

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 699

By: Pugh

4
5
6 AS INTRODUCED

7 An Act relating to school accreditation; amending 70
8 O.S. 2021, Section 3-104.4, which relates to
9 standards of accreditation for public schools;
10 directing accreditation standards to provide for
11 deficiencies; allowing a school to request a due
12 process hearing before the State Board of Education
13 within certain time period; providing for adoption of
14 due process procedures; directing notice to be
15 provided to a school district in certain manner;
16 directing a failure to request a hearing to be
17 considered a waiver of a right to a hearing;
18 providing for promulgation of rules to establish
19 certain procedures; updating statutory language;
20 updating statutory reference; providing an effective
21 date; and declaring an emergency.

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

23 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-104.4, is
24 amended to read as follows:

25 Section 3-104.4. A. The State Board of Education shall adopt
26 standards for the accreditation of the public schools in this state
27 according to the requirements of Section 3-104.3 et seq. of this
28 title, to be effective as set forth in Section 3-104.3 et seq. of
29 this title. The accreditation standards shall incorporate the

1 curricular standards established pursuant to Section 11-103.6 of
2 this title. The accreditation standards shall equal or exceed
3 nationally recognized accreditation standards to the extent that the
4 standards are consistent with an academic results oriented approach
5 to accreditation. The accreditation standards adopted by the ~~State~~
6 Board shall encompass accreditation for elementary schools, middle
7 schools, junior high schools, and high schools. The accreditation
8 standards shall be made available for public inspection at the
9 offices of the State Department of Education.

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

20 C. 1. Except as otherwise provided, schools shall meet the
21 accreditation standards as a condition of continued accreditation.
22 Nothing herein shall be construed as preventing changes to the
23 adopted standards by the State Board of Education pursuant to the
24 Administrative Procedures Act.

1 2. The accreditation standards shall provide for deficiencies,
2 warnings, probation, or nonaccredited status for schools that fail
3 to meet ~~the~~ one or more or all standards.

4 3. The State Department of Education shall investigate a
5 complaint of failure to provide educational services or failure to
6 comply with accreditation standards within thirty (30) days of
7 receiving the complaint. If the Department determines that a school
8 has failed to comply with the accreditation standards, the
9 Department shall report the recommended deficiencies, warning,
10 probation, or nonaccredited accreditation status to the State Board
11 of Education within ninety (90) days. The school shall be given an
12 opportunity to request a hearing before the Board pursuant to the
13 due process procedures adopted by the Board as provided for in this
14 subsection. If a school does not request a due process hearing
15 within ten (10) business days and does not take action to comply
16 with the accreditation standards within ninety (90) days after a
17 report is filed by the Department, the Board shall withdraw
18 accreditation for the school.

19 4. Prior to the State Board of Education taking action on a
20 recommendation from the State Department of Education to change the
21 accreditation status of a school site or school district by
22 classifying the site or district with deficiencies, warning,
23 probation, or nonaccredited accreditation status, the school
24 district shall be given an opportunity to request a hearing before

1 the Board pursuant to the due process procedures adopted by the
2 Board as provided for in this subsection. The school district shall
3 receive notice of the right to a hearing by certified mail, with the
4 postmark used to determine the timeliness of the notice. The
5 hearing shall be conducted by the Board. Failure of the school
6 district to request a hearing within ten (10) business days of
7 receipt of such notice shall be considered a waiver of the
8 district's right to a hearing.

9 5. The State Board of Education shall promulgate rules
10 establishing the due process procedures providing notice and an
11 opportunity for a hearing prior to the accreditation status of a
12 school site or school district being changed. The rules shall be
13 adopted pursuant to the Administrative Procedures Act.

14 6. The State Board of Education's accreditation ~~regulations~~
15 rules shall provide for warnings and for assistance to schools and
16 school districts whenever there is reason to believe a school is in
17 danger of losing its state accreditation.

18 D. If one or more school sites fail to receive accreditation as
19 required pursuant to this section or subsequently lose
20 accreditation, the State Board of Education shall close the school
21 and reassign the students to accredited schools within the district
22 or shall annex the district to one or more other districts in which
23 the students can be educated in accredited schools.

1 E. Standards for accreditation adopted by the State Board of
2 Education shall include standards relating to the provision of
3 educational services provided in partial hospitalization programs,
4 day treatment programs, day hospital programs, residential treatment
5 programs, and emergency shelter programs for persons between the
6 ages of three (3) and twenty-one (21) years ~~of age~~. The
7 accreditation standards shall apply to on-site and off-site
8 educational services provided by public school districts or state-
9 accredited private schools. Each school which is providing or is
10 required to provide educational services for students placed in a
11 program as described in this subsection shall be actively monitored
12 by the State Department of Education. The Department shall
13 determine on an ongoing basis if the educational program and
14 services are in compliance with the accreditation standards.

