

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 ENGROSSED SENATE
5 BILL NO. 1895

By: Thompson (Kristen) of the
Senate

6 and

7 Lowe (Dick) of the House

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12 removing outdated language; directing certain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

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

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

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

1 ~~programs, funded pursuant to Section 1210.561 of this title, and~~
2 alternative academies or alternative programs implemented pursuant
3 to this section.

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

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

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

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

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

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

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- 1 5. Demonstrate that teaching faculty have been selected on the
2 basis of a record of successful work with at-risk students or
3 personal and educational factors that qualify them for work with at-
4 risk students;
- 5 6. Reflect appropriate collaborative efforts with state
6 agencies and local agencies serving youth;
- 7 7. Provide courses that meet the academic curricula standards
8 adopted by the State Board of Education and additional remedial
9 courses;
- 10 8. Offer individualized instruction;
- 11 9. State clear and measurable program goals and objectives;
- 12 10. Include counseling and social services components;
- 13 11. Require a plan leading to graduation be developed for each
14 student in the program which will allow the student to participate
15 in graduation exercises at the sending school or district after
16 meeting the requirements of the school district as specified in the
17 individual graduation plan for that student; provided, the
18 graduation plan required by this paragraph shall not be separate
19 from the plan required by Section 1210.508-4 of this title;
- 20 12. Offer life skills instruction;
- 21 13. Provide opportunities for hands-on arts education to
22 students, including artist residency programs coordinated with the
23 Oklahoma Arts Council;
- 24 14. Provide a proposed annual budget;

1 15. Be appropriately designed to serve middle school, junior
2 high school, and high school students in grades seven through twelve
3 who are most at risk of not completing a high school education for a
4 reason other than that identified in Section 13-101 of this title;
5 and

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

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

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

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

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

22 2. The attendance policies outlined in Section 3-145.8 of this
23 title.

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1 F. 1. Each alternative education program of a school district
2 shall receive funding based on the average daily membership (ADM) of
3 students served by an alternative education program in the prior
4 school year according to the annual statistical report conducted by
5 the State Department of Education. The per-student funding amount
6 shall be based on the funding available for the program each fiscal
7 year.

8 2. Of the funding available for alternative education programs
9 each fiscal year, the State Department of Education shall designate
10 up to fifteen percent (15%) for districts participating in
11 cooperative agreements for alternative education services, which
12 shall be allocated on a pro rata basis as an incentive to each
13 participating district. The incentive amount received by each
14 district for participating in a cooperative agreement shall not
15 exceed Six Thousand Dollars (\$6,000.00) per fiscal year and shall be
16 in addition to the per-student funding amount required by paragraph
17 1 of this subsection. Any funds remaining after allocations
18 required by this paragraph are made shall be distributed to
19 districts in accordance with paragraph 1 of this subsection.

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

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1 ~~E.~~ G. All statewide alternative education funds received and
2 expended for students participating in an alternative education
3 program shall be reported to the State Department of Education by
4 major object codes and by program classifications pursuant to the
5 Oklahoma Cost Accounting System as adopted by the State Board of
6 Education pursuant to Section 5-135 of this title.

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

- 15 ~~G.~~ I. 1. The State Board of Education shall:
- 16 a. provide initial and ongoing training of personnel who
 - 17 will educate at-risk populations through alternative
 - 18 education programs,
 - 19 b. provide technical assistance to school districts to
 - 20 enhance the probability of success of their
 - 21 alternative education programs,
 - 22 c. evaluate state-funded alternative education programs,
 - 23 d. report the evaluation results of state-funded
 - 24 alternative education programs, and

1 e. provide in-depth program analysis and evaluation of
2 state-funded alternative education programs.

3 2. The State Board of Education may create an evaluation
4 schedule for effective and highly effective programs, requiring them
5 to be evaluated not less than once every three (3) years.

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

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

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

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

1 another school district to jointly provide the program unless the
2 program has been granted a waiver from this requirement by the State
3 Board of Education. A school district participating in a
4 cooperative agreement shall be required to send its alternative
5 education funding allocation to the cooperative.

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

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

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

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22 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 04/02/2024
23 - DO PASS.

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