

1 **SENATE FLOOR VERSION**

2 February 20, 2024

3 SENATE BILL NO. 1895

By: Thompson (Kristen) of the  
Senate

4 and

5 Lowe (Dick) of the House

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7  
8 An Act relating to alternative education; amending 70  
9 O.S. 2021, Section 1210.568, which relates to a  
10 statewide system of alternative education programs;  
11 removing outdated language; directing certain  
12 statewide system to include certain designated  
13 schools; allowing a school district to implement  
14 certain program using full-time virtual or blended  
15 instruction; subjecting certain charter schools and  
16 virtual charter schools to certain provisions;  
17 providing an effective date; and declaring an  
18 emergency.

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

20 SECTION 1. AMENDATORY 70 O.S. 2021, Section 1210.568, is  
21 amended to read as follows:

22 Section 1210.568. A. 1. Beginning with the first semester of  
23 the 1996-1997 school year, the State Board of Education shall  
24 implement a statewide system of alternative education programs which  
25 shall be phased-in within seven (7) years. The statewide system  
26 shall include but not be limited to ~~Alternative Approaches grant~~  
27 ~~programs, funded pursuant to Section 1210.561 of this title, and~~

1 alternative academies or alternative programs implemented pursuant  
2 to this section.

3 2. Beginning with the first semester of the 2020-2021 school  
4 year, the State Board of Education shall implement a statewide  
5 system of alternative education. The statewide system shall include  
6 alternative education programs implemented pursuant to this section  
7 and charter schools and virtual charter schools that have been  
8 designated by the State Department of Education as implementing an  
9 alternative education program.

10 B. All school districts of this state serving students in  
11 grades seven through twelve shall provide alternative education  
12 programs that conform to the requirements of statutes and rules  
13 applicable to alternative education. A program shall:

14 1. Allow class sizes and student/teacher ratios which are  
15 conducive to effective learning for at-risk students;

16 2. Incorporate appropriate structure, curriculum, and  
17 interaction and reinforcement strategies designed to provide  
18 effective instruction;

19 3. Include an intake and screening process to determine  
20 eligibility of students;

21 4. Demonstrate that teaching faculty are appropriately  
22 certified teachers;

23 5. Demonstrate that teaching faculty have been selected on the  
24 basis of a record of successful work with at-risk students or

1 personal and educational factors that qualify them for work with at-  
2 risk students;

3 6. Reflect appropriate collaborative efforts with state  
4 agencies and local agencies serving youth;

5 7. Provide courses that meet the academic curricula standards  
6 adopted by the State Board of Education and additional remedial  
7 courses;

8 8. Offer individualized instruction;

9 9. State clear and measurable program goals and objectives;

10 10. Include counseling and social services components;

11 11. Require a plan leading to graduation be developed for each  
12 student in the program which will allow the student to participate  
13 in graduation exercises at the sending school or district after  
14 meeting the requirements of the school district as specified in the  
15 individual graduation plan for that student; provided, the  
16 graduation plan required by this paragraph shall not be separate  
17 from the plan required by Section 1210.508-4 of this title;

18 12. Offer life skills instruction;

19 13. Provide opportunities for hands-on arts education to  
20 students, including artist residency programs coordinated with the  
21 Oklahoma Arts Council;

22 14. Provide a proposed annual budget;

23 15. Be appropriately designed to serve middle school, junior  
24 high school, and high school students in grades seven through twelve

1 who are most at risk of not completing a high school education for a  
2 reason other than that identified in Section 13-101 of this title;  
3 and

4 16. Allow students in the alternative education program, who  
5 otherwise meet all of the participation requirements, to participate  
6 in vocational programs and extracurricular activities at the sending  
7 school or district, including, but not limited to athletics, band,  
8 and clubs.

9 C. The alternative education program of a school district shall  
10 be operational and serving students by September 1 of each school  
11 year.

12 D. A school district may implement an alternative education  
13 program using a full-time virtual education program or blended  
14 instruction, as defined by Section 1-111 of this title.

15 E. Charter schools and virtual charter schools that have been  
16 designated by the State Department of Education as implementing an  
17 alternative education program shall be subject to:

18 1. A separate performance framework as provided for in  
19 paragraph 18 of subsection A of Section 3-136 of this title; and

20 2. The attendance policies outlined in Section 3-145.8 of this  
21 title.

