

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
BILL NO. 2525

By: Casey of the House

3
4 and

Thompson of the Senate

5
6
7 An Act relating to schools **** accreditation
8 standards; prohibiting the withdrawal or denial of
9 accreditation for failure to meet certain media
10 program standards until certain conditions are met;
11 changing effect of certain conditions upon reduction
12 of certain amount; ****providing for certain
13 calculation; amending 70 O.S. 2011, Section 3-167, as
14 last amended by Section 3, Chapter 311, O.S.L. 2014
15 (70 O.S. Supp. 2015, Section 3-167), which relates to
16 advisory councils****providing an effective date; and
17 declaring an emergency.

18
19
20 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
21 entire bill and insert

22
23 "An Act relating to schools; amending 70 O.S. 2011,
24 Section 3-104.4, as last amended by Section 1,
Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Section
3-104.4), which relates to accreditation standards;
prohibiting the withdrawal or denial of accreditation
for failure to meet certain media program standards
until certain conditions are met; changing effect of
certain conditions upon reduction of certain amount;
prohibiting the State Board of Education from
assessing financial accreditation penalties until
certain conditions are met; changing effect of
certain conditions upon reduction of certain amount;
amending 70 O.S. 2011, Section 3-167, as last amended
by Section 3, Chapter 311, O.S.L. 2014 (70 O.S. Supp.
2015, Section 3-167), which relates to advisory

1 councils; exempting school districts from certain
2 advisory council requirements until certain
3 conditions are met; changing effect of certain
4 conditions upon reduction of certain amount; amending
5 70 O.S. 2011, Sections 16-111 and 16-114a, as last
6 amended by Sections 4 and 5, Chapter 311, O.S.L. 2014
7 (70 O.S. Supp. 2015, Sections 16-111 and 16-114a),
8 which relate to textbook adoption and allocation;
9 exempting school districts from certain textbook
10 adoption and textbook allocation expenditure
11 requirements until certain conditions are met;
12 changing effect of certain conditions upon reduction
13 of certain amount; providing an effective date; and
14 declaring an emergency

15
16
17
18
19
20
21
22
23
24
BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-104.4, as
last amended by Section 1, Chapter 311, O.S.L. 2014 (70 O.S. Supp.
2015, Section 3-104.4), is amended to read as follows:

Section 3-104.4 A. On or before February 1, 1991, the State
Board of Education shall adopt standards for the accreditation of
the public schools in this state according to the requirements of
this act, to be effective as set forth in this act. 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 the accreditation
standards for schools promulgated by the North Central Association
of Colleges and Schools to the extent that the standards are
consistent with an academic results oriented approach to

1 accreditation, excluding those standards which deal with affective
2 behavior to the extent the adoption of the standards does not
3 conflict with state statute. The accreditation adopted by the State
4 Board shall encompass accreditation for elementary schools, middle
5 schools, junior high schools, and high schools. The accreditation
6 standards shall be made available for public inspection at the
7 offices of the State Department of Education.

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

18 C. Except as otherwise provided by subsection A of this section
19 with regard to curricular standards, as a condition of receiving
20 state accreditation pursuant to this act:

21 1. High schools shall meet the accreditation standards not
22 later than June 30, 1995; and

23 2. Elementary, middle and junior high schools shall meet the
24 accreditation standards not later than June 30, 1999.

1 Schools shall thereafter continue to meet the accreditation
2 standards as a condition of continued accreditation. Nothing herein
3 shall be construed as preventing changes to the adopted standards by
4 the State Board of Education pursuant to the Administrative
5 Procedures Act.

6 D. If one or more school sites fails to receive accreditation
7 as required pursuant to this section by the dates set forth in
8 subsection C of this section or subsequently loses accreditation,
9 the State Board of Education shall close the school and reassign the
10 students to accredited schools within the district or shall annex
11 the district to one or more other districts in which the students
12 can be educated in accredited schools.

13 E. State Board accreditation regulations shall provide for
14 warnings and for assistance to schools and school districts whenever
15 there is reason to believe a school is in danger of losing its state
16 accreditation.

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

24

1 G. ~~For the fiscal years ending June 30, 2015, and June 30,~~
2 ~~2016, accreditation~~

3 1. Accreditation shall not be withdrawn from or denied nor
4 shall a penalty be assessed against a school or school district for
5 failing to meet the media materials and equipment standards and
6 media program expenditure standards as set forth in the
7 accreditation standards adopted by the Board.

