

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 HOUSE BILL 3813

By: Dollens

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6 AS INTRODUCED

7 An Act relating to The State Superintendent of Public
8 Instruction; creating the Do Your Job Act; amending
9 70 O.S. 2021, Section 3-104.3, which relates to
10 requirements for compliance with quality standards
11 and loss or denial of accreditation; directing the
12 Office of Educational Quality and Accountability to
13 take certain required actions; amending 70 O.S. 2021,
14 Section 3-104.4, which relates to standard for
15 accreditation; modifying accrediting entity; amending
16 70 O.S. 2021, Section 3-106, which relates to the
17 salary of Superintendent; subjecting salary to review
18 by the Commission for Educational Quality and
19 Accountability; permitting vote and decision on
20 Superintendent's salary; providing considerations;
21 directing that withheld monies be appropriated to the
22 Department of Education; amending 74 O.S. 2021,
23 Section 250.4, which relates to the salaries of state
24 officers; directing that the Superintendent's salary
-- be subject to review; and providing an effective
date.

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

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Do Your Job
Act".

1 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3-104.3, is
2 amended to read as follows:

3 Section 3-104.3 A. The Legislature, recognizing its obligation
4 to the children of this state to ensure their opportunity to receive
5 an excellent education, and recognizing its obligation to the
6 taxpayers of this state to ensure that schooling is accomplished in
7 an efficient manner, hereby establishes requirements for compliance
8 with quality standards which the public schools and school
9 districts, within the limits of resources now or subsequently
10 available, must meet.

11 B. State accreditation shall be withdrawn from or denied to
12 schools or school districts that do not meet the requirements of
13 Sections 2, 3, 6, 28, 29, 30, 44, 45, 46, 47, 48, and 49 of this
14 act, and the ~~State Board of Education~~ Office of Educational Quality
15 and Accountability shall take action as required by this act to
16 ensure that students affected are enrolled in schools that are able
17 to maintain state accreditation. Nothing herein shall be construed
18 as prohibiting the withdrawing or denial of accreditation for
19 failure to meet requirements as elsewhere provided by law.

20 SECTION 3. AMENDATORY 70 O.S. 2021, Section 3-104.4, is
21 amended to read as follows:

22 Section 3-104.4 A. The ~~State Board of Education~~ Office of
23 Educational Quality and Accountability shall adopt standards for the
24 accreditation of the public schools in this state according to the
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1 requirements of Section 3-104.3 et seq. of this title, to be
2 effective as set forth in Section 3-104.3 et seq. of this title.
3 The accreditation standards shall incorporate the curricular
4 standards established pursuant to Section 11-103.6 of this title.
5 The accreditation standards shall equal or exceed nationally
6 recognized accreditation standards to the extent that the standards
7 are consistent with an academic results oriented approach to
8 accreditation. The accreditation adopted by the ~~State Board~~ Office
9 of Educational Quality and Accountability shall encompass
10 accreditation for elementary schools, middle schools, junior high
11 schools, and high schools. The accreditation standards shall be
12 made available for public inspection at the offices of the State
13 Department of Education.

14 B. Standards for accreditation adopted by the ~~State Board of~~
15 ~~Education~~ Office of Educational Quality and Accountability shall
16 include standards relating to the provision of school counselors to
17 the public school children of this state. The ~~State Board of~~
18 ~~Education~~ Office of Educational Quality and Accountability shall
19 require each local school district to provide information regarding
20 the number of counselors serving each school site, the duties of all
21 such counselors including all administrative duties, the number of
22 students served by each counselor, and information regarding the
23 number of counselors employed per elementary school, middle school,
24 junior high school and high school.

