

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3550

By: Sterling, **Dollens**, and
Provenzano of the House

7 and

Pemberton of the Senate

8
9
10 COMMITTEE SUBSTITUTE

11 An Act relating to schools; amending 70 O.S. 2021,
12 Sections 3-104.3 and 3-104.4, which relate to school
13 accreditation; granting authority to Legislature to
14 withdraw or deny school accreditation; prescribing
15 process through a joint resolution; directing State
16 Board of Education to notify Legislature if school
17 fails to take certain action; authorizing certain
18 withdrawal of school accreditation by Legislature;
19 providing an effective date; and declaring an
20 emergency.

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

22 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-104.3, is
23 amended to read as follows:

24 Section 3-104.3 A. The Legislature, recognizing its obligation
to the children of this state to ensure their opportunity to receive
an excellent education, and recognizing its obligation to the
taxpayers of this state to ensure that schooling is accomplished in

1 an efficient manner, hereby establishes requirements for compliance
2 with quality standards which the public schools and school
3 districts, within the limits of resources now or subsequently
4 available, must meet.

5 B. ~~State~~ The Legislature, by adoption of a joint resolution,
6 may withdraw from or deny accreditation shall be withdrawn from or
7 ~~denied~~ to schools or school districts that do not meet the
8 requirements of Sections ~~2~~ 3-104.4, ~~3~~ 11-103, ~~6~~ 11-103.6, ~~28~~ 18-
9 113.1, ~~29~~ 18-113.2, ~~30~~ 18-113.3, ~~44, 45, 46, 47, 48~~ 18-114.15, and
10 ~~49~~ 5-141 of this ~~act~~ title, ~~and the provided that the joint~~
11 resolution becomes law in accordance with Section 11 of Article VI
12 of the Oklahoma Constitution. The State Board of Education shall
13 take action ~~as required by this act~~ to ensure that students affected
14 are enrolled in schools that are able to maintain state
15 accreditation. Nothing herein shall be construed as prohibiting the
16 withdrawing or denial of accreditation by the Legislature for
17 failure to meet requirements as elsewhere provided by law.

18 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3-104.4, is
19 amended to read as follows:

20 Section 3-104.4 A. The State Board of Education shall adopt
21 standards for the accreditation of the public schools in this state
22 according to the requirements of Section 3-104.3 et seq. of this
23 title, to be effective as set forth in Section 3-104.3 et seq. of
24 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 adopted by the ~~State~~ Board
6 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. 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. The accreditation standards shall

1 provide for warnings, probation or nonaccredited status for schools
2 that fail to meet the standards. The Department shall investigate a
3 complaint of failure to provide educational services or failure to
4 comply with accreditation standards within thirty (30) days of
5 receiving the complaint. If the Department determines that a school
6 has failed to comply with the accreditation standards, the
7 Department shall report the recommended warning, probation or
8 nonaccredited accreditation status to the State Board of Education
9 within ninety (90) days. If a school does not take action to comply
10 with the accreditation standards within ninety (90) days after a
11 report is filed by the Department, the Board shall notify the
12 Legislature which may withdraw accreditation for the school as
13 provided in Section 3-104.3 of this title. The ~~State~~ Board
14 accreditation regulations shall provide for warnings and for
15 assistance to schools and school districts whenever there is reason
16 to believe a school is in danger of losing its state accreditation.

17 D. If one or more school sites fail to receive accreditation as
18 required pursuant to this section and Section 3-104.3 of this title
19 or subsequently lose accreditation, the State Board of Education
20 shall close the school and reassign the students to accredited
21 schools within the district or shall annex the district to one or
22 more other districts in which the students can be educated in
23 accredited schools.

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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 ages
6 of three (3) and twenty-one (21) years of age. The accreditation
7 standards shall apply to on-site and off-site educational services
8 provided by public school districts or state-accredited private
9 schools. 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.

15 F. The ~~State~~ Board shall provide assistance to districts in
16 considering the possibility of meeting accreditation requirements
17 through the use of nontraditional means of instruction. The ~~State~~
18 Board shall also assist districts in forming cooperatives and making
19 arrangements for the use of satellite instruction or other
20 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 shall not assess a financial penalty
20 against any school district which is given a deficiency in
21 accreditation status during any fiscal year as provided for in this
22 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

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

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

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

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

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

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

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

24 If the public school receives no deficiencies for two (2)

1 consecutive years, the public school shall be subject to the
2 evaluation timeline established in subsection I of this section.

3 SECTION 3. This act shall become effective July 1, 2024.

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

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9 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/28/2024
10 - DO PASS, As Amended and Coauthored.

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