

An Act

ENROLLED HOUSE
BILL NO. 1466

By: West (Tammy), McCane, and
Waldron of the House

and

Pugh of the Senate

An Act relating to schools; amending 70 O.S. 2021, Section 3-104.4, which relates to accreditation standards; adding deficiencies to standards; clarifying terms; prohibiting certain changes to accreditation status before opportunity for hearing is given; permitting school districts to request a hearing on accreditation recommendations; providing hearing notice requirements; providing request timeline; directing the State Department of Education to promulgate rules; providing an effective date; and declaring an emergency.

SUBJECT: Schools

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

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

Section 3-104.4. A. The State Board of Education shall adopt standards for the accreditation of the public schools in this state according to the requirements of Section 3-104.3 et seq. of this title, to be effective as set forth in 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 nationally recognized accreditation standards to the extent that the standards are consistent with an academic results oriented approach to accreditation. The accreditation adopted by the State Board shall encompass accreditation for elementary schools, middle schools, junior high schools, and high schools. The accreditation standards shall be made available for public inspection at the offices of the State Department of Education.

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

C. 1. Except as otherwise provided, schools shall meet the accreditation standards as a condition of continued accreditation. Nothing herein shall be construed as preventing changes to the adopted standards by the State Board of Education pursuant to the Administrative Procedures Act.

2. The accreditation standards shall provide for deficiencies, warnings, probation or nonaccredited status for schools that fail to meet one or more of the standards.

3. ~~The Department~~ State Department of Education 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~~ State Department of Education determines that a school has failed to comply with the accreditation standards, the Department shall report the recommended deficiency, warning, probation or nonaccredited accreditation status to the State Board of Education within ninety (90) days. Before the State Board of Education may change a school district's accreditation status from a warning to probation, or from probation to non-accredited based on a recommendation by the State Department of Education as described in this paragraph, the school district shall be given an opportunity to request a hearing before the State Board of Education pursuant to the due process procedures adopted by the Board as provided for in this subsection. The State Board of Education shall send the applicable school district notice of a right to a hearing within ten (10) working days of receiving the recommendations. The hearing shall be conducted by the State Board of Education. All notices shall be sent by certified mail, with the postmark used to determine the timeliness of the notice. If the school district fails to request a hearing within ten (10) working days of receipt of such notice, the district's right to a hearing shall be waived.

4. If a school district does not request a due process hearing within ten (10) working days notice from the Board, and the school or school district 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.

5. The State Board of Education shall promulgate rules regarding notice and hearing of accreditation status pursuant to this section and in accordance with the Administrative Procedures Act.

6. The State Board of Education accreditation ~~regulations~~ rules 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 fail to receive accreditation as required pursuant to this section or subsequently 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.

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

F. 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.

G. 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, media program expenditure standards and media personnel 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 the fiscal year 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 Fifty Million Dollars (\$50,000,000.00) 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 Fifty Million Dollars (\$50,000,000.00) shall not include any amount of appropriations dedicated for support or certified employee salary increases. 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 personnel standards as set forth in accreditation standards adopted by the Board.

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

2. Beginning with the fiscal year which begins July 1, 2021, if the amount of money appropriated to the State Board of Education for the financial support of public schools including funds apportioned pursuant to Section ~~2 426~~ of ~~this act~~ Title 63 of the Oklahoma Statutes, is at least One Hundred Million Dollars (\$100,000,000.00) 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, a financial penalty shall be assessed against any school districts that do not comply with the class size limitations for kindergarten as provided for in Section 18-113.2 of this title and class size limitations for grade one as provided for in subsection A of Section 18-113.1 of this title. Provided, the One Hundred Million Dollars

(\$100,000,000.00) shall not include any amount of appropriations dedicated for support or certified employee salary increases.

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

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

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

J. Beginning with the 2019-2020 school year, if a public school receives a deficiency on its accreditation report, the public school shall be evaluated annually to determine if it meets the accreditation standards set forth in accordance with this section. If the public school receives no deficiencies for two (2)

consecutive years, the public school shall be subject to the evaluation timeline established in subsection I of this section.

SECTION 2. This act shall become effective July 1, 2025.

SECTION 3. It being immediately necessary for the preservation 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 House of Representatives the 11th day of March, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 8th day of May, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____