahoma Statutes, is at least Three Hundred Fifty Million Dollars
11 (\$350,000,000.00) greater than the amount of money appropriated to
12 the State Board of Education for the financial support of public
13 schools for the fiscal year ending June 30, 2022, then beginning on
14 the July 1 one year after the measure appropriating the increase of
15 three Hundred Fifty Million Dollars (\$350,000,000.00) is effective,
16 a financial penalty shall be assessed against any school districts
17 that do not comply with the class size limitations for grade eight
18 as provided for in subsection C of Section 18-113.3 of this title.
19 Provided, the Three Hundred Fifty Million Dollars (\$350,000,000.00)
20 shall not include any amount of appropriations dedicated for support
21 or certified employee salary increases.

22 10. If the amount of money appropriated to the State Board of
23 Education for the financial support of public schools including
24 funds apportioned pursuant to Section 426 of Title 63 of the

1 Oklahoma Statutes, is at least Five Hundred Million Dollars
2 (\$500,000,000.00) greater than the amount of money appropriated to
3 the State Board of Education for the financial support of public
4 schools for the fiscal year ending June 30, 2022, then beginning on
5 the July 1 one year after the measure appropriating the increase of
6 Five Hundred Million Dollars (\$500,000,000.00) is effective, a
7 financial penalty shall be assessed against any school districts
8 that do not comply with the class size limitations for grades nine
9 through twelve as provided for in subsection C of Section 18-113.3
10 of this title. Provided, the Five Hundred Million Dollars
11 (\$500,000,000.00) shall not include any amount of appropriations
12 dedicated for support or certified employee salary increases.

13 I. Except as provided for in subsection J of this section,
14 beginning with the 2019-2020 school year, evaluations of schools to
15 determine whether they meet the accreditation standards set forth in
16 accordance with this section shall occur once every four (4) years
17 on a schedule adopted by the State Board of Education. The Board
18 may interrupt the evaluation schedule provided in this subsection
19 for reasons including a change in the superintendent of the school
20 district; determination that one or more school district board
21 members have not met the continuing education requirements as
22 defined by this title; determination that the school district
23 falsified information submitted to any public city, county, state or
24 federal official or agency; initiation of an investigation by the

1 Board or a law enforcement agency; or other determination by the
2 Board that standards for accreditation are not being met by the
3 school district. The schedule adopted by the Board shall allow for
4 school districts receiving no deficiencies for two (2) consecutive
5 years to be reviewed for accreditation less than annually.

6 Provided, however, that schools shall be evaluated annually for the
7 purposes of:

- 8 1. Local, state and federal funding;
- 9 2. Health and safety;
- 10 3. Certification requirements for teachers, principals and
11 superintendents;
- 12 4. School board governance, including instructional and
13 continuing education requirements for school board members; and
14 5. Any other requirements under state or federal law.

15 J. Beginning with the 2019-2020 school year, if a public school
16 receives a deficiency on its accreditation report, the public school
17 shall be evaluated annually to determine if it meets the
18 accreditation standards set forth in accordance with this section.
19 If the public school receives no deficiencies for two (2)
20 consecutive years, the public school shall be subject to the
21 evaluation timeline established in subsection I of this section.

22 SECTION 2. This act shall become effective November 1, 2022.

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