

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 2009

6 By: Davis and Lowe (Dick) of
7 the House

8 and

9 Stephens of the Senate

10 COMMITTEE SUBSTITUTE

11 An Act relating to schools; amending 70 O.S. 2021,
12 Section 3-104.4, which relates to standards for
13 accreditation; updating statutory language; updating
14 statutory reference; modifying submission date for
15 certain report on statewide class sizes; requiring
16 annual submission of report; requiring school
17 districts to provide certain stipend to teachers with
18 classes that fail to comply with class size
19 limitations; providing for maximum stipend amount;
20 exempting school districts that provide certain
21 stipends from certain penalties; providing for
22 codification; providing an effective date; and
23 declaring an emergency.

24 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

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

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

22 C. Except as otherwise provided, schools shall meet the
23 accreditation standards as a condition of continued accreditation.
24 Nothing herein shall be construed as preventing changes to the

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

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

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

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

22 G. 1. Accreditation shall not be withdrawn from or denied nor
23 shall a penalty be assessed against a school or school district for
24 failing to meet the media materials and equipment standards, media

1 program expenditure standards, and media personnel standards as set
2 forth in the accreditation standards adopted by the Board.

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

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

23 2. Beginning with the fiscal year which begins July 1, 2021, if
24 the amount of money appropriated to the State Board of Education for

1 the financial support of public schools, including funds apportioned
2 pursuant to Section ~~2 of this act~~ 426 of Title 63 of the Oklahoma
3 Statutes, is at least One Hundred Million Dollars (\$100,000,000.00)
4 greater than the amount of money appropriated to the State Board of
5 Education for the financial support of public schools for the fiscal
6 year ending June 30, 2019, pursuant to Chapter 146, O.S.L. 2018, a
7 financial penalty shall be assessed against any school districts
8 that do not comply with the class size limitations for kindergarten
9 as provided for in Section 18-113.2 of this title and class size
10 limitations for grade one as provided for in subsection A of Section
11 18-113.1 of this title. Provided, the One Hundred Million Dollars
12 (\$100,000,000.00) shall not include any amount of appropriations
13 dedicated for support or certified employee salary increases.

14 3. The State Department of Education shall submit a report on
15 statewide ~~classroom~~ class sizes to the President Pro Tempore of the
16 ~~Oklahoma State~~ Senate and the Speaker of the ~~Oklahoma~~ House of
17 Representatives no later than ~~January 1, 2022~~ July 1, 2025, and each
18 July 1 thereafter.

19 I. Except as provided for in subsection J of this section,
20 beginning with the 2019-2020 school year, evaluations of schools to
21 determine whether they meet the accreditation standards set forth in
22 accordance with this section shall occur once every four (4) years
23 on a schedule adopted by the State Board of Education. The Board
24 may interrupt the evaluation schedule provided in this subsection

1 for reasons including a change in the superintendent of the school
2 district; determination that one or more school district board
3 members have not met the continuing education requirements as
4 defined by this title; determination that the school district
5 falsified information submitted to any public city, county, state,
6 or federal official or agency; initiation of an investigation by the
7 Board or a law enforcement agency; or other determination by the
8 Board that standards for accreditation are not being met by the
9 school district. The schedule adopted by the Board shall allow for
10 school districts receiving no deficiencies for two (2) consecutive
11 years to be reviewed for accreditation less than annually.

12 Provided, however, that schools shall be evaluated annually for the
13 purposes of:

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

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

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

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 18-113.6 of Title 70, unless
6 there is created a duplication in numbering, reads as follows:

7 A. Beginning with the 2025-2026 school year and each school
8 year thereafter, a school district shall pay a teacher a stipend of
9 One Thousand Two Hundred Fifty Dollars (\$1,250.00) per extra
10 student, with a maximum stipend of Three Thousand Seven Hundred
11 Fifty Dollars (\$3,750.00) if the teacher is responsible for the
12 instruction of a class that fails to comply with the class size
13 limitations as provided for in subsections A of Section 18-113.2, A
14 and B of Section 18-113.1, and C of Section 18-113.3 of Title 70 of
15 the Oklahoma Statutes.

16 B. School districts that pay a teacher stipend as required by
17 subsection A of this section shall not be assessed a financial
18 penalty in the State Aid formula or given a deficiency or denial of
19 accreditation status for exceeding the class size limitations as
20 provided in Sections 3-104.4, 18-113.1, 18-113.2, and 18-113.3 of
21 Title 70 of the Oklahoma Statutes.

22 SECTION 3. This act shall become effective July 1, 2024.

23 SECTION 4. It being immediately necessary for the preservation
24 of the public peace, health, or safety, an emergency is hereby

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

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