

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1466 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Tammy West _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 PROPOSED POLICY
4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1466

By: West (Tammy)

7
8 PROPOSED POLICY COMMITTEE SUBSTITUTE

9 An Act relating to schools; amending 70 O.S. 2021,
10 Section 3-104.4, which relates to accreditation
11 standards; adding deficiencies to standards;
12 clarifying terms; permitting school districts to
13 request a hearing on accreditation recommendations;
14 providing hearing notice requirements; providing
15 request timeline; requiring certain written requests;
16 providing hearing scheduling timelines; clarifying
17 parties; clarifying representation allowance and
18 certain evidentiary procedures; providing hearing
19 order of procedures; stating continuance procedures;
20 clarifying evidentiary standard; requiring certain
21 findings and conclusions of law procedures;
22 determining ruling notification procedures and
23 timeliness; requiring ruling compliance and
24 accreditation actions in certain situations;
providing an effective date; and declaring an
emergency.

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:

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

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

1 C. 1. 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 pursuant to the
5 Administrative Procedures Act.

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

9 3. ~~The Department~~ State Department of Education shall
10 investigate a complaint of failure to provide educational services
11 or failure to comply with accreditation standards within thirty (30)
12 days of receiving the complaint. If the ~~Department~~ State Department
13 of Education determines that a school has failed to comply with the
14 accreditation standards, the Department shall report the recommended
15 deficiency, warning, probation or nonaccredited accreditation status
16 to the State Board of Education within ninety (90) days. Before the
17 Board may implement any recommendations from the State Department of
18 Education as described in this paragraph, the school district shall
19 be given an opportunity to request a hearing before the Board
20 pursuant to the due process procedures adopted by the Board as
21 provided for in this subsection. The Board shall send the
22 applicable school district notice of a right to a hearing within ten
23 (10) working days of receiving the recommendations. The hearing
24 shall be conducted by the Board, or a hearing officer appointed by

1 the Board. All notices shall be sent by certified mail, with the
2 postmark used to determine the timeliness of the notice. If the
3 school district fails to request a hearing within ten (10) working
4 days of receipt of such notice, the district's right to a hearing
5 shall be waived.

6 4. If a school district does not request a due process hearing
7 within ten (10) working days' notice from the Board, and the school
8 or school district does not take action to comply with the
9 accreditation standards within ninety (90) days after a report is
10 filed by the Department, the Board shall withdraw accreditation for
11 the school.

12 5. The Board or hearing officer, and school district shall
13 adhere to the following procedures regarding the due process
14 hearing:

- 15 a. the school district's request for a hearing shall be
16 in writing, submitted to the Board with the postmark
17 used to determine the timeliness of the request,
18 b. the hearing shall be scheduled and heard within thirty
19 (30) days of receipt of the appeal by the Board or
20 within thirty (30) days of the hearing officer being
21 appointed. The parties to the hearing shall be the
22 district and the State Department of Education. The
23 parties shall be entitled to legal representation and
24 the opportunity to submit evidence, witness lists, and

1 motions to the chairperson of the Board or the hearing
2 officer, provided that all parties provide certified
3 copies of all documents submitted to the chairperson
4 of the Board or the hearing officer no less than five
5 (5) working days prior to the scheduled hearing,

6 c. the Board or the hearing officer shall consider only
7 evidence determined to be relevant to the basis of the
8 district's alleged failure to adhere to accreditation
9 standards. The hearing shall adhere to a specified
10 order of procedure that shall be equally afforded to
11 the parties. The order of procedure shall include
12 opening and closing arguments not to exceed fifteen
13 (15) minutes each, presentation of evidence by the
14 State Department of Education followed by cross
15 examination by the district, as well as presentation
16 of evidence by the district followed by cross
17 examination by the State Department of Education,

18 d. the Board or the hearing officer may grant a
19 continuance of the hearing upon written motion of
20 either party for good cause shown submitted at least
21 five (5) days prior to date set for hearing. The
22 hearing may also be reset upon written agreement of
23 all parties,

