



1 amount is appropriated; providing exception;  
2 providing an effective date; and declaring an  
3 emergency.

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

5 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-104.4, as  
6 last amended by Section 27, Chapter 42, O.S.L. 2017 (70 O.S. Supp.  
7 2018, Section 3-104.4), is amended to read as follows:

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

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

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

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

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

18 Schools shall thereafter continue to meet the accreditation  
19 standards as a condition of continued accreditation. Nothing herein  
20 shall be construed as preventing changes to the adopted standards by  
21 the State Board of Education pursuant to the Administrative  
22 Procedures Act.

23 D. If one or more school sites fails to receive accreditation  
24 as required pursuant to this section by the dates set forth in

1 subsection C of this section or subsequently loses accreditation,  
2 the State Board of Education shall close the school and reassign the  
3 students to accredited schools within the district or shall annex  
4 the district to one or more other districts in which the students  
5 can be educated in accredited schools.

6 E. Standards for accreditation adopted by the State Board of  
7 Education shall include standards relating to the provision of  
8 educational services provided in partial hospitalization programs,  
9 day treatment programs, day hospital programs, residential treatment  
10 programs and emergency shelter programs for persons between the ages  
11 of three (3) and twenty-one (21) years of age. The accreditation  
12 standards shall apply to onsite and offsite educational services  
13 provided by public school districts or state-accredited private  
14 schools. The accreditation standards shall provide for warnings,  
15 probation or nonaccredited status for schools that fail to meet the  
16 standards. Each school which is providing or is required to provide  
17 educational services for students placed in a program as described  
18 in this subsection shall be actively monitored by the State  
19 Department of Education. The Department shall determine on an  
20 ongoing basis if the educational program and services are in  
21 compliance with the accreditation standards. The Department shall  
22 investigate a complaint of failure to provide educational services  
23 within ten (10) days of receiving the complaint. If the Department  
24 determines that a school has failed to comply with the accreditation

1 standards the Department shall report the recommended warning,  
2 probation or nonaccredited accreditation status to the State Board  
3 of Education within sixty (60) days. If a school does not take  
4 action to comply with the accreditation standards within ninety (90)  
5 days after a report is filed by the Department, the Board shall  
6 withdraw accreditation for the school.

7 F. State Board accreditation regulations shall provide for  
8 warnings and for assistance to schools and school districts whenever  
9 there is reason to believe a school is in danger of losing its state  
10 accreditation.

11 G. 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 H. 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 and  
21 media program expenditure standards as set forth in the  
22 accreditation standards adopted by the Board.

23 2. The provisions of paragraph 1 of this subsection shall cease  
24 to be effective during a the fiscal year ~~immediately following a~~

1 ~~fiscal year that the state financial support of public schools~~  
2 ~~provides an amount equal to or more than Three Thousand Two Hundred~~  
3 ~~Ninety one Dollars and sixty cents (\$3,291.60) per weighted average~~  
4 ~~daily membership as calculated pursuant to Section 18-200.1 of this~~  
5 ~~title and reported to school districts by the State Department of~~  
6 ~~Education on the initial tentative State Aid allocation notice which~~  
7 ~~begins on the July 1 immediately succeeding the legislative session~~  
8 ~~during which the measure appropriating monies to the State Board of~~  
9 ~~Education for the financial support of public schools is enacted as~~  
10 ~~law and such appropriation amount is at least Sixty-seven Million~~  
11 ~~Dollars (\$67,000,000.00) greater than the amount of money~~  
12 ~~appropriated to the State Board of Education for the financial~~  
13 ~~support of public schools for the fiscal year ending June 30, 2019,~~  
14 ~~pursuant to Chapter 146, O.S.L. 2018. Provided, the Sixty-seven~~  
15 ~~Million Dollars (\$67,000,000.00) shall not include any amount of~~  
16 ~~appropriations dedicated for support or certified employee salary~~  
17 ~~increases.~~

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

1 I. 1. The State Board shall not assess a financial penalty  
2 against any school district which is given a deficiency in  
3 accreditation status during any fiscal year as provided for in this  
4 subsection.

5 2. The provisions of paragraph 1 of this subsection shall cease  
6 to be effective ~~during a fiscal year immediately following a fiscal~~  
7 ~~year that the state financial support of public schools provides an~~  
8 ~~amount equal to or more than Three Thousand Two Hundred Ninety-one~~  
9 ~~Dollars and sixty cents (\$3,291.60) per weighted average daily~~  
10 ~~membership as calculated pursuant to Section 18-200.1 of this title~~  
11 ~~and reported to school districts by the State Department of~~  
12 ~~Education on the initial tentative State Aid allocation notice for~~  
13 school districts that do not comply with the class size limitations  
14 for kindergarten as provided in Section 18-113.2 of this title and  
15 class size limitations for grade one as provided in subsection A of  
16 Section 18-113.1 of this title during the fiscal year which begins  
17 on the July 1 immediately succeeding the legislative session during  
18 which the measure appropriating monies to the State Board of  
19 Education for the financial support of public schools is enacted as  
20 law and such appropriation amount is at least Sixty-seven Million  
21 Dollars (\$67,000,000.00) greater than the amount of money  
22 appropriated to the State Board of Education for the financial  
23 support of public schools for the fiscal year ending June 30, 2019,  
24 pursuant to Chapter 146, O.S.L. 2018. Provided, the Sixty-seven

1 Million Dollars (\$67,000,000.00) shall not include any amount of  
2 appropriations dedicated for support or certified employee salary  
3 increases.