8 2. The provisions of paragraph 1 of this subsection shall cease
9 to be effective during a fiscal year immediately following a fiscal
10 year that the state financial support of public schools provides at
11 least Three Thousand Two Hundred Ninety-one Dollars and sixty cents
12 (\$3,291.60) per weighted average daily membership as calculated
13 pursuant to Section 18-200.1 of this title and reported to school
14 districts by the State Department of Education on the initial
15 tentative State Aid allocation notice.

16 3. If the amount per weighted average daily membership set and
17 calculated as provided for in paragraph 2 of this subsection is
18 reduced by one percent (1%) or more as reported to school districts
19 by the Department on the initial tentative State Aid allocation
20 notice for the following fiscal year, the provisions of paragraph 2
21 of this subsection shall cease to be effective and the provisions of
22 paragraph 1 of this subsection shall continue to be effective.

23 H. 1. The State Board shall not assess a financial penalty
24 against any school district which is given a deficiency in

1 accreditation status during ~~the any fiscal years ending June 30,~~
2 ~~2015, and June 30, 2016~~ year as provided for in this subsection.

3 2. The provisions of paragraph 1 of this subsection shall cease
4 to be effective during a fiscal year immediately following a fiscal
5 year that the state financial support of public schools provides at
6 least Three Thousand Two Hundred Ninety-one Dollars and sixty cents
7 (\$3,291.60) per weighted average daily membership as calculated
8 pursuant to Section 18-200.1 of this title and reported to school
9 districts by the State Department of Education on the initial
10 tentative State Aid allocation notice.

11 3. If the amount per weighted average daily membership set and
12 calculated as provided for in paragraph 2 of this subsection is
13 reduced by one percent (1%) or more as reported to school districts
14 by the Department on the initial tentative State Aid allocation
15 notice for the following fiscal year, the provisions of paragraph 2
16 of this subsection shall cease to be effective and the provisions of
17 paragraph 1 of this subsection shall continue to be effective.

18 I. Accreditation shall not be withdrawn from or denied, nor
19 shall a penalty be assessed against, a school district for complying
20 with this section.

21 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-167, as
22 last amended by Section 3, Chapter 311, O.S.L. 2014 (70 O.S. Supp.
23 2015, Section 3-167), is amended to read as follows:
24

1 Section 3-167. ~~For the fiscal years ending June 30, 2015, and~~
2 ~~June 30, 2016, the~~ A. 1. The State Board of Education shall exempt
3 all school districts from or waive any policy, rule or law which
4 requires school districts to form, convene, or participate in any
5 advisory council or committee, including but not limited to the
6 requirement to convene an advisory council when preparing the school
7 improvement plan as set forth in Section 5-117.4 of this title.

8 2. The provisions of paragraph 1 of this subsection shall cease
9 to be effective during a fiscal year immediately following a fiscal
10 year that the state financial support of public schools provides at
11 least Three Thousand Two Hundred Ninety-one Dollars and sixty cents
12 (\$3,291.60) per weighted average daily membership as calculated
13 pursuant to Section 18-200.1 of this title and reported to school
14 districts by the State Department of Education on the initial
15 tentative State Aid allocation notice.

16 3. If the amount per weighted average daily membership set and
17 calculated as provided for in paragraph 2 of this subsection is
18 reduced by one percent (1%) or more as reported to school districts
19 by the Department on the initial tentative State Aid allocation
20 notice for the following fiscal year, the provisions of paragraph 2
21 of this subsection shall cease to be effective and the provisions of
22 paragraph 1 of this subsection shall continue to be effective.

1 B. School districts shall not be exempted from forming,
2 convening or participating in an advisory council or committee if
3 required by federal law or regulation.

4 SECTION 3. AMENDATORY 70 O.S. 2011, Section 16-111, as
5 last amended by Section 4, Chapter 311, O.S.L. 2014 (70 O.S. Supp.
6 2015, Section 16-111), is amended to read as follows:

7 Section 16-111. A. Except as otherwise provided for in
8 subsection E of this section, the superintendent of schools of each
9 school district in the state shall appoint a local textbook
10 committee consisting of not fewer than three nor more than nine
11 members. Each committee shall have one lay member, with the
12 remainder of the members being teachers employed in the public
13 schools of the district, a majority of whom shall be classroom
14 teachers. The superintendent of schools or a designee who shall be
15 a principal or a curriculum specialist shall serve as chairperson of
16 the local textbook committee.

