

1 ENGROSSED HOUSE
2 BILL NO. 1229

By: McBride, Baker, Hasenbeck
and Hill of the House

3 and

4 Pemberton of the Senate
5
6

7 An Act relating to schools; amending Section 1,
8 Chapter 225, O.S.L. 2015 (70 O.S. Supp. 2019, Section
9 3-145.7), which relates to the Oklahoma Charter
10 Schools Act; renaming certain revolving fund;
11 modifying certain authorized expenditures; amending
12 Section 1, Chapter 223, O.S.L. 2012, Section 2,
13 Chapter 223, O.S.L. 2012 and Section 3, Chapter 223,
14 O.S.L. 2012 (70 O.S. Supp. 2019, Sections 3-116.2, 3-
15 116.3 and 3-116.4), which relate to the Educational
16 Accountability Reform Act; replacing membership of
17 Commission for Educational Quality and
18 Accountability; providing allocation and revenue to
19 virtual charter schools less certain amount for
20 administrative expenses retained by the Commission;
21 authorizing the renegotiation of contracts; replacing
22 references; abolishing the Statewide Virtual Charter
23 School Board; transferring all duties, powers,
24 liabilities and property of the Statewide Virtual
Charter School Board to the Commission for
Educational Quality and Accountability; transferring
employees; requiring conveyances and documents be
executed by certain date; transferring monies;
transferring contractual rights and responsibilities;
making certain administrative rules enforceable by
the Commission; eliminating certain Office of
Educational Quality and Accountability duties;
amending 70 O.S. 2011, Section 3-117, as amended by
Section 5, Chapter 223, O.S.L. 2012 (70 O.S. Supp.
2019, Section 3-117), which relates to Office of
Educational Quality and Accountability; providing
Administrator of the Office of Educational Quality
and Accountability qualifications, appointment
procedure and compensation; providing powers and
duties of Administrator; amending 70 O.S. 2011,
Section 3-118, as last amended by Section 591,

1 Chapter 304, O.S.L. 2012 (70 O.S. Supp. 2019, Section
2 3-118), which relates to Secretary of Education
3 duties; eliminating certain duties of the Secretary
4 of Education; amending Section 5, Chapter 367, O.S.L.
5 2012, as last amended by Section 1, Chapter 272,
6 O.S.L. 2019, Section 7, Chapter 367, O.S.L. 2012, as
7 amended by Section 7, Chapter 212, O.S.L. 2013 and
8 Section 1, Chapter 247, O.S.L. 2017 (70 O.S. Supp.
9 2019, Sections 3-145.3, 3-145.5 and 3-145.8), which
10 relate to the Oklahoma Charter Schools Act;
11 transferring powers and duties of Statewide Virtual
12 Charter School Board to Commission for Educational
13 Quality and Accountability; eliminating certain
14 appeal procedure; transferring certain contractual
15 rights and responsibilities; updating references;
16 amending 70 O.S. 2011, Section 1210.531, as amended
17 by Section 14, Chapter 223, O.S.L. 2012 (70 O.S.
18 Supp. 2019, Section 1210.531), which relates to the
19 Oklahoma Educational Indicators Program; requiring
20 State Department of Education to make certain data
21 available to the Office of Educational Quality and
22 Accountability; repealing Section 3, Chapter 367,
23 O.S.L. 2012, as amended by Section 4, Chapter 212,
24 O.S.L. 2013, Section 4, Chapter 367, O.S.L. 2012 and
Section 6, Chapter 367, O.S.L. 2012, as amended by
Section 6, Chapter 212, O.S.L. 2013 (70 O.S. Supp.
2019, Sections 3-145.1, 3-145.2 and 3-145.4), which
relate to the Statewide Virtual Charter School Board;
and declaring an emergency.

