

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 92

By: Pugh

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5  
6 AS INTRODUCED

7 An Act relating to school accreditation; amending 70  
8 O.S. 2011, Section 3-104.4, as last amended by  
9 Section 27, Chapter 42, O.S.L. 2017 (70 O.S. Supp.  
10 2018, Section 3-104.4), which relates to standards  
11 for school accreditation; directing evaluations of  
12 public schools to determine if they meet certain  
13 standards to take place once every four years  
14 beginning in certain school year; requiring annual  
15 evaluation to determine if schools meet certain  
16 criteria; directing evaluations of public schools  
17 that receive certain deficiency to take place  
18 annually until no deficiencies are reported for  
19 certain number of years; amending 70 O.S. 2011,  
20 Section 3-154, which relates to review of certain  
21 school plans; requiring review to take place in  
22 accordance with certain schedule; updating statutory  
23 references; providing an effective date; and  
24 declaring an emergency.

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

19 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-104.4, as  
20 last amended by Section 27, Chapter 42, O.S.L. 2017 (70 O.S. Supp.  
21 2018, Section 3-104.4), is amended to read as follows:

22 Section 3-104.4. A. On or before February 1, 1991, the State  
23 Board of Education shall adopt standards for the accreditation of  
24 the public schools in this state according to the requirements of

1 ~~this act~~ Section 3-104.3 et seq. of this title, to be effective as  
2 set forth in ~~this act~~ Section 3-104.3 et seq. of this title. The  
3 accreditation standards shall incorporate the curricular standards  
4 established pursuant to Section 11-103.6 of this title. The  
5 accreditation standards shall equal or exceed the accreditation  
6 standards for schools promulgated by the North Central Association  
7 of Colleges and Schools to the extent that the standards are  
8 consistent with an academic results oriented approach to  
9 accreditation, excluding those standards which deal with affective  
10 behavior to the extent the adoption of the standards does not  
11 conflict with state statute. The accreditation adopted by the State  
12 Board shall encompass accreditation for elementary schools, middle  
13 schools, junior high schools, and high schools. The accreditation  
14 standards shall be made available for public inspection at the  
15 offices of the State Department of Education.

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

1 employed per elementary school, middle school, junior high school  
2 and high school.

3 C. Except as otherwise provided by subsection A of this section  
4 with regard to curricular standards, as a condition of receiving  
5 state accreditation pursuant to ~~this act~~ Section 3-104.3 et seq. of  
6 this title:

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. Standards for accreditation adopted by the State Board of  
24 Education shall include standards relating to the provision of

1 educational services provided in partial hospitalization programs,  
2 day treatment programs, day hospital programs, residential treatment  
3 programs and emergency shelter programs for persons between the ages  
4 of three (3) and twenty-one (21) years of age. The accreditation  
5 standards shall apply to onsite and offsite educational services  
6 provided by public school districts or state-accredited private  
7 schools. The accreditation standards shall provide for warnings,  
8 probation or nonaccredited status for schools that fail to meet the  
9 standards. Each school which is providing or is required to provide  
10 educational services for students placed in a program as described  
11 in this subsection shall be actively monitored by the State  
12 Department of Education. The Department shall determine on an  
13 ongoing basis if the educational program and services are in  
14 compliance with the accreditation standards. The Department shall  
15 investigate a complaint of failure to provide educational services  
16 within ten (10) days of receiving the complaint. If the Department  
17 determines that a school has failed to comply with the accreditation  
18 standards the Department shall report the recommended warning,  
19 probation or nonaccredited accreditation status to the State Board  
20 of Education within sixty (60) days. If a school does not take  
21 action to comply with the accreditation standards within ninety (90)  
22 days after a report is filed by the Department, the Board shall  
23 withdraw accreditation for the school.

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

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

12 H. 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 state financial support of public schools provides an  
20 amount equal to or more than Three Thousand Two Hundred Ninety-one  
21 Dollars and sixty cents (\$3,291.60) per weighted average daily  
22 membership as calculated pursuant to Section 18-200.1 of this title  
23 and reported to school districts by the State Department of  
24 Education on the initial tentative State Aid allocation notice.

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

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

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

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

1 cease to be effective and the provisions of paragraph 1 of this  
2 subsection shall continue to be effective.

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

6 K. Except as provided for in subsection L of this section,  
7 beginning with the 2019-2020 school year, evaluations of schools to  
8 determine whether they meet the accreditation standards set forth in  
9 accordance with this section shall occur once every four (4) years.  
10 Provided, however, that schools shall be evaluated annually to  
11 determine if they:

12 1. Meet standards tied to federal funding;

13 2. Meet health and safety standards; and

14 3. Meet the certification requirements for teachers, principals  
15 and superintendents.

16 L. Beginning with the 2019-2020 school year, if a public school  
17 receives a deficiency on its accreditation report, the public school  
18 shall be evaluated annually to determine if they meet the  
19 accreditation standards set forth in accordance with this section.  
20 If the public school receives no deficiencies for two (2)  
21 consecutive years, the public school shall be subject to the  
22 evaluation timeline established in subsection K of this section.

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

1       Section 3-154. Each plan listed in ~~Section 1 of this act~~  
2 Section 3-153 of this title and which is not required to be  
3 submitted to the State Department of Education shall be reviewed by  
4 a regional accreditation officer at the time of the ~~annual~~ visit to  
5 the school district by an officer in accordance with the evaluation  
6 schedule set forth in Section 3-104.4 of this title.

7       SECTION 3. This act shall become effective July 1, 2019.

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

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