17 B. Upon the written request of any duly appointed local
18 textbook coordinator, the publisher of a textbook selected by the
19 State Textbook Committee shall furnish at least one examination copy
20 of the textbook and the teacher edition of the textbook, if one is
21 published, and a copy of software for purposes of complete
22 demonstration and review, if available, to the school district so
23 that the local textbook committee may examine any or all new
24

1 adoptions in the subjects taught or to be taught in schools in the
2 district.

3 C. Except as otherwise provided for in subsection E of this
4 section, on or before a date to be fixed by the State Board of
5 Education, each local textbook committee shall adopt textbooks from
6 the multiple list selected by the State Textbook Committee in a
7 manner as shall be prescribed by the State Board of Education. Each
8 local textbook committee shall serve without compensation and shall
9 cease to exist when local adoptions have been completed and shall be
10 replaced by another local textbook committee appointed in the same
11 manner as provided for in this section.

12 D. Except as otherwise provided for in subsection E of this
13 section, on or before a date to be fixed by the State Board of
14 Education, the superintendent of each school district shall submit
15 to the State Board of Education a textbook plan outlining the
16 estimated number of textbooks needed by the school district and the
17 total amount of money to be expended by the district for textbooks
18 including the allocated funds and any additional supplemental funds
19 to be expended. The superintendent or textbook coordinator
20 appointed by the superintendent, shall place orders from the proper
21 depository or depositories for all of the textbooks needed as
22 outlined in the textbook plan by the district for the ensuing year.
23 The superintendent of a school district or textbook coordinator may
24 order any textbooks placed on the official multiple textbook list.

1 If the order exceeds the allocation for each school district as
2 provided in Section 16-114a of this title any additional funds
3 expended shall be reported on the statement of expenditures for the
4 district.

5 E. ~~For the fiscal years ending June 30, 2015, and June 30,~~
6 ~~2016, a school district~~ 1. If a school district makes the election
7 as provided for in subsection B of Section 16-114a of this title,
8 the district shall not be required to appoint a local textbook
9 committee, adopt textbooks, submit a textbook plan, or expend money
10 on the purchase of textbooks during the any fiscal year ~~if the~~
11 ~~school district makes the election as provided for in subsection B~~
12 ~~of Section 16-114a of this title~~ as provided for in this subsection.

13 2. The provisions of paragraph 1 of this subsection shall cease
14 to be effective during a fiscal year immediately following a fiscal
15 year that the state financial support of public schools provides at
16 least Three Thousand Two Hundred Ninety-one Dollars and sixty cents
17 (\$3,291.60) per weighted average daily membership as calculated
18 pursuant to Section 18-200.1 of this title and reported to school
19 districts by the State Department of Education on the initial
20 tentative State Aid allocation notice.

21 3. If the amount per weighted average daily membership set and
22 calculated as provided for in paragraph 2 of this subsection is
23 reduced by one percent (1%) or more as reported to school districts
24 by the Department on the initial tentative State Aid allocation

1 notice for the following fiscal year, the provisions of paragraph 2
2 of this subsection shall cease to be effective and the provisions of
3 paragraph 1 of this subsection shall continue to be effective.

4 SECTION 4. AMENDATORY 70 O.S. 2011, Section 16-114a, as
5 last amended by Section 5, Chapter 311, O.S.L. 2014 (70 O.S. Supp.
6 2015, Section 16-114a), is amended to read as follows:

7 Section 16-114a. A. Based upon legislative appropriations, the
8 State Board of Education shall determine the textbook allocation to
9 be distributed to each school district in the state. Each year the
10 textbook allocation for each school district shall be calculated and
11 distributed in July and adjusted in December. The initial
12 allocation shall be calculated based on the audited end-of-year
13 average daily attendance of the preceding school year multiplied by
14 Fifty-five Dollars (\$55.00). The initial allocation shall be
15 calculated and distributed to each school district in July. The
16 December adjustment shall be calculated by multiplying the audited
17 first nine (9) weeks' average daily attendance for that current
18 school year by Fifty-five Dollars (\$55.00) and subtracting from that
19 amount the amount of the initial allocation. The adjustment shall
20 be calculated in December and distributed to each eligible school
21 district no later than January 15. A school district shall receive
22 an adjustment only if the adjustment figure as calculated in this
23 section is greater than zero. The State Department of Education
24 shall retain from the total amount appropriated for textbooks not

1 less than one percent (1%) of the total amount to be used for the
2 purpose of making the adjustments. If the amount appropriated,
3 including the retained amount, is not sufficient to fully fund the
4 adjusted allocation, each school district eligible for an adjustment
5 shall receive a proportionate reduction in funding. Any unused
6 portion of the value of textbooks allowed to a school district shall
7 be cumulative and may be carried over by the school district to
8 subsequent fiscal years, in addition to the allocation it is
9 entitled to receive during that fiscal year.