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

19 SECTION 1. AMENDATORY Section 1, Chapter 225, O.S.L.
20 2015 (70 O.S. Supp. 2019, Section 3-145.7), is amended to read as
21 follows:

22 Section 3-145.7 There is hereby created in the State Treasury a
23 revolving fund for the ~~Statewide Virtual Charter School Board~~
24 Commission for Educational Quality and Accountability to be

1 designated the "~~Statewide Virtual Charter School Board Commission~~
2 for Educational Quality and Accountability Revolving Fund". The
3 fund shall be a continuing fund, not subject to fiscal year
4 limitations, and shall consist of all monies received by the
5 ~~Statewide Virtual Charter School Board Commission~~ from State Aid
6 pursuant to Section 3-145.3 of ~~Title 70 of the Oklahoma Statutes~~
7 this title or any other state appropriation. All monies accruing to
8 the credit of the fund are hereby appropriated and may be budgeted
9 and expended by the ~~Statewide Virtual Charter School Board~~
10 Commission for the purpose of supporting the mission of the
11 ~~Statewide Virtual Charter School Board Commission for Educational~~
12 Quality and Accountability. Expenditures from the fund shall be
13 made upon warrants issued by the State Treasurer against claims
14 filed as prescribed by law with the Director of the Office of
15 Management and Enterprise Services for approval and payment.

16 SECTION 2. AMENDATORY Section 1, Chapter 223, O.S.L.
17 2012 (70 O.S. Supp. 2019, Section 3-116.2), is amended to read as
18 follows:

19 Section 3-116.2 A. Effective January 1, 2013, there is hereby
20 created the Commission for Educational Quality and Accountability.

21 ~~The~~ Until July 1, 2020, the membership of the Commission shall
22 consist of:

23 1. The Secretary of Education, who shall serve as the chair of
24 the Commission;

1 2. One member appointed by the Governor, with the advice and
2 consent of the Senate, representing business and industry from an
3 Oklahoma employer with five hundred ~~(500)~~ or fewer employees;

4 3. One member, appointed by the Governor, with the advice and
5 consent of the Senate, who is a parent of a child enrolled in a
6 public school in this state;

7 4. One member, appointed by the Governor, with the advice and
8 consent of the Senate, who is an administrator of a public school
9 district;

10 5. One member, appointed by the Governor, with the advice and
11 consent of the Senate, who shall represent higher education teacher
12 education programs;

13 6. One member appointed by the Governor, with the advice and
14 consent of the Senate, who shall be an active classroom teacher in
15 kindergarten through grade six; and

16 7. One member appointed by the Governor, with the advice and
17 consent of the Senate, who shall be an active classroom teacher in
18 grades seven through twelve.

19 The terms of the initial appointed members shall commence on
20 January 1, 2013, and shall end on June 30, 2014. The terms of
21 subsequently appointed members shall commence on July 1 of each year
22 following the election of the Governor thereafter and shall be for
23 four (4) years. If a vacancy occurs, the vacancy shall be filled
24

1 for the unexpired term in the same manner as the office was
2 previously filled.

3 B. Effective July 1, 2020, the membership of the Commission
4 shall consist of the following nine (9) members:

5 1. Five members appointed by the Governor;

6 2. Two members appointed by the Speaker of the House of
7 Representatives; and

8 3. Two members appointed by the President Pro Tempore of the
9 Senate.

10 C. Each member shall serve at the pleasure of his or her
11 appointing authority and may be removed or replaced without cause.

12 Any member of the Commission shall be prohibited from voting on any
13 issue in which the member has a direct financial interest.

14 D. A quorum of the Commission, which shall consist of four
15 members, shall be present in order for the Commission to transact
16 any business. Members shall be reimbursed for travel in the
17 performance of their official duties in accordance with the State
18 Travel Reimbursement Act.

19 ~~C. Prior to July 1, 2013, the Commission shall meet to organize~~
20 ~~and plan for the assumption of the powers and duties of the~~
21 ~~Education Oversight Board and the Oklahoma Commission for Teacher~~
22 ~~Preparation.~~

23 ~~D.~~ E. Beginning July 1, 2013, the Commission shall assume the
24 following duties:

1 1. Oversee implementation of the provisions of Enrolled House
2 Bill No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma
3 Legislature;

4 2. Implementation of the provisions of the Oklahoma Teacher
5 Preparation Act as provided for in law;

6 3. Make recommendations to the Governor and Legislature on
7 methods to achieve an aligned, seamless system from preschool
8 through postsecondary education; and

9 4. Set performance levels and corresponding cut scores pursuant
10 to the Oklahoma School Testing Program Act and as provided for in
11 Section 1210.541 of ~~Title 70 of the Oklahoma Statutes~~ this title.