1 C. Except as otherwise provided, schools shall meet the
2 accreditation standards as a condition of continued accreditation.
3 Nothing herein shall be construed as preventing changes to the
4 adopted standards by the ~~State Board of Education~~ Office of
5 Educational Quality and Accountability pursuant to the
6 Administrative Procedures Act. The accreditation standards shall
7 provide for warnings, probation or nonaccredited status for schools
8 that fail to meet the standards. The Department shall investigate a
9 complaint of failure to provide educational services or failure to
10 comply with accreditation standards within thirty (30) days of
11 receiving the complaint. If the Department determines that a school
12 has failed to comply with the accreditation standards, the
13 Department shall report the recommended warning, probation or
14 nonaccredited accreditation status to the ~~State Board of Education~~
15 Office of Educational Quality and Accountability within ninety (90)
16 days. If a school does not take action to comply with the
17 accreditation standards within ninety (90) days after a report is
18 filed by the Department, the ~~Board~~ Office of Educational Quality and
19 Accountability shall withdraw accreditation for the school. The
20 ~~State Board~~ Office of Educational Quality and Accountability
21 accreditation regulations shall provide for warnings and for
22 assistance to schools and school districts whenever there is reason
23 to believe a school is in danger of losing its state accreditation.
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1 D. If one or more school sites fail to receive accreditation as
2 required pursuant to this section or subsequently lose
3 accreditation, the ~~State Board of Education~~ Office of Educational
4 Quality and Accountability shall close the school and reassign the
5 students to accredited schools within the district or shall annex
6 the district to one or more other districts in which the students
7 can be educated in accredited schools.

8 E. Standards for accreditation adopted by the ~~State Board of~~
9 ~~Education~~ Office of Educational Quality and Accountability shall
10 include standards relating to the provision of educational services
11 provided in partial hospitalization programs, day treatment
12 programs, day hospital programs, residential treatment programs and
13 emergency shelter programs for persons between the ages of three (3)
14 and twenty-one (21) years of age. The accreditation standards shall
15 apply to on-site and off-site educational services provided by
16 public school districts or state-accredited private schools. Each
17 school which is providing or is required to provide educational
18 services for students placed in a program as described in this
19 subsection shall be actively monitored by the State Department of
20 Education. The Department shall determine on an ongoing basis if
21 the educational program and services are in compliance with the
22 accreditation standards.

23 F. The ~~State Board~~ Office of Educational Quality and
24 Accountability shall provide assistance to districts in considering
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1 the possibility of meeting accreditation requirements through the
2 use of nontraditional means of instruction. The ~~State Board~~ Office
3 of Educational Quality and Accountability shall also assist
4 districts in forming cooperatives and making arrangements for the
5 use of satellite instruction or other instructional technologies to
6 the extent that use of such instructional means meets accreditation
7 standards.

8 G. 1. Accreditation shall not be withdrawn from or denied nor
9 shall a penalty be assessed against a school or school district for
10 failing to meet the media materials and equipment standards, media
11 program expenditure standards and media personnel standards as set
12 forth in the accreditation standards adopted by the ~~Board~~ Office of
13 Educational Quality and Accountability.

14 2. The provisions of paragraph 1 of this subsection shall cease
15 to be effective during the fiscal year which begins on the July 1
16 immediately succeeding the legislative session during which the
17 measure appropriating monies to the State Board of Education for the
18 financial support of public schools is enacted as law and such
19 appropriation amount is at least Fifty Million Dollars
20 (\$50,000,000.00) 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, 2019, pursuant to
23 Chapter 146, O.S.L. 2018. Provided, the Fifty Million Dollars
24 (\$50,000,000.00) shall not include any amount of appropriations
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1 dedicated for support or certified employee salary increases.
2 Accreditation shall not be withdrawn from or denied nor shall a
3 penalty be assessed against a school or school district for failing
4 to meet the media personnel standards as set forth in accreditation
5 standards adopted by the ~~Board~~ Office of Educational Quality and
6 Accountability.

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

11 2. Beginning with the fiscal year which begins July 1, 2021, if
12 the amount of money appropriated to the State Board of Education for
13 the financial support of public schools including funds apportioned
14 pursuant to Section 2 of this act, is at least One Hundred Million
15 Dollars (\$100,000,000.00) 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, a financial penalty shall be
19 assessed against any school districts that do not comply with the
20 class size limitations for kindergarten as provided for in Section
21 18-113.2 of this title and class size limitations for grade one as
22 provided for in subsection A of Section 18-113.1 of this title.
23 Provided, the One Hundred Million Dollars (\$100,000,000.00) shall
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1 not include any amount of appropriations dedicated for support or
2 certified employee salary increases.

