

1 STATE OF OKLAHOMA

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

3 POLICY COMMITTEE  
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 1466

By: West (Tammy)

7  
8 POLICY COMMITTEE RECOMMENDATION

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 60-1-12632 SW 02/13/25  
24

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24