12 ~~E.~~ F. Beginning July 1, 2013, the Commission shall govern the
13 operation of the Office of Educational Quality and Accountability
14 created in Section 3-117 of ~~Title 70 of the Oklahoma Statutes~~ this
15 title.

16 ~~F.~~ G. 1. Beginning July 1, 2014, the Commission shall assume
17 the following duties of the Oklahoma Commission for Teacher
18 Preparation according to the provisions of the Oklahoma Teacher
19 Preparation Act:

20 a. approval and accreditation of teacher education
21 programs, and

22 b. assessment of candidates for licensure and
23 certification.

24

1 2. To implement the provisions of this subsection the
2 Commission shall:

- 3 a. include the State Board of Education in the process,
- 4 b. review and assess approved, accredited and new
5 programs of teacher education, and
- 6 c. encourage studies and research designed to improve
7 teacher education.

8 H. Beginning July 1, 2020, the Commission may renegotiate
9 contracts with each statewide virtual charter school which has been
10 approved and sponsored by the Statewide Virtual Charter School Board
11 or any virtual charter school for which the Statewide Virtual
12 Charter School Board has assumed sponsorship.

13 SECTION 3. AMENDATORY Section 2, Chapter 223, O.S.L.
14 2012 (70 O.S. Supp. 2019, Section 3-116.3), is amended to read as
15 follows:

16 Section 3-116.3 A. As of July 1, 2013, all references to the
17 Education Oversight Board shall mean the Commission for Educational
18 Quality and Accountability.

19 B. As of July 1, 2013, all references to the Office of
20 Accountability shall mean the Office of Educational Quality and
21 Accountability.

22 C. As of July 1, 2014, all references to the Oklahoma
23 Commission for Teacher Preparation shall mean the Commission for
24 Educational Quality and Accountability.

1 D. As of July 1, 2020, all references to the Statewide Virtual
2 Charter School Board shall mean the Commission for Educational
3 Quality and Accountability.

4 SECTION 4. AMENDATORY Section 3, Chapter 223, O.S.L.
5 2012 (70 O.S. Supp. 2019, Section 3-116.4), is amended to read as
6 follows:

7 Section 3-116.4 A. On July 1, 2014, the Oklahoma Commission
8 for Teacher Preparation shall be placed under the authority of the
9 Commission for Educational Quality and Accountability. Except as
10 otherwise provided for in this section, the transfer shall include
11 all real property, buildings, furniture, equipment, supplies,
12 records, personnel, assets, current and future liabilities, fund
13 balances, encumbrances, obligations, and indebtedness associated
14 with the Oklahoma Commission for Teacher Preparation.

15 B. All employees of the Oklahoma Commission for Teacher
16 Preparation on July 1, 2014, including related liabilities for sick
17 leave, annual leave, holidays, unemployment benefits, and workers'
18 compensation benefits accruing prior to July 1, 2014, to such
19 personnel shall be transferred to the Commission for Educational
20 Quality and Accountability as of July 1, 2014. It is the intent of
21 the Legislature that, to the extent possible, the Commission ensure
22 that the employees retain pay and benefits, as much as possible,
23 including longevity, dependent insurance benefits, seniority,
24 rights, and other privileges or benefits.

1 C. Appropriate conveyances and other documents shall be
2 executed by January 1, 2015, to effectuate the transfer of property
3 owned by the Oklahoma Commission for Teacher Preparation to the
4 Commission for Educational Quality and Accountability.

