

1 ENGROSSED HOUSE
2 BILL NO. 1466

By: West (Tammy) of the House

3 and

4 Pugh of the Senate
5

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

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

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

20 Section 3-104.4. A. The State Board of Education shall adopt
21 standards for the accreditation of the public schools in this state
22 according to the requirements of Section 3-104.3 et seq. of this
23 title, to be effective as set forth in Section 3-104.3 et seq. of
24 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

1 standards are consistent with an academic results oriented approach
2 to accreditation. The accreditation adopted by the State Board
3 shall encompass accreditation for elementary schools, middle
4 schools, junior high schools, and high schools. The accreditation
5 standards shall be made available for public inspection at the
6 offices of the State Department of Education.

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

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

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

1 3. The ~~Department~~ State Department of Education shall
2 investigate a complaint of failure to provide educational services
3 or failure to comply with accreditation standards within thirty (30)
4 days of receiving the complaint. If the ~~Department~~ State Department
5 of Education determines that a school has failed to comply with the
6 accreditation standards, the Department shall report the recommended
7 deficiency, warning, probation or nonaccredited accreditation status
8 to the State Board of Education within ninety (90) days. Before the
9 State Board of Education may change a school district's
10 accreditation status from a warning to probation, or from probation
11 to non-accredited based on a recommendation by the State Department
12 of Education as described in this paragraph, the school district
13 shall be given an opportunity to request a hearing before the State
14 Board of Education pursuant to the due process procedures adopted by
15 the Board as provided for in this subsection. The State Board of
16 Education shall send the applicable school district notice of a
17 right to a hearing within ten (10) working days of receiving the
18 recommendations. The hearing shall be conducted by the State Board
19 of Education. All notices shall be sent by certified mail, with the
20 postmark used to determine the timeliness of the notice. If the
21 school district fails to request a hearing within ten (10) working
22 days of receipt of such notice, the district's right to a hearing
23 shall be waived.

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

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

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

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

21 E. Standards for accreditation adopted by the State Board of
22 Education shall include standards relating to the provision of
23 educational services provided in partial hospitalization programs,
24 day treatment programs, day hospital programs, residential treatment

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

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

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

23 2. The provisions of paragraph 1 of this subsection shall cease
24 to be effective during the fiscal year which begins on the July 1

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

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

19 2. Beginning with the fiscal year which begins July 1, 2021, if
20 the amount of money appropriated to the State Board of Education for
21 the financial support of public schools including funds apportioned
22 pursuant to Section ~~2~~ 426 of ~~this act~~ Title 63 of the Oklahoma
23 Statutes, is at least One Hundred Million Dollars (\$100,000,000.00)
24 greater than the amount of money appropriated to the State Board of

1 Education for the financial support of public schools for the fiscal
2 year ending June 30, 2019, pursuant to Chapter 146, O.S.L. 2018, a
3 financial penalty shall be assessed against any school districts
4 that do not comply with the class size limitations for kindergarten
5 as provided for in Section 18-113.2 of this title and class size
6 limitations for grade one as provided for in subsection A of Section
7 18-113.1 of this title. Provided, the One Hundred Million Dollars
8 (\$100,000,000.00) shall not include any amount of appropriations
9 dedicated for support or certified employee salary increases.

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

14 I. Except as provided for in subsection J of this section,
15 beginning with the 2019-2020 school year, evaluations of schools to
16 determine whether they meet the accreditation standards set forth in
17 accordance with this section shall occur once every four (4) years
18 on a schedule adopted by the State Board of Education. The Board
19 may interrupt the evaluation schedule provided in this subsection
20 for reasons including a change in the superintendent of the school
21 district; determination that one or more school district board
22 members have not met the continuing education requirements as
23 defined by this title; determination that the school district
24 falsified information submitted to any public city, county, state or

1 federal official or agency; initiation of an investigation by the
2 Board or a law enforcement agency; or other determination by the
3 Board that standards for accreditation are not being met by the
4 school district. The schedule adopted by the Board shall allow for
5 school districts receiving no deficiencies for two (2) consecutive
6 years to be reviewed for accreditation less than annually.

7 Provided, however, that schools shall be evaluated annually for the
8 purposes of:

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

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

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

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

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