10 B. ~~For the fiscal years ending June 30, 2015, and June 30,~~
11 ~~2016,~~ Subject to the provisions of subsection E of Section 16-111
12 of this title, a school district may elect to expend any monies
13 allocated pursuant to this section for textbooks, including any
14 monies carried over as authorized pursuant to subsection A of this
15 section, for any purpose related to the support and maintenance of
16 the school district as determined by the board of education of the
17 school district.

18 C. All textbooks distributed to a school district that have
19 been destroyed by fire or other hazard shall be replaced by the
20 State Board of Education. The total cost of all additional
21 textbooks delivered to school districts to replace those destroyed
22 by fire or other hazard shall not exceed, for the entire state in
23 any fiscal year, the aggregate sum of One Hundred Thousand Dollars
24 (\$100,000.00), which sum shall be reserved for that purpose from any

1 appropriation made to carry out the provision of this section for
2 any fiscal year.

3 SECTION 5. This act shall become effective July 1, 2016.

4 SECTION 6. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval."

8 Passed the Senate the 20th day of April, 2016.

9

10

Presiding Officer of the Senate

11

12 Passed the House of Representatives the ____ day of _____,
13 2016.

14

15

Presiding Officer of the House
of Representatives

16

17

18

19

20

21

22

23

24

1 ENGROSSED HOUSE
2 BILL NO. 2525

By: Casey of the House

and

Thompson of the Senate

3
4
5
6
7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 3-104.4, as last amended by Section 1,
9 Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Section
10 3-104.4), which relates to accreditation standards;
11 prohibiting the withdrawal or denial of accreditation
12 for failure to meet certain media program standards
13 until certain conditions are met; changing effect of
14 certain conditions upon reduction of certain amount;
15 prohibiting the State Board of Education from
16 assessing financial accreditation penalties until
17 certain conditions are met; changing effect of
18 certain conditions upon reduction of certain amount;
19 providing for certain calculation; amending 70 O.S.
20 2011, Section 3-167, as last amended by Section 3,
21 Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Section
22 3-167), which relates to advisory councils; exempting
23 school districts from certain advisory council
24 requirements until certain conditions are met;
changing effect of certain conditions upon reduction
of certain amount; providing an effective date; and
declaring an emergency.

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

SECTION 7. AMENDATORY 70 O.S. 2011, Section 3-104.4, as
last amended by Section 1, Chapter 311, O.S.L. 2014 (70 O.S. Supp.
2015, Section 3-104.4), is amended to read as follows:

1 Section 3-104.4 A. On or before February 1, 1991, the State
2 Board of Education shall adopt standards for the accreditation of
3 the public schools in this state according to the requirements of
4 this act, to be effective as set forth in this act. The
5 accreditation standards shall incorporate the curricular standards
6 established pursuant to Section 11-103.6 of this title. The
7 accreditation standards shall equal or exceed the accreditation
8 standards for schools promulgated by the North Central Association
9 of Colleges and Schools to the extent that the standards are
10 consistent with an academic results oriented approach to
11 accreditation, excluding those standards which deal with affective
12 behavior to the extent the adoption of the standards does not
13 conflict with state statute. The accreditation adopted by the State
14 Board shall encompass accreditation for elementary schools, middle
15 schools, junior high schools, and high schools. The accreditation
16 standards shall be made available for public inspection at the
17 offices of the State Department of Education.

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

1 counselor, and information regarding the number of counselors
2 employed per elementary school, middle school, junior high school
3 and high school.

4 C. Except as otherwise provided by subsection A of this section
5 with regard to curricular standards, as a condition of receiving
6 state accreditation pursuant to this act:

7 1. High schools shall meet the accreditation standards not
8 later than June 30, 1995; and

9 2. Elementary, middle and junior high schools shall meet the
10 accreditation standards not later than June 30, 1999.

11 Schools shall thereafter continue to meet the accreditation
12 standards as a condition of continued accreditation. Nothing herein
13 shall be construed as preventing changes to the adopted standards by
14 the State Board of Education pursuant to the Administrative
15 Procedures Act.

16 D. If one or more school sites fails to receive accreditation
17 as required pursuant to this section by the dates set forth in
18 subsection C of this section or subsequently loses accreditation,
19 the State Board of Education shall close the school and reassign the
20 students to accredited schools within the district or shall annex
21 the district to one or more other districts in which the students
22 can be educated in accredited schools.