5 D. Any monies donated or accruing to or in the name of the
6 Oklahoma Commission for Teacher Preparation after July 1, 2014,
7 shall be transferred to the Commission for Educational Quality and
8 Accountability. Any other monies from appropriations, fees,
9 licenses, fines, penalties, or other similar types of monies that
10 accrue in any funds or accounts after July 1, 2014, in the name of
11 the Oklahoma Commission for Teacher Preparation or maintained for
12 the benefit of the Oklahoma Commission for Teacher Preparation are
13 transferred to the Commission.

14 E. The Commission for Educational Quality and Accountability
15 shall succeed to any contractual rights and responsibilities
16 incurred by the Oklahoma Commission for Teacher Preparation.

17 F. The rules of the Oklahoma Commission for Teacher Preparation
18 that are in effect on July 1, 2014, shall be enforceable by the
19 Commission for Educational Quality and Accountability until the
20 Commission establishes rules.

21 G. The Statewide Virtual Charter School Board is hereby
22 abolished. On July 1, 2020, all duties, powers, liabilities and
23 property of the Statewide Virtual Charter School Board shall be
24 transferred to the Commission for Educational Quality and

1 Accountability. Except as otherwise provided for in this section,
2 the transfer shall include all real property, buildings, furniture,
3 equipment, supplies, records, personnel, assets, current and future
4 liabilities, fund balances, encumbrances, obligations and
5 indebtedness associated with the Statewide Virtual Charter School
6 Board.

7 H. All employees of the Statewide Virtual Charter School Board
8 on July 1, 2020, including related liabilities for sick leave,
9 annual leave, holidays, unemployment benefits and workers'
10 compensation benefits accruing prior to July 1, 2020, to such
11 personnel shall be transferred to the Commission for Educational
12 Quality and Accountability as of July 1, 2020. It is the intent of
13 the Legislature that the Commission ensure that the employees retain
14 pay and benefits including longevity, dependent insurance benefits,
15 seniority, rights and other privileges or benefits.

16 I. Appropriate conveyances and other documents shall be
17 executed by January 1, 2021, to effectuate the transfer of property
18 owned by the Statewide Virtual Charter School Board to the
19 Commission for Educational Quality and Accountability.

20 J. Any monies donated or accruing to or in the name of the
21 Statewide Virtual Charter School Board after July 1, 2020, shall be
22 transferred to the Commission for Educational Quality and
23 Accountability. Any other monies from appropriations, fees,
24 licenses, fines, penalties or other similar types of monies that

1 accrue in any funds or accounts after July 1, 2020, in the name of
2 the Statewide Virtual Charter School Board or maintained for the
3 benefit of the Statewide Virtual Charter School Board are
4 transferred to the Commission.

5 K. The Commission for Educational Quality and Accountability
6 shall succeed to any contractual rights and responsibilities
7 incurred by the Statewide Virtual Charter School Board.

8 L. The rules of the Statewide Virtual Charter School Board that
9 are in effect on July 1, 2020, shall be enforceable by the
10 Commission for Educational Quality and Accountability until the
11 Commission establishes rules.

12 SECTION 5. AMENDATORY 70 O.S. 2011, Section 3-117, as
13 amended by Section 5, Chapter 223, O.S.L. 2012 (70 O.S. Supp. 2019,
14 Section 3-117), is amended to read as follows:

15 Section 3-117. A. There is hereby created the Office of
16 Educational Quality and Accountability. ~~The Office of Educational~~
17 ~~Quality and Accountability, its personnel, budget, and expenditure~~
18 ~~of funds shall be solely under the direction of the Commission for~~
19 ~~Educational Quality and Accountability. The Commission shall~~
20 ~~demonstrate a savings of fifteen percent (15%) by merging the former~~
21 ~~Office of Accountability into the Office of Educational Quality and~~
22 ~~Accountability.~~ The Administrator of the Office of Educational
23 Quality and Accountability shall have the training and experience
24 necessary for the administration of the agency. The Administrator

1 shall be appointed by the Governor with the advice and consent of
2 the Senate and shall serve at the pleasure of the Governor and may
3 be removed or replaced without cause. Compensation for the
4 Administrator shall be determined by the Governor. The
5 Administrator may be removed from office by a two-thirds (2/3) vote
6 of the members elected to and constituting each chamber of the
7 Legislature.