22 F. 1. Each alternative education program of a school district  
23 shall receive funding based on the average daily membership (ADM) of  
24 students served by an alternative education program in the prior

1 school year according to the annual statistical report conducted by  
2 the State Department of Education. The per-student funding amount  
3 shall be based on the funding available for the program each fiscal  
4 year.

5 2. Of the funding available for alternative education programs  
6 each fiscal year, the State Department of Education shall designate  
7 up to fifteen percent (15%) for districts participating in  
8 cooperative agreements for alternative education services, which  
9 shall be allocated on a pro rata basis as an incentive to each  
10 participating district. The incentive amount received by each  
11 district for participating in a cooperative agreement shall not  
12 exceed Six Thousand Dollars (\$6,000.00) per fiscal year and shall be  
13 in addition to the per-student funding amount required by paragraph  
14 1 of this subsection. Any funds remaining after allocations  
15 required by this paragraph are made shall be distributed to  
16 districts in accordance with paragraph 1 of this subsection.

17 3. Statewide alternative education funding shall not be used to  
18 supplant existing school district resources or to support programs  
19 that do not meet all the criteria for the statewide alternative  
20 education system.

21 ~~E.~~ G. All statewide alternative education funds received and  
22 expended for students participating in an alternative education  
23 program shall be reported to the State Department of Education by  
24 major object codes and by program classifications pursuant to the

1 Oklahoma Cost Accounting System as adopted by the State Board of  
2 Education pursuant to Section 5-135 of this title.

3 ~~F.~~ H. Elementary school districts, as defined in Section 5-103  
4 of this title, may request a waiver by May 15 of each year from the  
5 State Board of Education from the requirements of this section to  
6 implement and provide an alternative education program. Any request  
7 for a waiver shall be accompanied by an assurance that the school  
8 district does not have students in need of alternative education  
9 services. If a school district is granted a waiver, no statewide  
10 alternative education funding shall be allocated to the district.

11 ~~G.~~ I. 1. The State Board of Education shall:

- 12 a. provide initial and ongoing training of personnel who  
13 will educate at-risk populations through alternative  
14 education programs,
- 15 b. provide technical assistance to school districts to  
16 enhance the probability of success of their  
17 alternative education programs,
- 18 c. evaluate state-funded alternative education programs,
- 19 d. report the evaluation results of state-funded  
20 alternative education programs, and
- 21 e. provide in-depth program analysis and evaluation of  
22 state-funded alternative education programs.
- 23  
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1           2. The State Board of Education may create an evaluation  
2 schedule for effective and highly effective programs, requiring them  
3 to be evaluated not less than once every three (3) years.

4           3. The State Board of Education may contract with a technical  
5 assistance provider in order to meet the requirements of this  
6 subsection.

7           4. The State Board of Education shall have the authority to  
8 suspend funds for an alternative education program that does not  
9 meet the requirements of subsection B of this section. Provided,  
10 any school district under consideration for suspension of funds may  
11 request a hearing before the Board with a review of the evaluation  
12 prior to the Board's final determination.

13         ~~H.~~ J. All alternative education programs shall be subject to  
14 statutes and rules applicable to alternative education, including  
15 any exemptions from statutory or regulatory requirements authorized  
16 by statutes or rule.

17         ~~I.~~ K. An alternative education program may be offered by an  
18 individual school district or may be offered jointly by school  
19 districts that have formed interlocal cooperative agreements  
20 pursuant to Section 5-117b of this title. Any school district  
21 submitting a plan for an alternative education program serving fewer  
22 than ten students shall enter into a cooperative agreement with  
23 another school district to jointly provide the program unless the  
24 program has been granted a waiver from this requirement by the State

1 Board of Education. A school district participating in a  
2 cooperative agreement shall be required to send its alternative  
3 education funding allocation to the cooperative.

4 ~~J.~~ L. Any materials or equipment purchased by a school district  
5 with revenue received for students participating in an alternative  
6 education program shall be used only in or directly for the  
7 alternative education program offered by the district or any  
8 subsequent alternative education program offered to students  
9 enrolled in that district. Such materials and equipment shall be  
10 made available exclusively to alternative education students during  
11 the hours that the alternative education program is operating;  
12 provided, the material or equipment may be used for other purposes  
13 when the alternative education program is not operating.

14 SECTION 2. This act shall become effective July 1, 2024.

15 SECTION 3. It being immediately necessary for the preservation  
16 of the public peace, health, or 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.

19 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
February 20, 2024 - DO PASS

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