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

22 G. 1. Accreditation shall not be withdrawn from or denied nor
23 shall a penalty be assessed against a school or school district for
24 failing to meet the media materials and equipment standards, media

1 program expenditure standards, and media personnel standards as set
2 forth in the accreditation standards adopted by the Board.

3 2. The provisions of paragraph 1 of this subsection shall cease
4 to be effective during the fiscal year which begins on the July 1
5 immediately succeeding the legislative session during which the
6 measure appropriating monies to the State Board of Education for the
7 financial support of public schools is enacted as law and such
8 appropriation amount is at least Fifty Million Dollars
9 (\$50,000,000.00) greater than the amount of money appropriated to
10 the State Board of Education for the financial support of public
11 schools for the fiscal year ending June 30, 2019, pursuant to
12 Chapter 146, O.S.L. 2018. Provided, the Fifty Million Dollars
13 (\$50,000,000.00) shall not include any amount of appropriations
14 dedicated for support or certified employee salary increases.
15 Accreditation shall not be withdrawn from or denied nor shall a
16 penalty be assessed against a school or school district for failing
17 to meet the media personnel standards as set forth in accreditation
18 standards adopted by the Board.

19 H. 1. The State Board of Education shall not assess a
20 financial penalty against any school district which is given a
21 deficiency in accreditation status during any fiscal year as
22 provided for in this subsection.

23 2. Beginning with the fiscal year which begins July 1, 2021, if
24 the amount of money appropriated to the State Board of Education for
25

1 the financial support of public schools including funds apportioned
2 pursuant to ~~Section 2~~ Section 426 of ~~this act~~ Title 63 of the
3 Oklahoma Statutes, is at least One Hundred Million Dollars
4 (\$100,000,000.00) greater than the amount of money appropriated to
5 the State Board of Education for the financial support of public
6 schools for the fiscal year ending June 30, 2019, pursuant to
7 Chapter 146, O.S.L. 2018, a financial penalty shall be assessed
8 against any school districts that do not comply with the class size
9 limitations for kindergarten as provided for in Section 18-113.2 of
10 this title and class size limitations for grade one as provided for
11 in subsection A of Section 18-113.1 of this title. Provided, the
12 One Hundred Million Dollars (\$100,000,000.00) shall not include any
13 amount of appropriations dedicated for support or certified employee
14 salary increases.

15 3. The State Department of Education shall submit a report on
16 statewide classroom sizes to the President Pro Tempore of the
17 ~~Oklahoma State~~ Senate and the Speaker of the ~~Oklahoma~~ House of
18 Representatives no later than January 1, 2022.

19 I. Except as provided for in subsection J of this section,
20 beginning with the 2019-2020 school year, evaluations of schools to
21 determine whether they meet the accreditation standards set forth in
22 accordance with this section shall occur once every four (4) years
23 on a schedule adopted by the State Board of Education. The Board
24 may interrupt the evaluation schedule provided in this subsection

1 for reasons including a change in the superintendent of the school
2 district; determination that one or more school district board
3 members have not met the continuing education requirements as
4 defined by this title; determination that the school district
5 falsified information submitted to any public city, county, state,
6 or federal official or agency; initiation of an investigation by the
7 Board or a law enforcement agency; or other determination by the
8 Board that standards for accreditation are not being met by the
9 school district. The schedule adopted by the Board shall allow for
10 school districts receiving no deficiencies for two (2) consecutive
11 years to be reviewed for accreditation less than annually.

12 Provided, however, that schools shall be evaluated annually for the
13 purposes of:

- 14 1. Local, state, and federal funding;
- 15 2. Health and safety;
- 16 3. Certification requirements for teachers, principals, and
17 superintendents;
- 18 4. School board governance, including instructional and
19 continuing education requirements for school board members; and
20 5. Any other requirements under state or federal law.

21 J. Beginning with the 2019-2020 school year, if a public school
22 receives a deficiency on its accreditation report, the public school
23 shall be evaluated annually to determine if it meets the
24 accreditation standards set forth in accordance with this section.

1 If the public school receives no deficiencies for two (2)
2 consecutive years, the public school shall be subject to the
3 evaluation timeline established in subsection I of this section.

4 SECTION 2. This act shall become effective July 1, 2025.

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

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