8 B. The Administrator of the Office of Educational Quality and
9 Accountability shall be the chief executive officer of the agency
10 and shall act for the agency in all matters except as may be
11 otherwise provided by law. The powers and duties of the
12 Administrator shall include but not be limited to:

13 1. Supervision of the activities of the agency;

14 2. Formulation and recommendation of rules for approval or
15 rejection by the Commission for Educational Quality and
16 Accountability;

17 3. Preparation of the plans, reports and proposals required by
18 the Commission for Educational Quality and Accountability, other
19 reports as necessary and appropriate, and an annual budget for the
20 review and approval of the Commission; and

21 4. Employment of such staff as may be necessary to perform the
22 duties of the agency.

1 SECTION 6. AMENDATORY 70 O.S. 2011, Section 3-118, as
2 last amended by Section 591, Chapter 304, O.S.L. 2012 (70 O.S. Supp.
3 2019, Section 3-118), is amended to read as follows:

4 Section 3-118. The Secretary of Education shall:

5 ~~1. Oversee the Office of Educational Quality and~~
6 ~~Accountability;~~

7 ~~2. Employ necessary personnel according to procedures~~
8 ~~established for the employment of personnel by the Office of~~
9 ~~Management and Enterprise Services;~~

10 ~~3.~~ Monitor the efforts of the public school districts to comply
11 with the provisions of this act and of Enrolled Senate Bill No. 183
12 of the 1st Session of the 42nd Oklahoma Legislature which relate to
13 common education;

14 ~~4.~~ 2. Identify districts not making satisfactory progress
15 toward compliance with the provisions and recommend appropriate
16 corrective actions to the State Board of Education concerning each
17 district so identified;

18 ~~5. Have executive responsibility for the Oklahoma Educational~~
19 ~~Indicators Program and the annual report required pursuant to~~
20 ~~Section 1210.531 of this title;~~

21 ~~6.~~ 3. Review and make periodic public comment on the progress
22 and effectiveness of the State Board and State Department of
23 Education, the Office of the State Superintendent of Public
24 Instruction, other bodies created by this act, and the public

1 schools of this state concerning the implementation of the
2 provisions of this act and of Enrolled Senate Bill No. 183 of the
3 1st Session of the 42nd Oklahoma Legislature which relate to common
4 education;

5 ~~7.~~ 4. Analyze the revenues for all systems of education and the
6 expenditure of common education revenue, giving close attention to
7 expenditures for administrative expenses relating to the common
8 schools;

9 ~~8.~~ 5. Make reports to the public concerning these matters
10 whenever appropriate; and

11 ~~9.~~ 6. Submit recommendations regarding funding for education or
12 statutory changes to the Speaker of the House of Representatives,
13 the President Pro Tempore of the Senate and the Governor whenever
14 appropriate.

15 SECTION 7. AMENDATORY Section 5, Chapter 367, O.S.L.
16 2012, as last amended by Section 1, Chapter 272, O.S.L. 2019 (70
17 O.S. Supp. 2019, Section 3-145.3), is amended to read as follows:

18 Section 3-145.3 A. Subject to the requirements of the Oklahoma
19 Charter Schools Act, the ~~Statewide Virtual Charter School Board~~
20 Commission for Educational Quality and Accountability shall:

21 1. Provide oversight of the operations of statewide virtual
22 charter schools in this state;

23 2. Establish a procedure for accepting, approving and
24 disapproving statewide virtual charter school applications and a

1 process for renewal or revocation of approved charter school
2 contracts which minimally meet the procedures set forth in the
3 Oklahoma Charter Schools Act;

4 3. Make publicly available a list of supplemental online
5 courses which have been reviewed and certified by the ~~Statewide~~
6 ~~Virtual Charter School Board~~ Commission for Educational Quality and
7 Accountability to ensure that the courses are high quality options
8 and are aligned with the subject matter standards adopted by the
9 State Board of Education pursuant to Section 11-103.6 of this title.
10 The ~~Statewide Virtual Charter School Board~~ Commission for
11 Educational Quality and Accountability shall give special emphasis
12 on listing supplemental online courses in science, technology,
13 engineering and math (STEM), foreign language and advanced placement
14 courses. School districts shall not be limited to selecting
15 supplemental online courses that have been reviewed and certified by
16 the ~~Statewide Virtual Charter School Board~~ Commission for
17 Educational Quality and Accountability and listed as provided for in
18 this paragraph; and