1 e. the Board or the hearing officer shall determine if
2 the district met the accreditation standards,
3 established by a preponderance of the evidence,
4 f. the Board or the hearing officer may require the
5 district to submit proposed findings of fact and
6 conclusions of law, and
7 g. after the hearing, the Board or the hearing officer
8 shall issue proposed findings of fact and conclusions
9 of law. If the hearing officer issues proposed
10 findings of fact and conclusions of law, the Board
11 shall review, and take action to accept, reject, or
12 modify the proposed Findings of Fact and Conclusions
13 of Law. If the Board determines no violation of the
14 accreditation standards occurred, then the Board shall
15 not take action against the district's accreditation
16 status. If the Board determines an accreditation
17 violation occurred, the Board shall take action
18 against the district if the district fails to comply
19 with the ruling in accordance with this paragraph.
20 The Board shall notify the district of a ruling
21 verbally and in writing, within ten (10) days of the
22 ruling. Written notice shall be sent by certified
23 mail, with the postmark used to determine the
24 timeliness of the notice. If the district fails to

1 comply with the accreditation standards required by a
2 ruling within ninety (90) days of the postmarked
3 notice of the ruling, the Board shall withdraw
4 accreditation for the school.

5 6. The State Board of Education accreditation ~~regulations~~ rules
6 shall provide for warnings and for assistance to schools and school
7 districts whenever there is reason to believe a school is in danger
8 of losing its state accreditation.

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

15 E. Standards for accreditation adopted by the State Board of
16 Education shall include standards relating to the provision of
17 educational services provided in partial hospitalization programs,
18 day treatment programs, day hospital programs, residential treatment
19 programs and emergency shelter programs for persons between the ages
20 of three (3) and twenty-one (21) years of age. The accreditation
21 standards shall apply to on-site and off-site educational services
22 provided by public school districts or state-accredited private
23 schools. Each school which is providing or is required to provide
24 educational services for students placed in a program as described

1 in this subsection shall be actively monitored by the State
2 Department of Education. The Department shall determine on an
3 ongoing basis if the educational program and services are in
4 compliance with the accreditation standards.

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

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

17 2. The provisions of paragraph 1 of this subsection shall cease
18 to be effective during the fiscal year which begins on the July 1
19 immediately succeeding the legislative session during which the
20 measure appropriating monies to the State Board of Education for the
21 financial support of public schools is enacted as law and such
22 appropriation amount is at least Fifty Million Dollars
23 (\$50,000,000.00) greater than the amount of money appropriated to
24 the State Board of Education for the financial support of public

1 schools for the fiscal year ending June 30, 2019, pursuant to
2 Chapter 146, O.S.L. 2018. Provided, the Fifty Million Dollars
3 (\$50,000,000.00) shall not include any amount of appropriations
4 dedicated for support or certified employee salary increases.
5 Accreditation shall not be withdrawn from or denied nor shall a
6 penalty be assessed against a school or school district for failing
7 to meet the media personnel standards as set forth in accreditation
8 standards adopted by the Board.

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

13 2. Beginning with the fiscal year which begins July 1, 2021, if
14 the amount of money appropriated to the State Board of Education for
15 the financial support of public schools including funds apportioned
16 pursuant to Section ~~2 426~~ of ~~this act~~ Title 63 of the Oklahoma
17 Statutes, is at least One Hundred Million Dollars (\$100,000,000.00)
18 greater than the amount of money appropriated to the State Board of
19 Education for the financial support of public schools for the fiscal
20 year ending June 30, 2019, pursuant to Chapter 146, O.S.L. 2018, a
21 financial penalty shall be assessed against any school districts
22 that do not comply with the class size limitations for kindergarten
23 as provided for in Section 18-113.2 of this title and class size
24 limitations for grade one as provided for in subsection A of Section

1 18-113.1 of this title. Provided, the One Hundred Million Dollars
2 (\$100,000,000.00) shall not include any amount of appropriations
3 dedicated for support or certified employee salary increases.

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

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

1 Provided, however, that schools shall be evaluated annually for the
2 purposes of:

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

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

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

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

22
23 60-1-12351 SW 02/05/25
24