23 E. State Board accreditation regulations shall provide for
24 warnings and for assistance to schools and school districts whenever

1 there is reason to believe a school is in danger of losing its state
2 accreditation.

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

10 G. ~~For the fiscal years ending June 30, 2015, and June 30,~~
11 ~~2016, accreditation~~

12 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 and
15 media program expenditure standards as set forth in the
16 accreditation standards adopted by the Board.

17 2. The provisions of paragraph 1 of this subsection shall cease
18 to be effective during a fiscal year immediately following a fiscal
19 year that the statewide average weighted average daily membership
20 reaches an amount equal to or more than Three Thousand Two Hundred
21 Ninety-one Dollars and sixty cents (\$3,291.60) as calculated
22 pursuant to Section 18-200.1 of this title and reported to school
23 districts by the State Department of Education on the initial
24 tentative State Aid allocation notice.

1 3. If the statewide average weighted average daily membership
2 amount set and calculated as provided for in paragraph 2 of this
3 subsection is reduced by one percent (1%) or more as reported to
4 school districts by the Department on the initial tentative State
5 Aid allocation notice for the following fiscal year, the provisions
6 of paragraph 2 of this subsection shall cease to be effective and
7 the provisions of paragraph 1 of this subsection shall continue to
8 be effective.

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 ~~the any fiscal years ending June 30,~~
12 ~~2015, and June 30, 2016~~ year as provided for in this subsection.

13 2. The provisions of paragraph 1 of this subsection shall cease
14 to be effective during a fiscal year immediately following a fiscal
15 year that the statewide average weighted average daily membership
16 reaches an amount equal to or more than Three Thousand Two Hundred
17 Ninety-one Dollars and sixty cents (\$3,291.60) as calculated
18 pursuant to Section 18-200.1 of this title and reported to school
19 districts by the State Department of Education on the initial
20 tentative State Aid allocation notice.

21 3. If the statewide average weighted average daily membership
22 amount set and calculated as provided for in paragraph 2 of this
23 subsection is reduced by one percent (1%) or more as reported to
24 school districts by the Department on the initial tentative State

1 Aid allocation notice for the following fiscal year, the provisions
2 of paragraph 2 of this subsection shall cease to be effective and
3 the provisions of paragraph 1 of this subsection shall continue to
4 be effective.

5 I. Accreditation shall not be withdrawn from or denied, nor
6 shall a penalty be assessed against, a school district for complying
7 with this section.

8 SECTION 8. AMENDATORY 70 O.S. 2011, Section 3-167, as
9 last amended by Section 3, Chapter 311, O.S.L. 2014 (70 O.S. Supp.
10 2015, Section 3-167), is amended to read as follows:

11 Section 3-167. ~~For the fiscal years ending June 30, 2015, and~~
12 ~~June 30, 2016, the~~ A. 1. The State Board of Education shall exempt
13 all school districts from or waive any policy, rule or law which
14 requires school districts to form, convene, or participate in any
15 advisory council or committee, including but not limited to the
16 requirement to convene an advisory council when preparing the school
17 improvement plan as set forth in Section 5-117.4 of this title.

18 2. The provisions of paragraph 1 of this subsection shall cease
19 to be effective during a fiscal year immediately following a fiscal
20 year that the statewide average weighted average daily membership
21 reaches an amount equal to or more than Three Thousand Two Hundred
22 Ninety-one Dollars and sixty cents (\$3,291.60) as calculated
23 pursuant to Section 18-200.1 of this title and reported to school
24

1 districts by the State Department of Education on the initial
2 tentative State Aid allocation notice.

3 3. If the statewide average weighted average daily membership
4 amount set and calculated as provided for in paragraph 2 of this
5 subsection is reduced by one percent (1%) or more as reported to
6 school districts by the Department on the initial tentative State
7 Aid allocation notice for the following fiscal year, the provisions
8 of paragraph 2 of this subsection shall cease to be effective and
9 the provisions of paragraph 1 of this subsection shall continue to
10 be effective.

11 B. School districts shall not be exempted from forming,
12 convening or participating in an advisory council or committee if
13 required by federal law or regulation.

14 SECTION 9. This act shall become effective July 1, 2016.

15 SECTION 10. It being immediately necessary for the preservation
16 of the public peace, health and safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

1 Passed the House of Representatives the 10th day of March, 2016.

2
3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2016.

6
7
8 _____
9 Presiding Officer of the Senate