19 4. In conjunction with the Office of Management and Enterprise
20 Services, negotiate and enter into contracts with supplemental
21 online course providers to offer a state rate price to school
22 districts for supplemental online courses that have been reviewed
23 and certified by the ~~Statewide Virtual Charter School Board~~

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1 Commission for Educational Quality and Accountability and listed as
2 provided for in paragraph 3 of this subsection.

3 B. Each statewide virtual charter school which has been
4 approved and sponsored by the ~~Board~~ Commission or any virtual
5 charter school for which the ~~Board~~ Commission has assumed
6 sponsorship of as provided for in Section 3-145.5 of this title
7 shall be considered a statewide virtual charter school and the
8 geographic boundaries of each statewide virtual charter school shall
9 be the borders of the state.

10 C. Each statewide virtual charter school approved by the
11 ~~Statewide Virtual Charter School Board~~ Commission for Educational
12 Quality and Accountability shall be eligible to receive federal
13 funds generated by students enrolled in the charter school for the
14 applicable year. Each statewide virtual charter school shall be
15 considered a separate local education agency for purposes of
16 reporting and accountability.

17 D. As calculated as provided for in Section 3-142 of this
18 title, a statewide virtual charter school shall receive the State
19 Aid allocation and any other state-appropriated revenue generated by
20 students enrolled in the virtual charter school for the applicable
21 year, less up to five percent (5%) of the State Aid allocation,
22 which may be retained by the ~~Statewide Virtual Charter School Board~~
23 Commission for Educational Quality and Accountability for
24 administrative expenses and to support the mission of the ~~Board~~

1 Commission. A statewide virtual charter school shall be eligible
2 for any other funding any other charter school is eligible for as
3 provided for in Section 3-142 of this title. Each statewide virtual
4 charter school shall be considered a separate local education agency
5 for purposes of reporting and accountability.

6 E. A virtual charter school shall be subject to the same
7 reporting requirements, financial audits, audit procedures and audit
8 requirements as a school district. The State Department of
9 Education or State Auditor and Inspector may conduct financial,
10 program or compliance audits. A virtual charter school shall use
11 the Oklahoma Cost Accounting System (OCAS) to report financial
12 transactions to the State Department of Education.

13 F. A virtual charter school governing body shall be responsible
14 for the policies that govern the operational decisions of the
15 virtual charter school. The governing body of a virtual charter
16 school shall be subject to the same conflict of interest
17 requirements as a member of a local school board including, but not
18 limited to, Sections 5-113 and 5-124 of this title. Members
19 appointed to the governing body of a virtual charter school after
20 July 1, 2019, shall be subject to the same instruction and
21 continuing education requirements as a member of a local school
22 board and pursuant to Section 5-110 of this title, complete twelve
23 (12) hours of instruction within fifteen (15) months of appointment
24

1 to the governing body, and pursuant to Section 5-110.1 of this
2 title, attend continuing education.

3 G. Students enrolled full-time in a statewide virtual charter
4 school sponsored by the ~~Statewide Virtual Charter School Board~~
5 Commission for Educational Quality and Accountability shall not be
6 authorized to participate in any activities administered by the
7 Oklahoma Secondary Schools Activities Association. However, the
8 students may participate in intramural activities sponsored by a
9 statewide virtual charter school, an online provider for the charter
10 school or any other outside organization.

