

# An Act

ENROLLED SENATE  
BILL NO. 92

By: Pugh of the Senate

and

Osburn of the House

An Act relating to school accreditation; amending 70 O.S. 2011, Section 3-104.4, as last amended by Section 27, Chapter 42, O.S.L. 2017 (70 O.S. Supp. 2018, Section 3-104.4), which relates to standards for school accreditation; removing previous dates; updating citations; modifying accreditation standards; directing standards to provide for warnings, probation or nonaccredited status for certain schools; modifying specified time for State Department of Education to investigate complaints; altering time for Department to report investigation findings to State Board of Education; specifying when Board shall withdraw accreditation for school; directing regulations to provide for warnings and assistance to certain schools; directing school evaluations for accreditation standards to take place once every four years beginning in certain school year; providing exceptions; requiring annual school evaluation for certain listed criteria; mandating annual evaluations for schools receiving a deficiency; providing an exception; amending 70 O.S. 2011, Section 3-154, which relates to review of certain school plans; updating statutory references; requiring review to take place in accordance with certain schedule; and providing an effective date.

SUBJECT: School accreditation

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 27, Chapter 42, O.S.L. 2017 (70 O.S. Supp. 2018, Section 3-104.4), is amended to read as follows:

Section 3-104.4 A. ~~On or before February 1, 1991, the~~ 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~~ Section 3-104.3 et seq. of this title, to be effective as set forth in ~~this act~~ Section 3-104.3 et seq. of 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 ~~the accreditation standards for schools promulgated by the North Central Association of Colleges and Schools~~ nationally recognized accreditation standards to the extent that the standards are consistent with an academic results oriented approach to accreditation, ~~excluding those standards which deal with affective behavior to the extent the adoption of the standards does not conflict with state statute.~~ The accreditation adopted by the State Board shall encompass accreditation for elementary schools, middle schools, junior high schools, and high schools. The accreditation standards shall be made available for public inspection at the offices of the State Department of Education.

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

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

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

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

Schools, schools shall thereafter continue to meet the accreditation standards as a condition of continued accreditation. Nothing herein shall be construed as preventing changes to the adopted standards by the State Board of Education pursuant to the Administrative Procedures Act. The accreditation standards shall provide for warnings, probation or nonaccredited status for schools that fail to meet the standards. The Department shall investigate a complaint of failure to provide educational services or failure to comply with accreditation standards within thirty (30) days of receiving the complaint. If the Department determines that a school has failed to comply with the accreditation standards, the Department shall report the recommended warning, probation or nonaccredited accreditation status to the State Board of Education within ninety (90) days. If a school does not take action to comply with the accreditation standards within ninety (90) days after a report is filed by the Department, the Board shall withdraw accreditation for the school. The State Board accreditation regulations shall provide for warnings and for assistance to schools and school districts whenever there is reason to believe a school is in danger of losing its state accreditation.

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

E. Standards for accreditation adopted by the State Board of Education shall include standards relating to the provision of educational services provided in partial hospitalization programs, day treatment programs, day hospital programs, residential treatment programs and emergency shelter programs for persons between the ages of three (3) and twenty-one (21) years of age. The accreditation standards shall apply to onsite and offsite educational services

provided by public school districts or state-accredited private schools. ~~The accreditation standards shall provide for warnings, probation or nonaccredited status for schools that fail to meet the standards.~~ Each school which is providing or is required to provide educational services for students placed in a program as described in this subsection shall be actively monitored by the State Department of Education. The Department shall determine on an ongoing basis if the educational program and services are in compliance with the accreditation standards. ~~The Department shall investigate a complaint of failure to provide educational services within ten (10) days of receiving the complaint. If the Department determines that a school has failed to comply with the accreditation standards the Department shall report the recommended warning, probation or nonaccredited accreditation status to the State Board of Education within sixty (60) days. If a school does not take action to comply with the accreditation standards within ninety (90) days after a report is filed by the Department, the Board shall withdraw accreditation for the school.~~

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

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

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

2. The provisions of paragraph 1 of this subsection shall cease to be effective during a fiscal year immediately following a fiscal year that the state financial support of public schools provides an amount equal to or more than Three Thousand Two Hundred Ninety-one

Dollars and sixty cents (\$3,291.60) per weighted average daily membership as calculated pursuant to Section 18-200.1 of this title and reported to school districts by the State Department of Education on the initial tentative State Aid allocation notice.

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

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

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

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

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

I. Except as provided for in subsection J of this section, beginning with the 2019-2020 school year, evaluations of schools to determine whether they meet the accreditation standards set forth in

accordance with this section shall occur once every four (4) years on a schedule adopted by the State Board of Education. The Board may interrupt the evaluation schedule provided in this subsection for reasons including a change in the superintendent of the school district; determination that one or more school district board members have not met the continuing education requirements as defined by this title; determination that the school district falsified information submitted to any public city, county, state or federal official or agency; initiation of an investigation by the Board or a law enforcement agency; or other determination by the Board that standards for accreditation are not being met by the school district. The schedule adopted by the Board shall allow for school districts receiving no deficiencies for two (2) consecutive years to be reviewed for accreditation less than annually. Provided, however, that schools shall be evaluated annually for the purposes of:

1. Local, state and federal funding;

2. Health and safety;

3. Certification requirements for teachers, principals and superintendents;

4. School board governance, including instructional and continuing education requirements for school board members; and

5. Any other requirements under state or federal law.

J. Beginning with the 2019-2020 school year, if a public school receives a deficiency on its accreditation report, the public school shall be evaluated annually to determine if it meets the accreditation standards set forth in accordance with this section. If the public school receives no deficiencies for two (2) consecutive years, the public school shall be subject to the evaluation timeline established in subsection I of this section.

SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-154, is amended to read as follows:

Section 3-154. Each plan listed in ~~Section 1 of this act~~ Section 3-153 of this title and which is not required to be

submitted to the State Department of Education shall be reviewed by a regional accreditation officer at the time of the ~~annual~~ visit to the school district by an officer in accordance with the evaluation schedule set forth in Section 3-104.4 of this title.

SECTION 3. This act shall become effective November 1, 2019.

Passed the Senate the 7th day of May, 2019.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of April, 2019.

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Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_