3 3. The State Department of Education shall submit a report on
4 statewide classroom sizes to the President Pro Tempore of the
5 Oklahoma State Senate and the Speaker of the Oklahoma House of
6 Representatives no later than January 1, 2022.

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

5 1. Local, state and federal funding;

6 2. Health and safety;

7 3. Certification requirements for teachers, principals and
8 superintendents;

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

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

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

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

19 SECTION 4. AMENDATORY 70 O.S. 2021, Section 3-106, is
20 amended to read as follows:

21 Section 3-106. A. The State Superintendent of Public
22 Instruction shall have an office at the seat of government where all
23 books and papers pertaining to the office of the Superintendent
24 shall be kept. The books and papers shall be kept and preserved in
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1 the office and delivered by the Superintendent of Public Instruction
2 to a successor. The Superintendent shall file and carefully
3 preserve in the office all official reports made to the
4 Superintendent. The salary of the State Superintendent of Public
5 Instruction shall be as provided for in Section 250.4 of Title 74 of
6 the Oklahoma Statutes, subject to a review by the Commission for
7 Educational Quality and Accountability provided in subsection B of
8 this section.

9 B. The Commission for Educational Quality and Accountability
10 shall annually meet before the start of each state fiscal year to
11 review the performance of the State Superintendent of Public
12 Instruction. The Commission shall have the power to vote on and
13 decide to cut the Superintendent's salary up to fifty percent (50%)
14 for poor performance. The Commission shall consider, but is not
15 limited to:

- 16 1. Grant applications;
- 17 2. Teacher retention; and
- 18 3. Statewide student test scores.

19 Any monies withheld from the Superintendent's salary shall be
20 reappropriated to the Oklahoma State Department of Education's
21 budget.

22 SECTION 5. AMENDATORY 74 O.S. 2021, Section 250.4, is
23 amended to read as follows:
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1 Section 250.4 Pursuant to provisions of the Constitution of the
2 State of Oklahoma from and after the beginning date of a term of
3 office which commences in, or after, January 2016, the following
4 officers of the State of Oklahoma shall be annually compensated for
5 their services, payable monthly, as follows:

6 1. The Governor shall receive a salary of One Hundred Forty-
7 seven Thousand Dollars (\$147,000.00);

8 2. The Lieutenant Governor shall receive a salary of One
9 Hundred Fourteen Thousand Seven Hundred Thirteen Dollars
10 (\$114,713.00);

11 3. The Attorney General shall receive a salary of One Hundred
12 Thirty-two Thousand Eight Hundred Twenty-five Dollars (\$132,825.00);

13 4. The State Superintendent of Public Instruction shall receive
14 a salary of One Hundred Twenty-four Thousand Three Hundred Seventy-
15 three Dollars (\$124,373.00), subject to review as provided in
16 Section 3-106 of Title 70 of the Oklahoma Statutes;

17 5. Each member of the Corporation Commission shall receive a
18 salary of One Hundred Fourteen Thousand Seven Hundred Thirteen
19 Dollars (\$114,713.00);

20 6. The State Treasurer shall receive a salary of One Hundred
21 Fourteen Thousand Seven Hundred Thirteen Dollars (\$114,713.00);

22 7. The State Auditor and Inspector shall receive a salary of
23 One Hundred Fourteen Thousand Seven Hundred Thirteen Dollars
24 (\$114,713.00);
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8. The State Insurance Commissioner shall receive a salary of One Hundred Fourteen Thousand Seven Hundred Thirteen Dollars (\$114,713.00); and

9. The Commissioner of Labor shall receive a salary of One Hundred Five Thousand Fifty-three Dollars (\$105,053.00).

SECTION 6. This act shall become effective November 1, 2024.

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