11 ~~H. The decision of the Statewide Virtual Charter School Board~~
12 ~~to deny, nonrenew or terminate the charter contract of a statewide~~
13 ~~virtual charter school may be appealed to the State Board of~~
14 ~~Education within thirty (30) days of the decision by the Statewide~~
15 ~~Virtual Charter School Board. The State Board of Education shall~~
16 ~~act on the appeal within sixty (60) days of receipt of the request~~
17 ~~from the statewide virtual charter school applicant. The State~~
18 ~~Board of Education may reverse the decision of the Statewide Virtual~~
19 ~~Charter School Board or may remand the matter back to the Statewide~~
20 ~~Virtual Charter School Board for further proceeding as directed.~~

21 SECTION 8. AMENDATORY Section 7, Chapter 367, O.S.L.
22 2012, as amended by Section 7, Chapter 212, O.S.L. 2013 (70 O.S.
23 Supp. 2019, Section 3-145.5), is amended to read as follows:

24

1 Section 3-145.5 A. Notwithstanding any other provision of law,
2 beginning July 1, 2014, no school district shall offer full-time
3 virtual education to students who are not residents of the school
4 district or enter into a virtual charter school contract with a
5 provider to provide full-time virtual education to students who do
6 not reside within the school district boundaries.

7 B. Effective July 1, 2014, the ~~Statewide Virtual Charter School~~
8 ~~Board~~ Commission for Educational Quality and Accountability shall
9 succeed to any contractual rights and responsibilities incurred by a
10 school district in a virtual charter school contract executed prior
11 to January 1, 2014, with a provider to provide full-time virtual
12 education to students who do not reside within the school district
13 boundaries. All property, equipment, supplies, records, assets,
14 current and future liability, encumbrances, obligations and
15 indebtedness associated with the contract shall be transferred to
16 the ~~Statewide Virtual Charter School Board~~ Commission for
17 Educational Quality and Accountability. Appropriate conveyances and
18 other documents shall be executed to effectuate the transfer of any
19 property associated with the contract. Upon succession of the
20 contract, the ~~Board~~ Commission shall assume sponsorship of the
21 virtual charter school for the remainder of the term of the
22 contract. Prior to the end of the current term of the contract, the
23 ~~Board~~ Commission shall allow the provider of the virtual charter
24 school to apply for renewal of the contract with the ~~Board~~

1 Commission in accordance with the renewal procedures established
2 pursuant to Section 3-145.3 of this title.

3 SECTION 9. AMENDATORY Section 1, Chapter 247, O.S.L.
4 2017 (70 O.S. Supp. 2019, Section 3-145.8), is amended to read as
5 follows:

6 Section 3-145.8 A. It shall be the duty of each virtual
7 charter school approved and sponsored by the ~~Statewide Virtual~~
8 ~~School Board~~ Commission for Educational Quality and Accountability
9 pursuant to the provisions of Section 3-145.3 of ~~Title 70 of the~~
10 ~~Oklahoma Statutes~~ this title to keep a full and complete record of
11 the attendance of all students enrolled in the virtual charter
12 school in one of the student information systems approved by the
13 State Department of Education and locally selected by the virtual
14 school from the approved list.

15 B. By July 1, 2018, the governing body of each virtual charter
16 school shall adopt an attendance policy. The policy may allow
17 attendance to be a proportional amount of the required attendance
18 policy provisions based upon the date of enrollment of the student.
19 The attendance policy shall include the following provisions:

- 20 1. A student who attends a virtual charter school shall be
21 considered in attendance for a quarter if the student:
- 22 a. completes instructional activities on no less than
23 ninety percent (90%) of the days within the quarter,

24

1 b. is on pace for on-time completion of the course as
2 defined by the governing board of the virtual charter
3 school, or

4 c. completes no less than forty instructional activities
5 within the quarter of the academic year.

6 2. For a student who does not meet any of the criteria set
7 forth in paragraph 1 of this subsection, the amount of attendance
8 recorded shall be the greater of:

9 a. the number of school days during which the student
10 completed the instructional activities during the
11 quarter,

12 b. the number of school days proportional to the
13 percentage of the course that has been completed, or

14 c. the number of school days proportional to the
15 percentage of the required minimum number of completed
16 instructional activities during the quarter.