4 3. ~~If the amount set and calculated as provided for in~~  
5 ~~paragraph 2 of this subsection is reduced by one percent (1%) or~~  
6 ~~more as reported to school districts by the Department on the~~  
7 ~~initial tentative State Aid allocation notice for the following~~  
8 ~~fiscal year, the provisions of paragraph 2 of this subsection shall~~  
9 ~~cease to be effective and the provisions of paragraph 1 of this~~  
10 ~~subsection shall continue to be effective~~ The State Department of  
11 Education shall submit a report on statewide classroom sizes to the  
12 Speaker of the Oklahoma House of Representatives and the President  
13 Pro Tempore of the Oklahoma State Senate no later than January 1,  
14 2022.

15 J. Accreditation shall not be withdrawn from or denied, nor  
16 shall a penalty be assessed against, a school district for complying  
17 with this section.

18 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-167, as  
19 last amended by Section 2, Chapter 253, O.S.L. 2016 (70 O.S. Supp.  
20 2018, Section 3-167), is amended to read as follows:

21 Section 3-167. A. 1. The State Board of Education shall  
22 exempt all school districts from or waive any policy, rule or law  
23 which requires school districts to form, convene, or participate in  
24 any advisory council or committee, including but not limited to the



1 requirement to convene an advisory council when preparing the school  
2 improvement plan as set forth in Section 5-117.4 of this title.

3 2. The provisions of paragraph 1 of this subsection shall cease  
4 to be effective during a the fiscal year ~~immediately following a~~  
5 ~~fiscal year that the state financial support of public schools~~  
6 ~~provides an amount equal to or more than Three Thousand Two Hundred~~  
7 ~~Ninety one Dollars and sixty cents (\$3,291.60) per weighted average~~  
8 ~~daily membership as calculated pursuant to Section 18-200.1 of this~~  
9 ~~title and reported to school districts by the State Department of~~  
10 ~~Education on the initial tentative State Aid allocation notice~~ which  
11 begins on the July 1 immediately succeeding the legislative session  
12 during which the measure appropriating monies to the State Board of  
13 Education for the financial support of public schools is enacted as  
14 law and such appropriation amount is at least Sixty-seven Million  
15 Dollars (\$67,000,000.00) greater than the amount of money  
16 appropriated to the State Board of Education for the financial  
17 support of public schools for the fiscal year ending June 30, 2019,  
18 pursuant to Chapter 146, O.S.L. 2018. Provided, the Sixty-seven  
19 Million Dollars (\$67,000,000.00) shall not include any amount of  
20 appropriations dedicated for support or certified employee salary  
21 increases.

22 3. ~~If the amount set and calculated as provided for in~~  
23 ~~paragraph 2 of this subsection is reduced by one percent (1%) or~~  
24 ~~more as reported to school districts by the Department on the~~

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

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

8 SECTION 3. AMENDATORY 70 O.S. 2011, Section 16-111, as  
9 last amended by Section 3, Chapter 253, O.S.L. 2016 (70 O.S. Supp.  
10 2018, Section 16-111), is amended to read as follows:

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

21 B. Upon the written request of any duly appointed local  
22 textbook coordinator, the publisher of a textbook selected by the  
23 State Textbook Committee shall furnish at least one examination copy  
24 of the textbook and the teacher edition of the textbook, if one is

1 published, and a copy of software for purposes of complete  
2 demonstration and review, if available, to the school district so  
3 that the local textbook committee may examine any or all new  
4 adoptions in the subjects taught or to be taught in schools in the  
5 district.

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

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

1 outlined in the textbook plan by the district for the ensuing year.  
2 The superintendent of a school district or textbook coordinator may  
3 order any textbooks placed on the official multiple textbook list.  
4 If the order exceeds the allocation for each school district as  
5 provided in Section 16-114a of this title any additional funds  
6 expended shall be reported on the statement of expenditures for the  
7 district.

8 E. 1. If a school district makes the election as provided for  
9 in subsection B of Section 16-114a of this title, the district shall  
10 not be required to appoint a local textbook committee, adopt  
11 textbooks, submit a textbook plan, or expend money on the purchase  
12 of textbooks during any fiscal year as provided for in this  
13 subsection.

14 2. The provisions of paragraph 1 of this subsection shall cease  
15 to be effective during a the fiscal year ~~immediately following a~~  
16 ~~fiscal year that the state financial support of public schools~~  
17 ~~provides an amount equal to or more than Three Thousand Two Hundred~~  
18 ~~Ninety-one Dollars and sixty cents (\$3,291.60) per weighted average~~  
19 ~~daily membership as calculated pursuant to Section 18-200.1 of this~~  
20 ~~title and reported to school districts by the State Department of~~  
21 ~~Education on the initial tentative State Aid allocation notice~~ which  
22 begins on the July 1 immediately succeeding the legislative session  
23 during which the measure appropriating monies to the State Board of  
24 Education for the financial support of public schools is enacted as

1 law and such appropriation amount is at least Sixty-seven Million  
2 Dollars (\$67,000,000.00) greater than the amount of money  
3 appropriated to the State Board of Education for the financial  
4 support of public schools for the fiscal year ending June 30, 2019,  
5 pursuant to Chapter 146, O.S.L. 2018. Provided, the Sixty-seven  
6 Million Dollars (\$67,000,000.00) shall not include any amount of  
7 appropriations dedicated for support or certified employee salary  
8 increases.

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

16 SECTION 4. This act shall become effective July 1, 2019.

17 SECTION 5. 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.

21  
22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
23 04/11/2019 - DO PASS, As Amended and Coauthored.

24