17 C. For the purposes of this section, "instructional activities"
18 shall include but not be limited to online logins to curriculum or
19 programs offered by the virtual charter school, offline activities,
20 completed assignments, testing, face-to-face communications with
21 virtual charter school staff or service providers or meetings with
22 virtual charter school staff or service providers via
23 teleconference, videoconference, email, text or phone.

1 D. The virtual charter school shall submit a notification to
2 the parent or legal guardian of a student who has been withdrawn for
3 truancy or is approaching truancy.

4 E. The ~~Statewide Virtual Charter School Board~~ Commission for
5 Educational Quality and Accountability may promulgate rules to
6 implement the provisions of this section.

7 SECTION 10. AMENDATORY 70 O.S. 2011, Section 1210.531,
8 as amended by Section 14, Chapter 223, O.S.L. 2012 (70 O.S. Supp.
9 2019, Section 1210.531), is amended to read as follows:

10 Section 1210.531 A. The Commission for Educational Quality and
11 Accountability shall establish an Oklahoma Educational Indicators
12 Program. The purpose of the Program shall be to develop and
13 implement a system of measures whereby the performance of public
14 schools and school districts is assessed and reported without undue
15 reliance upon any single type of indicator, and whereby the public,
16 including students and parents, may be made aware of the proper
17 meaning and use of any tests administered under the Oklahoma School
18 Testing Program Act, relative accomplishments of the public schools,
19 and of progress being achieved. The Commission shall involve
20 representatives of school teachers and of school administrators in
21 the development of the Program. The Program shall be so designed
22 that use of standardized definitions and measures and opportunities
23 for coordination with national reports, including those of the
24 National Assessment of Educational Progress, are maximized.

1 B. The Oklahoma Educational Indicators Program shall present
2 information for comparisons of graduation rates, dropout rates,
3 pupil-teacher ratios, student enrollment gain and loss rates, and
4 test results in the contexts of socioeconomic status and the
5 finances of school districts. Information shall be provided
6 individually for all public school sites and school districts in a
7 format that facilitates comparisons. As necessary data become
8 available, comparisons shall also be provided individually for all
9 schools and school districts on a historical basis. Reports of all
10 tests administered pursuant to the Oklahoma School Testing Program
11 Act shall be a part of the Oklahoma Educational Indicators Program
12 and shall be provided for each grade and each test subject or set of
13 competencies. Test results for students enrolled in Internet-based
14 courses, including regularly enrolled and alternative education
15 students, shall be disaggregated and reported. The Commission for
16 Educational Quality and Accountability shall seek to develop and
17 incorporate additional indicators of comparative standing and
18 accomplishment.

19 C. Additionally, the Commission for Educational Quality and
20 Accountability, with the cooperation of the State Department of
21 Education, the Oklahoma State Regents for Higher Education, and the
22 State Board of Career and Technology Education, shall develop
23 procedures for obtaining and reporting data to the high schools and
24 to the general public regarding the performance of each high

1 school's graduates in Oklahoma's institutions of higher education
2 and in postsecondary vocational-technical education. The Commission
3 for Educational Quality and Accountability shall include such data
4 in the report of the Oklahoma Educational Indicators Program. The
5 State Department of Education shall make all its data available to
6 the Office of Educational Quality and Accountability annually.

7 D. By February 1 of each year the Commission for Educational
8 Quality and Accountability shall publish:

9 1. A summary report to the people and Legislature of Oklahoma
10 of the information provided by the Oklahoma Educational Indicators
11 Program; and

12 2. State, district, and site level reports which shall include
13 the percentage of students who perform at the various levels on the
14 tests required by the Oklahoma State Testing Program.

15 Immediately following the publication of the reports required in
16 this subsection each year, all data gathered pursuant to the
17 Oklahoma Educational Indicators Program shall be made available for
18 public inspection at the Office of Educational Quality and
19 Accountability. The confidentiality of individual student and
20 personnel records shall be preserved as required by law.

21 SECTION 11. REPEALER Section 3, Chapter 367, O.S.L.
22 2012, as amended by Section 4, Chapter 212, O.S.L. 2013, Section 4,
23 Chapter 367, O.S.L. 2012 and Section 6, Chapter 367, O.S.L. 2012, as

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